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|  |  | **Blue Ridge Fire District**  **Policy and Procedure** | | |  | General Order Number  **E301** | |  |
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|  | Subject:  **Disciplinary Records** | | | Effective Date:  **April 1, 2015** | | | Total Pages:  **2** |  |
| Board Approval Date:  **March 21, 2015** | | | Rescinds: |  |
|  | Application:  **All District Personnel** | | *Signed into effect as authorized by the Board of Directors*  John Banning, Fire Chief | | | | |  |
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**Policy**

All members of the Blue Ridge Fire District are expected to conduct themselves in a highly self-disciplined manner. Incidents of poor performance or misconduct may result in documentation being placed in a member's Personnel File. Negative documentation may become a permanent part of the member's Personnel File depending on the seriousness of the offense and the member's previous record since. Those documents designed to correct a minor occurrence of misconduct or poor performance may be petitioned for removal if the corrective action was successful and the misconduct was not repeated. It is the policy of the Fire District to remove those documents that may serve as a distraction to an otherwise positive and effective member.

The following non-disciplinary documentation shall be maintained as follows:

* **Letters of Counseling**: Letters of Counseling are to be kept in a Supervisor’s employee file.
* Other documentation initiated in order to correct minor occurrences of misconduct or poor performance such as Supervisor’s notes – Shall be kept in Supervisor’s employee file.

The following disciplinary documentation shall be maintained as follows:

* **Written Reprimand**: First level of disciplinary counseling. Shall be placed in the members Personnel File.
* **Suspensions**: Shall be placed in the members Personnel File.
* **Demotions**: Shall be placed in the members Personnel File.

The length of time a **non-disciplinary** document, as described above, is to remain a part of the Supervisors employee file will be determined by the supervisor, and a date for petition for removal shall be indicated on the document. (May be petitioned for review in 1 year, 2 years, etc.). In most cases, the minimum length of time before a document can be petitioned for review is one year but, not to exceed 3 years. Once that length of time has expired, the member may petition (by memo) to the Fire Chief requesting that the documentation be removed. If the supervisor who initiated the documentation is still employed by the District, he/she will be consulted by the Fire Chief and the decision will be made jointly. If the initiating supervisor is no longer a member, the decision will be made by the current supervisor and the Chief. Once again, the criteria for the decision will be the seriousness of the offense and the employee's record during the ensuing time period.

The length of time a **Written Reprimand** (**disciplinary document**) is to remain a part of the employee’s file will be determined by the supervisor; with consult from the Fire Chief and a date for removal shall be indicated on the document. (May be petitioned for review in 2 year, 5 years, etc.). In most cases, the minimum length of time before a document can be petitioned for review is two years, not to exceed 5 years. Once that length of time has expired, the member may petition (by memo) to the Supervisor requesting that the documentation be removed from the Personnel File. If the supervisor who initiated the documentation is still employed by the District, he/she and the current supervisor will be consulted by the Fire Chief and the decision will be made jointly. If the initiating supervisor is no longer a member, the decision will be made by the current supervisor and the Chief. Once again, the criteria for the decision will be the seriousness of the offense and the employee's record during the ensuing time period.

The length of time a **Suspension** of **80 hours or less** is to remain a part of the employee’s file is for a minimum of 10 years. Once that length of time has expired, the member may petition (by memo) to the Fire Chief to requesting that the documentation be removed from the Personnel File. The decision will be made by the Chief, but consultation with the Fire Board personnel director is an option to the Chief. Once again, the criteria for the decision will be the seriousness of the offense and the employee's record during the ensuing time period.

**Suspensions** of **more than 80 hours** along with **demotions and dismissals** are a permanent record to be kept in the employee’s file.

Documentation that is in personnel files that does not indicate a date for removal may be petitioned in the same manner described above, providing a minimum of two years has passed since the occurrence. The document will be removed from the members Fire Department personnel file. The decision will be made based on the criteria previously described.

The following types of incidents for which documentation exists shall be a permanent part of the Personnel File:

* Any separation notice of over 80 hours.
* A repeat of any offense within a three year period;
* Numerous unrelated offenses within a three year period;
* Any felony conviction or plea of guilty to a felony charge (on or off duty);
* Any violation deemed by the Fire Chief to be extremely detrimental to the Department.
* Documentation relating to original employment history, police record checks, etc.
* Probationary Firefighter Performance Reports
* Scheduled Performance Ratings

In all cases, State statue retention schedules shall supersede District Policy if the retention time is longer.