



*Board of Fire Commissioners, District 4  
Township of Franklin, Gloucester County NJ  
1635 Forest Grove Road  
Vineland, NJ 08360*

## Board of Fire Commissioners, District 4 By-Laws

### ARTICLE I ORGANIZATION AND ADMINISTRATION

#### **Section 1. Establishment:**

(A) The Commissioners of Fire District No. 4 in the Township of Franklin, County of Gloucester, New Jersey, (hereinafter referred to as "The Board of Fire Commissioners") is created pursuant to N.J.S.A. 40A:14- 70.

(B) The Board of Fire Commissioners is governed by Title 40A, Chapter 14 of the New Jersey Statutes; and all other applicable statutes and laws.

#### **Section 2. Powers.**

The Board of Fire Commissioners may exercise those powers granted to it by Title 40A, Chapter 14 of the New Jersey Statutes; and all other applicable statutes and laws.

#### **Section 3. Conflict.**

These By-Laws and all provisions thereof shall govern the Board of Fire Commissioners except when in conflict with the Constitution and laws of the State of New Jersey or the United States of America.

#### **Section 4. Membership and Officers.**

(A) Unless otherwise provided by law, there shall be five commissioners who collectively shall be known as the Board of Fire Commissioners of Fire District No. 4 in the Township of Franklin, County of Gloucester, New Jersey who shall be elected in accordance with Title 40A and Title 19 of the New Jersey Statues.

#### **Section 4. Membership and Officers continued.**

(B) Any vacancy in the membership shall be filled by the vote of the remaining members until the next succeeding annual election, at which time a resident of the district shall be elected for the unexpired term.

(C) The officers of the Board of Fire Commissioners shall be the Chairman, Vice Chairman, Secretary, Treasurer and Commissioner such other offices as the Board of Fire Commissioners shall deem appropriate.

(D) The officers shall be members of the Board of Fire Commissioners and their appointments shall be for a term of one year and they shall be elected at the reorganization meeting.

(E) The duties of the officers will be as set forth in Title 40A.

(F) The Board of Fire Commissioners shall cause the Treasurer's records to be audited in accordance with Title 40A.

(G) Each member of the Board of Fire Commissioners shall receive as compensation in accordance with Title 40A.

#### **Section 5. Elections and Candidates.**

(A) The annual election shall be held in accordance with Title 40A and Title 19 of the New Jersey Statutes.

(B) Candidates for membership on the Board of Fire Commissioners shall be in accordance with Title 40A and Title 19 of the New Jersey Statutes

#### **Section 6. Defense Representation and Costs.**

(A) The Board of Fire Commissioners shall provide a member or officer of the Fire Company who is a defendant in any action or legal proceeding arising out of or incidental to the performance of his duties, subject to the exception in (B), with counsel and costs incidental to such representation for the defense of such action or proceeding.

(B) The defense representation and costs provided under (A) shall not be available for a member or officer's defense in a disciplinary proceeding instituted against him by the Board of Fire Commissioners or in a criminal proceeding instituted as a result of a complaint on behalf of the Board of Fire Commissioners. However, if such disciplinary or criminal proceeding shall be dismissed or finally determined in favor of the member or officer, he shall be reimbursed for the expense of his defense.

### **Section 7. Jurisdiction.**

The Commissioners shall exercise authority over all Fire Company matters within the boundaries of Fire District No. 4 in the Township of Franklin, in the County of Gloucester, and in that regard shall have the authority in all respects over all volunteer and other fire companies or departments operating within the boundaries of the said fire district, and no fire company shall be formed nor any existing fire company continue to operate as except as hereinafter provided.

### **Section 8. Budget.**

- (A) The Board of Fire Commissioners shall introduce and approve the annual budget in accordance with Title 40A.
- (B) The Fire District fiscal years shall begin on January 1 and end on December 31.
- (C) The Board of Fire Commissioners budget shall conform to the requirements of Title 40A.
- (D) Any and all expenditures, regular or emergent, made by the Board of Fire Commissioners shall be made in accordance with the requirements of Title 40A.

### **Section 9. Contracts with Volunteer Fire Companies.**

The Board of Fire Commissioners may contract with a volunteer fire company or companies in such municipality, for purposes of extinguishing fires, in accordance with NJ Title 40 & 40A.

### **Section 10. Meetings.**

- (A) The Commissioners may convene regular, special, executive, (closed), adjourned or emergency meetings.
- (B) All meetings of the Commissioners must be conducted in conformity with the requirements of the Open Public Meetings Act, N.J.S.A. 10:4-6, et seq., and the requisite notices of said meetings as required by that Act must be properly given.
- (C) Special meetings may be called by any two Commissioners acting jointly. All other meetings must be called by a majority of the members of the Board, except as otherwise provided herein.

**Section 11. Establishment of Paid Positions.**

(A) The Commissioners may, by resolution, establish paid positions within the Fire Company, or for the Fire District, as such position shall be determined by the Commissioners to be required for the purposes of the Fire District in accordance with Title 40A.

**ARTICLE II FIRE COMPANIES**

**Section 1. Establishment of Fire Companies.**

Fire Companies may be established in accordance with Title 40A.

**Section 2. By-Laws.**

No Fire Company's Constitution or By-Laws shall conflict with the Rules and Regulations as set forth by the Board of Fire Commissioners.

**Section 3. Membership.**

(A) An application for Membership in any Fire Company in Fire District No.4 must possess the qualifications set forth in N.J.S.A. 40A:14-9 and must:

- (1) Possess a valid NJ driver license and have a driving record not inconsistent with fulfilling the duties of a firefighter.
- (2) Not be less than 18 years of age at the time of application for full membership and 16 years of age as a junior member with written parental consent.
- (3) If applying for full membership, be required to submit to and pass a full physical evaluation along with any other evaluation standards the Commissioners may deem necessary. Each applicant shall submit to and pass the Drug and Alcohol Testing/Screening procedures as required by the Fire Commissioners. Each applicant shall be required to sign any authorization necessary for the Board of Fire Commissioners to receive the outcome of the tests and procedure. If during the examination process a pre-existing condition is diagnosed, the applicant shall be responsible for the cost of testing.
- (4) Pass a criminal background check. (Members applying as juniors are not required to pass a background criminal check)

### **Section 3. Membership continued.**

(B) No applicant shall be a valid firefighter of any Fire Company in Fire District No. 4 until such person's application has been approved by the Board of Fire Commissioners and such person has complied with all accompanying procedures required thereto by the Board of Fire Commissioners.

(C) The Board of Fire Commissioners may, at its discretion, require a member at any time to undergo a physical examination. In such a case, any member of the Fire Company may retire or may be retired by the Board of Fire Commissioners if:

- (1) Said member refuses to submit to said physical examination; or
- (2) Said member is unable to pass said physical examination.

(D) If a Fire Company expels or suspends any of its Fire Company members, such expulsion or suspension should be reported to the Board of Fire Commissioners at their next regular meeting. The expelled or suspended member has the right of appeal to the Board of Fire Commissioners to be exercised within thirty days after receipt of notification by the Company of the final disposition of the matter. The decision of the Board of Fire Commissioners shall be final and conclusive.

(E) The number of members of the Fire Company shall be limited to Sixty (60) active members.

(F) Any person who attains membership shall be subject to all the rules and regulations as set forth in these By-Laws and in the Constitution and By-Laws of their Fire Company.

(G) All new firefighters are required to attend or have attended and complete or have completed an approved Fire Academy. The firefighter shall attain a State of NJ, DCA Fire Fighter 1 certificate at a minimum. A copy of this certificate shall be provided to the Chief of the Fire Company and will be kept on file in the member's personnel folder.

(H) Any member belonging to Voluntary Fire Companies within the jurisdiction of the Board of Fire Commissioners, District 4, when attending housings, parades or other ceremonies pursuant to authorization from the Fire Commissioners or the Fire Company shall not engage in any of the following:

- (1) water fights or other horseplay;
- (2) unruly, loud or boisterous behavior;
- (3) excessive consumption of alcoholic beverages (the driver of any apparatus taken to such housing, parade or other ceremony shall not consume any alcoholic beverages at all).

### **Section 3. Membership continued.**

- (4) removal of equipment from the apparatus so taken without express permission from a Fire Commissioner or a Fire Chief;
- (5) operation of any platforms or other moving equipment on any such apparatus;
- (6) any activity which will jeopardize the maintenance at current rates of the insurance policies issued to the Fire District nor which reflects adversely upon the Fire District or the Fire Commissioners.

Any member belonging to the volunteer fire companies or departments within the jurisdiction of Board of Fire Commissioners, District 4 who attend said housings/ parades or other ceremonies pursuant to authorization from the Fire Commissioners or Fire Company shall return from such housing/ parade or other ceremony as soon as their participation thereat is no longer required nor appropriate, and any apparatus shall be returned directly to the fire station.

### **Section 4. Fire Operations**

- (A) When an alarm of fire occurs, it is the duty of all required members to immediately report to the firehouse, to convey their apparatus to the fire under orders of the Officer in charge, who in absence of an Officer shall be an Ex-Chief or Senior Firefighter of his/her designee, who is authorized to assume Officers rank in said absence, to act diligently and safely to extinguish fires and protect persons and property, and to return under the Officer in Charge's direction, their apparatus restored, washed and cleaned to its proper place at the firehouse.
- (B) And in these By-Laws any Officer or member who shall refuse or voluntarily neglect to obey or execute the orders of the Officer-in- Charge at any fire shall be subject to disciplinary action, including suspension or expulsion from the company according to the rules and regulations established by each company.
- (C) And in these By-Laws each fire company shall drill and train not less than twice each month. Any Officer or member who shall refuse or voluntarily neglect to drill and train shall be subject to disciplinary action, including suspension or expulsion from the company according to the rules and regulations established by each company.
- (D) No firefighters shall enter any building in search of bombs.
- (E) The following rules shall govern injured personnel:
  - (1) In the event of any on-duty injury to a firefighter requiring medical treatment, the firefighter shall go to the Emergency Room of the nearest medical facility.

#### **Section 4. Fire Operations Continued**

- (2) It is up to the discretion of the Officer-in-Charge whether or not transportation via the First Aid Squad is required. The firefighter may request First Aid transportation even though the Officer-in-Charge does not determine it to be necessary. In that case, the Officer-in-Charge will accommodate the firefighter and arrange for the First Aid Squad, unless the injury is of such proportion that a wait may further aggravate the injury.
- (3) It shall be the duty of the Chief, or the Officer-in-Charge as follows:
- (a) to make sure that either an officer, or another firefighter accompanies the injured to the Emergency Room and remain with the injured until such time as he or she is discharged, or admitted to the hospital;
  - (b) to notify at least one of the Commissioners of the injury, the hospital the injured member was transported to, and the extent of the injuries if known.

#### **Section. 5. Equipment.**

- (A) No apparatus or chief's vehicle shall be taken outside of the Fire District without the consent of the Board of Fire Commissioners except in the case of emergency, fire drill or meetings. The Chief of the Fire Department may authorize the use of apparatus in the performance of needed duties that support the overall mission and goals of the Fire District, Board of Fire Commissioners, District 4, or the Fire Company. Any questions as to the use of Fire District apparatus shall be brought to the attention of the Board of Fire Commissioners, District 4 at the regular monthly meeting.
- (B) Any member who, in the opinion of the majority of the Board members, has a bad driving record shall be prohibited from operating any fire apparatus.
- (C) No apparatus shall leave the firehouse with less than 3 firefighters unless otherwise directed by the Officer-in-Charge.
- (D) The Chief of the Fire Company shall audit the list of qualified drivers on or before January 15 of each year and shall undertake a check of each driver's license to determine if said driver's license is valid.
- (E) No member of any company shall be permitted to tamper with, fix or repair any of the equipment or apparatus, unless they have permission of the Officer-in-Charge.
- (F) The Chief or Officer in Charge shall ensure that ALL mechanical problems with the fire apparatus under his command to be reported to the Commissioner's office as soon as possible.

### **Section. 5. Equipment Continued.**

(G) The requirements and procedures for drivers/operators of ALL apparatus except as otherwise provided are as follows:

- (1) Be a regular member of a District #4 Fire Company.
- (2) Be at least 18 years of age.
- (3) Possess a valid driver's license.
- (4) Attend and pass driving education program.
- (5) Attend and successfully pass a basic pump operator class or equivalent.
- (6) Receive final approval from Fire Company Chief prior to driving or operating a pumper. Final approval shall be in writing and made part of the record at the Fire Chiefs office.

(H) The Chief or Officer in Charge will decide whether or not the apparatus malfunction is serious enough to place the apparatus out of service. If apparatus is placed out of service by anyone other than the Chief, the Chief will be notified immediately. The Chief will contact a member of the Board of Fire Commissioners immediately. A decision will then be made as to the proper course of action and whether emergency repair is necessary. It shall be within the discretion of the Board of Fire Commissioners or Fire Company Chief to transfer apparatus to the respective and authorized repair facility as soon as possible. The Chief or Officer in Charge shall notify the dispatch center that the apparatus is out of service.

(I) It is the Chief's responsibility to ensure that all apparatus and equipment under his jurisdiction is, at all times, in good, operable condition.

(J) The Commissioners will inspect such apparatus and equipment no less than once annually. Such inspection may or may not be announced in advance.

(K) The Board may assign a vehicle to the Chief and Deputy Chief. No other automobile or vehicle may serve as the Chief's or Deputy Chief's official car nor carry emergency lights or siren without the specific consent of the State of New Jersey. In the absence or disability of the Chief, the said vehicle shall be assigned to the next qualifying line officer in descending rank.

(L) No Chief shall respond with lights and sirens activated to any emergency with any civilians traveling in the vehicle.



### **Section. 5. Equipment Continued.**

(M) In the event that the Chief's vehicle or any apparatus whatsoever is involved in an automobile accident at any time, the operator thereof shall stay at the scene with the vehicle/apparatus until the police on the scene give authorization to leave the scene of the accident. In the event such an automobile accident occurs while responding to a fire, the operator of the apparatus shall immediately notify the supervising officer. If the Chief is involved in an automobile accident while responding to a fire, he shall immediately notify the next ranking line officer and delegate his duties to that officer until he is able to respond to the fire scene.

### **Section 6. Substance Abuse Policy.**

The Board of Fire Commissioners recognizes that it bears the responsibility of ensuring that its fire fighting force is fully capable of protecting the health, safety and welfare of the citizens within Township of Franklin, Fire District No. 4

The Board also recognizes that the nature of fire fighting is such that the impairment of any volunteer fire service member seriously endangers the lives, safety and welfare of the public and other members.

The Board also recognizes that substance abuse seriously impacts upon the health of the person and, therefore, encourages its members to seek out the availability of counseling and rehabilitation programs.

Therefore, the Board of Fire Commissioners has a compelling interest to make certain that all volunteer fire service members are free from abuse problems involving controlled dangerous substances and alcohol.

The Board of Fire Commissioners is committed to providing a drug free alcohol free, healthful, safe and secure work environment for all of its fire fighters and to provide further that the unlawful manufacture, distribution, dispensation, possession or use of a controlled substance and the unlawful possession, use or abuse of alcohol is absolutely prohibited.

## **Section 6. Substance Abuse Policy Continued.**

### **Definitions.**

For purposes of this policy, the following definitions shall apply:

"Controlled Dangerous Substance" includes the definition found at N.J.S.A. 24:21-2 and includes any substance other than alcohol that has mind or function altering effect, and volatile substances which produce the physiological and psychological effects of a controlled dangerous substance through deliberate inhalation or ingestion. "Controlled Dangerous Substance" includes, but is not limited to, amphetamines, cannabinoids, cocaine, phencyclidine (PCP), hallucinogens, methaqualone, opiates, barbiturates, benzodiazepines, synthetic narcotics, designer drugs, or a metabolite of any of the substances herein.

"Substance Abuse" shall mean the consumption or use of any controlled dangerous substance as defined herein for purposes other than for the treatment of sickness or injury as prescribed or administered by a person duly authorized to practice medicine and the misuse, abuse or unlawful use of alcohol.

"Probable Cause" requires the concurrence of a Commissioner, Chief, or Officer in Charge or by the sole advice of a Physician. "Probable Cause" is based upon the facts, circumstances, physical evidence, physical signs and symptoms, or a pattern of behavior that indicate that a member has violated this policy by the unlawful manufacture, distribution, dispensation, possession or use of a controlled substance and the unlawful possession, use or abuse of alcohol when responding to an alarm or while performing as a fire fighter/fire police. "Probable Cause" may be based upon, but not limited to, reports that a member has violated this policy during the performance of his/her duties as a fire fighter/fire police, the odor of alcohol or marijuana on a member, unusual behavior such as slurred speech or lack of coordination, possession of paraphernalia used in connection with any drug, or involvement in an accident which resulted or could have resulted in bodily injury or damage to property or which involved a piece of fire apparatus responding to a fire.

"Substance Abuse Test" shall be defined as any chemical, biological or physical instrumental analysis administered for the purpose of determining the present or absence of a drug or its metabolites or for the purpose of determining the presence of any alcohol.

"Prescription medication" shall mean a drug prescribed for use by a duly licensed physician, dentist or other medical practitioner licensed to practice medicine and issue prescriptions for a drug that is authorized for general distribution and use in the treatment of human diseases, ailments or injuries.

## **Section 6. Substance Abuse Policy Continued.**

### **Substance Abuse Testing.**

In order to ensure that above stated policy the Board of Fire Commissioners, District 4, In the Township of Franklin, County of Gloucester hereby implements a substance abuse testing procedure. Substance abuse testing may take place under the following circumstances:

1. Entry level substance abuse testing for persons applying for a position in the volunteer fire service. The testing may be done as a part of the pre-employment physical.
2. When probable cause exists that a member has violated the policy of Township of Franklin, Fire District No. 4 or the SOG / SOP of the Fire Company.

### **Substance Abuse Treatment.**

Further, in support of the policy to promote a drug free work environment, the Board of Fire Commissioners, District 4, encourages its members to seek assistance through counseling and rehabilitation and/or to request assistance with any substance abuse problem before disciplinary action is necessary.

### **Entry Level Testing.**

All applicants for a fire fighting position within the Board of Fire Commissioners, District 4, shall be notified and receive a copy of this policy that as part of their application physical exam, a substance abuse screening test may be performed.

Applicants for a fire fighting position shall be required to sign a substance abuse test consent. The consent form will comply with the Health Insurance Portability and Accountability Act of 1996 (a/k/a HIPAA), 42 USC 1320d and 45 CFR 160-164. Failure to sign said consent and/or submit a urine sample for testing may disqualify the applicant from consideration for volunteer fire service. This signed substance abuse test consent form will act as consent to undergo substance abuse testing consistent with this policy and will constitute an acknowledgment by the applicant that any detection of control dangerous substance in his/her body will result in the denial of his/her application for a position in the volunteer fire service.

A urine sample is the standard method used in testing for the present of these and/or other related drugs. The analytical test to be utilized shall be in conformance with acceptable scientific and medical standards. Prior to the applicant being tested, the applicant will be informed of his/her opportunity to submit medical documentation that may verify his/her use of a prescription medication. Such verification, however, will not preclude the administration of the drug test.

## **Section 6. Substance Abuse Policy Continued.**

Any applicant who refuses to submit to a drug test may be denied a position in the volunteer fire service. Similarly, any applicant who submits to the required drug test and whose urine specimen shows the presence of a controlled dangerous substance may be denied a position in the volunteer fire service.

### **Probable Cause Testing.**

The testing of members for control dangerous substances or alcohol shall be administered only upon probable cause. Random testing is prohibited. A request for an employee to consent to be tested in the absence of probable cause is prohibited.

When the two superiors concur that probable cause exists for the testing of a member that member shall be required to consent to a substance abuse test. If the member refuses to consent to the test, he will be instructed in writing to appear at the office of the Board's physician or other designated testing facility at a designated time not more than three hours from the time of the request to consent to testing. Members, subject to testing will not be allowed to drive, but will be transported to and from the collection site, and home if required. If requested, members shall be allowed to have a representative of their choice as an observer at the collection site.

Probable cause testing shall be conducted in the same manner as entry level testing.

In the case of a positive testing, applicants may elect to have the new sample tested.

Prior to the applicant being tested, the applicant will be informed of his/her opportunity to submit medical documentation that may verify his/her use of a prescription medication. Such verification, however, will not preclude the administration of the drug test.

A positive test may result in discipline or discharge. The failure to submit to testing may result in discipline or discharge. The Board may also require the member to participate in counseling or a rehabilitation program as part of his continued service for the Township of Franklin, Fire District No. 4 The expense for said counseling shall be paid by the member of his/her primary insurance carrier. If, in the event no insurance is available the, in that event, the Board shall have the sole discretion to determine to what extent, if any, it shall contribute to said expense. The Board will decide the nature of the discipline after a hearing. Pending the determination of the Board, the member will be suspended from active status. Prior to the hearing the member will be given written notice of the charges and an explanation of the evidence against him, including the evidence used to establish probable cause. At the hearing the member may be represented by an attorney. If, in the event, a member is determined to have had a second offense under this policy, he/she shall be expelled from the service.

**Section 6. Substance Abuse Policy Continued.**

Confidentiality.

The Board of Fire Commissioners will not release to any person, other than the applicant, medical personnel, supervising personnel or other personnel of the volunteer fire service on a need to know basis any information related to the drug test results unless:

- (A) The applicant has expressly granted permission in writing for the Board of Fire Commissioners to release such information; and/or
- (B) The Board of Fire Commissioners is legally mandated to release such information.

**Section 8. Insurance.**

All vehicles must be covered by a liability insurance policy. The amount of this coverage must meet or exceed the insurance requirement of the state in which the vehicle is licensed. Any vehicle carrying ten (10) or more passengers is required to have limits of \$100,000/\$500,000/\$100,000 or \$500,000 single limits.

**ARTICLE III OFFICERS**

Chief.

- (A) The qualifications for Chief shall be as set forth in Standard Operating Guideline for the Forest Grove Volunteer Fire Company Station 43-5.
- (B) The duties and obligations of a Chief shall be as set forth in Standard Operating Guideline for the Forest Grove Volunteer Fire Company Station 43-5.

**ARTICLE IV PREGNANCY POLICY**

Section 1. Statement of Purpose:

The goal of the Board of Fire Commissioners, District No.4, is to ensure the safety of the public and our firefighters at all times.

If the Board of Fire Commissioners, District No.4 is fortunate to have female firefighters among its ranks, it is natural to surmise that there may come a time when a female firefighter will become pregnant. Due to the unusually strenuous and hazardous nature of firefighting, it is a reality that at some point during a pregnancy, due to medical and practical considerations, a

#### **ARTICLE IV Pregnancy Policy Continued.**

firefighter will be unable to carry out the duties that are required to fight fires and the firefighter may have to withdraw from active firefighting duties.

The goal of the Board of Fire Commissioners, District No.4 is to allow a pregnant firefighter to remain active within the fire district, but to give said firefighter the option to temporarily transfer to less hazardous duty. It is the recommendation of the Board of Fire Commissioners that a pregnant firefighter will limit her activity to non-hazardous duty within the fire department, however, this is merely a recommendation and not a directive.

To ensure the safety of the public, the firefighter herself and her colleagues, the Board of Fire Commissioners adopts the following policy:

##### **Section 2. Notification:**

(A) A firefighter, upon learning of her pregnancy, shall immediately report her condition to her station chief.

(B) Upon being advised by a firefighter of her pregnancy, the station chief shall report the matter to the Fire District Administrator who shall inform the Fire Commissioners.

##### **Section 3. Firefighter's Options:**

A pregnant firefighter shall have the following options regarding her duties during the course of her pregnancy:

(1) The firefighter shall be allowed to take a leave from her duties for the duration of her pregnancy or as allowed under the Family Medical Leave Act, or unless otherwise stipulated by the fire fighter's physician. If the fire fighter takes this option, the fire fighter is not entitled to accumulate time with regard to the Length of Service Awards Program; or

(2) The firefighter shall be allowed to limit her activity to "non-hazardous" duties during the course of her pregnancy and reasonable time thereafter as health conditions dictate. "Non-hazardous" duties are those duties that do not pose any risk to the pregnant fire fighter, including, but not limited, training, public education, prevention, policy development and communication. "Non-hazardous" duties shall not include active participating in the fighting of fires or on-site inspections of fire scenes; or

(3) Continue fire fighting. If the firefighter chooses to continue active firefighting during the course of her pregnancy, she must provide the Fire District Administrator with a written report from her treating physician certifying that she is able to continue with the strenuous and hazardous duties of firefighting. This requirement shall be the same as that for other non-duty related disabilities. Said certification must be made following

#### **ARTICLE IV Pregnancy Policy Continued**

every exam of the firefighter by the physician and shall be mailed directly to the Board of Fire Commissioners, District 4 with a copy going to the firefighter. The Fire Commissioners retain the authority to transfer any pregnant firefighter who does not supply said certification from her doctor to "non- hazardous" duty status.

##### **Section 4. Seniority - Rank and Benefits;**

(A) In order to maintain seniority, rank and all other benefits as if on "regular active duty", the pregnant fire fighter shall, at a minimum, perform non-hazardous and/or corporate duties for her fire company during the course of her pregnancy. If such minimal level of activity is maintained, the fire fighter shall not be passed up for any possible promotion due to her pregnancy.

(B) If the pregnant fire fighter chooses not to maintain said minimal level of activity as set forth in paragraph 1 above, she shall provide a written report from her treating physician certifying that she is not able to continue to perform the minimal required activities, including corporate duties due to health reasons. If such a certification is provided, said pregnant fire fighter, during the course of her pregnancy, will maintain her seniority, rank and all other benefits as if "on regular active duty."

##### **Section 5. Grievances;**

If any pregnant firefighter is of the opinion that she is being discriminated against due to her pregnancy, she shall immediately report said incident and the matter shall be handled in accordance with the Board of Fire Commissioners, District No.4 Policy on Sexual Discrimination / Harassment

## **ARTICLE V SEXUAL HARRASSMENT**

### **Section 1. Policy Statement:**

It is the policy of the Board of Fire Commissioners that all members of the Fire Districts Jurisdiction should be able to enjoy a work atmosphere, free from all forms of discrimination, including sexual harassment. Sexual harassment infringes on a member's right to a comfortable work environment, and is a form of misconduct which undermines the integrity of the member-fire company relationship. No member, male or female, should be subject to unsolicited and unwelcomed sexual overtures or conduct, either verbal or physical. Sexual harassment will not be tolerated.

The policy of the Board of Fire Commissioners shall be as set forth in the Standard Operating Guidelines of the Forest Grove Volunteer Fire Company Station 43-5.

## **ARTICLE VII BOARD OF FIRE COMMISSIONERS RULES AND REGULATIONS**

### **Section 1. Governing Rules and Regulations.**

The Rules and Regulations contained in these By-Laws governing Fire Commissioners of Fire District No. 4 in the Township of Franklin, County of Gloucester, shall supersede and replace any and all prior Rules and Regulations, and shall constitute the governing Rules and Regulations.

### **Section 2. Modifications.**

These Rules and Regulations may be altered, changed, amended or rescinded by the Board of Fire Commissioners as they determine it is necessary for the control, management and government of the Department, and for regulating the proceeding and business of its own meeting. The Bylaws may be altered, amended or repealed by the vote of a majority of the entire Board of Fire Commissioners. Written notice of any such Bylaw change to be voted upon by the Board shall be given not less than ten (10) days prior to the meeting at which such change shall be proposed. The final vote on the Bylaw change shall take place at the next subsequent meeting after the Bylaw change is proposed.

### **Section 3. Violations.**

Any Officer or member of the Department who shall violate, willfully neglect, or refuse to be governed, controlled or managed by the Rules and Regulations herein or hereinafter adopted by the Board of Fire Commissioners shall be subject to suspension or expulsion by the Board of Fire Commissioners after an impartial hearing.




**ARTICLE VII BOARD OF FIRE COMMISSIONERS RULES AND REGULATIONS Continued.**


Section 4. Effective Date.

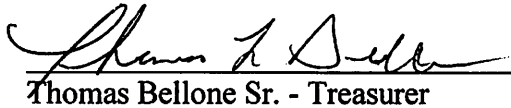
These Rules and Regulations shall take effect immediately upon adoption by the Board of Fire Commissioners.


Signed and approved

 \_\_\_\_\_ Date January 26<sup>th</sup>, 2016  
Andrew Bellone Jr. - Chairman

 \_\_\_\_\_ Date January 26<sup>th</sup>, 2016  
Joseph Jagers - Vice Chairman

 \_\_\_\_\_ Date January 26<sup>th</sup>, 2016  
Mykola Myronowskyj - Secretary

 \_\_\_\_\_ Date January 26<sup>th</sup>, 2016  
Thomas Bellone Sr. - Treasurer

 \_\_\_\_\_ Date January 26<sup>th</sup>, 2016  
Samuel Scapellato - Asst. Secretary