



City of Albert Lea
HANDBOOK
FOR PAID-ON-CALL FIREFIGHTERS

February 2017

INTRODUCTION

The Mission of the City of Albert Lea is to, “deliver exceptional services that enhance the quality of life for current and future generations”. The City strives to provide customer-friendly, high-quality public services that are intended to meet the changing needs of our residents and the community at-large.”

The mission of the Fire Department is to “provide professional proactive responsive assistance to enhance the quality of life for current and future generations “.

As City employees, the best interests of Albert Lea’s residents, businesses, and visitors, and respect for the democratic process must guide our work and be placed at the forefront of everything we do. Working as a paid-on-call firefighter requires commitment and sacrifice. However, it also provides the opportunity to serve the community and its residents when they need it the most.

As a City employee, you are expected to conduct yourself, both on and off the job, in a manner that demonstrates pride in your work and respect for the public trust that has been placed in you. Employees are expected to work hard, be honest, assist fellow employees and the public, apply common-sense and respect others.

In return, the City strives to provide a flexible, family-friendly workplace, competitive pay and benefits, and opportunities to expand your knowledge and skills.

The operation of a city requires many people, working in a wide range of positions. The knowledge, skills and hard-work of City employees is essential to our community’s continued prosperity. We value your contribution and your decision to work for the City of Albert Lea.

I. PURPOSE AND GENERAL GUIDELINES

- A. **Purpose.** This Handbook is established to provide a uniform and equitable system of personnel administration for the City’s paid-on-call firefighters. This Handbook does not constitute an employment contract for any employee, but rather is provided as a guideline and may be amended from time to time as necessary.
- B. **Equal Employment Policy.** The City of Albert Lea is committed to providing equal opportunity in all areas of employment, including but not limited to recruitment, hiring, demotion, promotion, transfer, recruitment, selection, lay-off, disciplinary action, termination, compensation and selection for training. The City of Albert Lea will not discriminate against any employee or job applicant on the basis of race, color, creed, religion, national origin, ancestry, sex, sexual orientation, disability, age, marital status, genetic information, status with regard to public assistance, veteran status, familial status, or membership on a local human rights commission

- C. **Application and Conflicts.** This Handbook shall apply to all paid-on-call firefighters. In the event of conflict between this Handbook and any City ordinance, or state or federal law, the terms and conditions of that ordinance or law shall prevail.
- D. **Employee Status.** Paid-on-call firefighters are employees of the City of Albert Lea. On Call employees perform work of a non-continuous or irregular nature where the work schedule cannot be predicted in advance.
- E. **Personnel Files.** The City shall maintain personnel files for each employee. Upon written request, the City shall provide the employee with an opportunity to review the employee's personnel record. Unauthorized viewing, removal, alteration, or destruction of all or any part of an employee's personnel file is prohibited.

II. APPOINTMENTS

- A. **In General.** The City will hire and promote paid-on-call firefighters in accordance with the Fire Department Policy. The City Manager is the final authority regarding the hiring and promotion of employees.
- B. **Applications.** All applicants for a position with the City must complete an application form. Any applicant giving false information or making false or misleading statements on the application shall not be considered for the position or will be subject to immediate discharge.
- C. **Pre-employment Background Check.** In accordance with federal, state, and local law, the City will conduct a pre-employment background check, including, but not limited to, a criminal record check of candidates for employment.
- D. **Pre-employment Medical Exams.** After a written conditional offer of employment is made to a firefighter candidate, the City will require the candidate to take and pass a pre-employment physical exam, including a drug/alcohol test. The physician will render an opinion regarding the candidate's ability to perform the essential functions of the position, with or without reasonable accommodation.
- E. **Probationary Period.** All employees shall be required to successfully complete a six (6) month probationary period when they are first hired, re-employed, promoted or reinstated to a position. This period may be extended for an additional six (6) months upon mutual consent of the Fire Chief and employee. During this period of time the City shall have the exclusive right to dismiss, discharge, layoff or otherwise separate the probationary employee from employment.
- F. **Employment of Relatives.** Employment of relatives in the same department can cause conflicts and problems with favoritism and morale. Relatives of current employees may be hired only if they will not be working directly for or supervising a family member. Employees may not have a direct reporting relationship with a family member. Relatives are defined as a spouse, child, parent, sibling, including a step

child, parent of sibling) aunt, uncle, grandparent or grandchild of either the employee of the employee's spouse, as well as any person permanently residing with the employee.

III. SEPARATION

- A. **Discharge.** The City may discharge or separate an employee from employment at any time, with or without just cause.
- B. **Resignation.** Any employee wishing to leave the City's service in good standing shall file with the Fire Chief, at least ten (10) days before leaving, a written resignation stating the effective date of the resignation and the reason for leaving. Failure to comply with this procedure may be cause for denying such employee future employment with the City.
- C. **Unauthorized Absence.** An employee who does not attend any fire calls and/or training for a period of 30 consecutive days without first notifying the Chief of his or her absence and the reason for it shall be considered to have resigned.

IV. EMPLOYEE EXPECTATIONS

The expectations listed below are for the positions specified. All expectations must be met each year. An evaluation will be completed by an officer to determine if the expectations are being met. If expectations are not being met a work plan can be created, loss of benefits, or termination of the position may be used.

- A. Firefighters –
 - a. Must complete 96 hours of annual training.
 - b. Must make 70% of all callbacks
 - c. Must maintain FFI certification
 - d. Must maintain CPR certification
 - e. Complete or in good standing of the Apprenticeship and FAO JPR programs.
 - f. Follow all department SOP's and SOG's
- B. Officers –
 - a. All items above for Firefighter must be met
 - b. Must attend quarterly officer meetings
 - c. Conduct evaluations on firefighters annually according to department requirements.
 - d. Assist Deputy Fire Chief and/or Shift Officers with Projects
 - e. Assign part-time members for needed roles within the department.
 - f. Complete or in good standing with the Officer JPR program.

All Firefighters and Officers must live within a thirty minute drive from the Albert Lea City Hall/Fire Station to be employed and maintain employment with the City.

V. COMPENSATION

- A. **Wages.** Employees shall be paid per hour per call for responding to emergency calls for service and attending meetings, drills and other special details required by the Fire Chief or his/her designee. All hours worked shall be rounded up to the next full hour for purposes of determining compensation. Appendix A.
- B. **Pay Periods.** The pay period for all employees shall be fourteen (14) days beginning at 12:00 a.m. (midnight) on Monday through 11:59 p.m. on Sunday. All hours worked shall be credited to the day and pay period when the shift began.
- C. **Paydays.** Employees shall be paid on a bi-weekly basis (every other Friday).
- D. **Direct Deposit.** As permitted by Minn. Stat. § 471.426, direct deposit of payroll is required for all employees.
- E. **Overtime.** For purposes of computing overtime wages, the City classifies paid-on-call firefighters as Section 207(k) employees under the federal Fair Labor Standards Act (FLSA).
- F. **Per Diem / Stipend.** Compensation will be awarded for the purpose of out of department training. The compensation shall be pay per hour or training stipend, whichever is less (consult Appendix A). If the training is overnight, Per Diem for meals and travel mileage shall also be awarded. All other expenses or reimbursements shall follow city policy through the Special Expense Policy and Travel Expense Policy.
- G. **Employees Holding Two or More City Jobs.** Paid-on-call firefighters may also hold other non-exempt positions with the City of Albert Lea. However, the employee's supervisor in their non-Fire Department position has the discretion to determine whether and under what circumstances the employee may respond to fire-calls while working at their non-Fire Department City position. The Fire Chief has the final determination as to whether or not the employee may be part of the Paid-on-call ranks.

If the non-Fire Department supervisor authorizes an employee to respond to fire calls while working, that employee shall continue to receive their regular rate of pay for their non-Fire Department position while responding to the call, unless such time exceeds the employee's scheduled shift. All applicable benefits and leaves shall also continue to accrue without regard to time spent on fire calls.

Paid-on-call firefighters who hold two or more City jobs shall be paid overtime for hours worked for the City in excess of 40 hours per work week. Hours taken as paid leave shall not count toward the calculation of hours worked. The overtime rate shall be calculated using a blended rate for the City jobs held by the individual employee.

The employee may not be part of the Statewide Volunteer Firefighter Retirement Plan (PERA).

VI. BENEFITS

- A. **Benefits.** Paid on call fighters are not eligible for City paid benefits or credit for seniority.
- B. **Pension.** The City of Albert Lea participates in the Statewide Volunteer Firefighter Retirement Plan administered by the Public Employee Retirement Association of Minnesota.
- C. **Worker's Compensation.** Paid-on-call firefighters are covered under the City's Worker's Compensation Insurance policy through the League of Minnesota Cities Insurance Trust. Employees are responsible for immediately reporting any and all work-related injuries to their supervisor and for fully cooperating with the City's insurance carrier in regards to worker's compensation claims.

VII. TRAINING AND TRAVEL

- A. **Training for New Hires.** Newly hired firefighters are required to successfully complete Firefighter I, Hazmat Ops, and a First Responder courses. The cost of these courses shall be paid for by the City, however, the employee shall not be paid for time spent in class or reimbursed for the cost of travel to and from class. Employees shall receive credit toward their attendance requirement for calls occurring during class time.
- B. **Seminars, Conferences and Schools.** The City will pay for employees in good standing, who have successfully completed their first year of training, listed in Section A above, to attend seminars, conferences and schools that will contribute to the better performance of the employee's job and the City's business, as determined by the Fire Chief. A conference or seminar is a course that occurs in one continuous block of time. To qualify for payment, the employee must secure the Fire Chief's written approval prior to registering for the seminar, conference or school.
- C. **Per-diem.** Employees approved to attend such trainings shall be paid a pre-diem for the class attended per department policy.
- D. **Meal Reimbursement.** Employees shall be reimbursed for the actual cost of a meal when there is an overnight stay involved per the City's Travel Expense Policy.
 - a. The City will not reimburse for the cost of a meal in cases where that meal was included in the registration fee for the conference or school. Employees electing not to eat the meal provided as part of the registration fee shall be personally responsible for the cost of any alternative meal.

- b. In order to be reimbursed for the cost of meals, an employee must submit a detailed expense report, with itemized receipts attached, to the Fire Chief for approval within 30 days of the expenditure.
- E. **Travel and Lodging.** Travel and parking expenses associated with attending a conference or seminar will be paid or reimbursed by the City. Whenever possible and at the Chief's direction, employees shall carpool and/or use City-owned vehicles to travel to conferences and seminars within the state of Minnesota.
 - a. The City will pay the single room rate for overnight stays at conferences. If there is not a designated hotel for the conference, the employee should use reasonable judgment in selecting lodging based on cost, location and quality. Employees should seek a government discount.
- F. **Excluded Expenditures.** The City will not pay for alcoholic beverages, entertainment, personal telephone calls, and other personal items not specifically designed to benefit the City.

VIII. LEAVES

- A. **In General.** Paid-on-call firefighters are not eligible for paid vacation or sick leave. However, under specific circumstances, employees may qualify for certain types of leave provided by state or federal law, including:
 - a. Family & Medical Leave (FMLA)
 - b. Bone Marrow Donor Leave. (Minn. Stat. Sec. 181.945)
 - c. Parenting Leave. (Minn. Stat. Sec. 181.940 – 181.944)
 - d. School Conference and Activities Leave. (Minn. Stat. Sec. 181.9412)
 - e. Voting Leave.
 - f. Jury or Witness Duty Leave.
 - g. Military Leave. (Minn. Stat. Sec. 192.26; U.S.C. Title 38, Sec. 2021)

Employees who believe they may qualify for any of the leave types listed above should contact the City's HR Technician for additional information, including eligibility criteria and leave specifics.

- B. **Unpaid Leave of Absence.** Upon written request, the Fire Chief may grant an unpaid leave of absence for a period not to exceed 90 days to any non-probationary employee in good-standing. The employee must request a leave of absence in writing, stating the starting and ending dates of the requested leave and the reasons for the leave being requested. The City Council may extend such leave to a maximum period of one year where the Council finds extraordinary circumstances warrant such extension.

IX. EMPLOYEE CONDUCT

- A. **Teamwork.** Each employee is part of a team/shift, working together to provide excellent service to the residents of Albert Lea. Each employee is expected to strive to

do his or her best to assist in this team effort, by doing the employee's job economically and efficiently, with consideration toward the public. Employees are expected to work well with others. Employees also are expected to assist others, in their own and other departments, when requested and their work load permits, so that the work of the City gets done.

B. Courtesy. City employees are expected to be friendly and courteous to each other and to the public. They are expected to give and take, look at the other person's point of view, and apply common sense, honesty, and open-mindedness to whatever problems arise in day-to-day work.

C. Performance Evaluations. City employees' performance shall be evaluated by their immediate supervisor and/or department head at least annually for the purpose of communicating strengths and weaknesses to the employee, as they relate to fulfilling the position duties and responsibilities

D. Uniforms. Upon successful completion of the probationary period, the City shall provide each employee with a uniform. Employees are responsible for keeping their uniform neat, fresh and clean. Uniforms shall be worn only on occasions designated by the Chief or another senior officer. Uniforms are not to be loaned out to any other individual or otherwise used for purposes outside of their intended use. Uniforms remain the property of the City of Albert Lea and must be returned in the case of termination or resignation.

E. Employee Identification Cards. All employees shall be issued employee identification cards. Each employee is responsible for maintaining possession of their identification card and shall protect it from loss, theft or misuse. Unauthorized or inappropriate use of the employee identification card is prohibited and will be subject to discipline.

F. Use of Tobacco Products. The use of tobacco products is not permitted in any City building or vehicle at any time. Smoking on City grounds is allowed only in designated areas on off-duty time.

G. Acceptance of Gifts.

General Rule. No employee shall request, solicit, or accept a gift from any person or representative of a person or association that has a direct financial interest in a decision that the employee or the City is authorized to make.

Employees should courteously decline all offers of gifts and gratuities. Exceptions to the prohibition against gifts are rare. If an employee has any doubt about the propriety of a gift, the employee shall report the gift to his or her supervisor immediately.

H. Use of City Property.

1. **City Property.** No employee shall negligently lose, damage, or waste City property. No employee shall use City property for anything other than City work without the

prior explicit permission of the employee's department head.

2. **City Vehicles.** City vehicles may be used for official business only, although they may be used for meals while the employee is otherwise driving about on City business.
3. **City Name.** No employee may use the employee's job title or the City name to further personal or political goals. Job titles and reference to the City may be used only for official City business and on the employee's resume or future job applications.

I. Personal Activities.

1. **Outside Employment.** Employees must devote all work time to City business. No work relating to outside employment may be performed during work time. On a periodic basis, employees will be asked to disclose any outside employment in order to allow for the avoidance of conflicts of interest.
2. **Soliciting.** All employee-to-employee solicitation for products, services or causes must be conducted during off-duty time.
3. **Political Activities.** As provided in Minn. Stat. Sec. 211B.09, an employee or official of the City may not use official authority or influence to compel a person (1) to apply for membership in or become a member of a political organization, (2) to pay or promise to pay a political contribution, or (3) to take part in political activity.
4. **Conflicts of Interest.** City employees must be exceedingly careful to avoid a conflict of interest or even the appearance of a conflict of interest. Therefore, a City employee, acting in the employee's official capacity, may not transact official City business with a family member, or with a business or person with whom that employee has a financial interest or involvement.

Employees shall not enter into a relationship with a vendor where the employee's actions are, or may reasonably be viewed as, not in the best interests of the city. An employee who becomes involved in a possible conflict situation must report the possible conflict to the employee's supervisor and department head.

5. **Lawsuits against the City.** All questions pertaining to lawsuits shall be referred to the City Manager. All City employees must promptly notify their supervisor in the case of incidents, which reasonably may be expected to result in a lawsuit. The supervisor must promptly report the incident, in writing, to the City Manager.
6. **Other Fire Agencies.** No Paid-on-call Firefighter may be a member of another fire agency without the permission of the Fire Chief.

X. SAFE, HEALTHLY AND RESPECTFUL WORKPLACE

- A. **In General.** Employees must take proper precautions to prevent accidents and work safely. Employees shall follow safe practices and all safety regulations concerning their job. Injuries should be reported immediately to the employee's supervisor. Any employee who notices an unsafe condition must immediately report it to the employee's supervisor.
- B. **Annual Medical Exam.** All employees are required to successfully complete the Department-specified annual medical exam.
- C. **Drug-Free Workplace Policy.** In accordance with federal law, the City of Albert Lea has adopted the following position on drugs in the workplace:
1. Employees are expected and required to report to work on time and in appropriate mental and physical condition. It is the city's intent and obligation to provide a drug-free, safe and secure work environment.
 2. The unlawful manufacture distribution, possession, or use of a controlled substance on city property or while conducting city business is absolutely prohibited. Violations of this policy will result in disciplinary action, up to and including termination, and may have legal consequences.
 3. The city recognizes drug abuse as a potential health, safety, and security problem. Employees needing help in dealing with such problems are encouraged to use their health insurance plans, as appropriate.
 4. Employees must, as a condition of employment, abide by the terms of this policy and must report any conviction under a criminal drug statute for violations occurring on or off work premises while conducting city business. A report of the conviction must be made within five (5) days after the conviction as required by the Drug-Free Workplace Act of 1988.
- D. **Drug Testing**
1. **Types of Testing.** Employees are subject to drug and alcohol testing in the following circumstances:
 - a. *Job Applicant Testing.* The City may require that all applicants who have received conditional offers of employment undergo drug and alcohol testing. If the offer of conditional employment is subsequently withdrawn, the City will notify the applicant of the reason for the withdrawal.
 - b. *Routine Physical Examination Testing.* Any employee may be required to undergo drug and alcohol testing as part of a routine physical examination. The drug or alcohol test will be requested no more than once annually and the employee will be given at least two weeks' written notice that the test shall be required as part of the examination.

- c. *Random Testing.* An employee in a position in which impairment caused by drug or alcohol usage would threaten the health or safety of any person may be required to undergo random drug and alcohol testing.
 - d. *Reasonable Suspicion Testing.* Any employee may be required to undergo drug and alcohol testing if there is a reasonable suspicion that the employee: (a) is under the influence of drugs or alcohol; or (b) has engaged in the use, possession, sale, or transfer of drugs or alcohol while the employee is working or while the employee is on City property or operating a City vehicle, machinery, or equipment; or (c) has sustained a personal injury arising out of and in the course of employment, or caused another person to sustain a personal injury; or (d) has caused a work-related accident or was operating or helping to operate machinery, equipment, or vehicles involved in a work-related accident.
 - e. *Treatment Program Testing.* Any employee may be required to undergo drug and alcohol testing if the employee has been referred by the City for chemical dependency treatment or evaluation or is participating in a chemical dependency treatment program under the City insurance, in which case the employee may be requested or required to undergo drug or alcohol testing without prior notice during the evaluation or treatment period and for a period of up to two years following completion of any prescribed chemical dependency treatment program.
2. **Testing Procedure.** Any department head or the City Manager may order the drug and alcohol testing. Before undergoing drug or alcohol testing, the employee shall complete a form (1) acknowledging that the employee has been given a copy of the City's drug and alcohol policy, and (2) indicating consent to undergo the drug and alcohol testing.

E. Workplace Violence Policy.

Violence, or the threat of violence, has no place in any of the City of Albert Lea's work locations. It is the goal of the City to rid worksites of violent behavior or the threat of such behavior. It is the shared obligation of all employees, law enforcement agencies, and employee organizations to individually and jointly act to prevent or defuse actual or implied violent behavior at work.

Violence or the threat of violence, by or against any employee of the City or other person is unacceptable and contrary to City policy, and will subject the perpetrator to serious disciplinary action and possible criminal charges. The City will work with law enforcement to aid in the prosecution of anyone outside of the organization who commits violent acts against an on-duty employee.

1. **Prohibited Conduct.** The City will make every reasonable effort to keep its employees as safe as possible and will not tolerate acts of violence. Acts of violence include, but are not limited to, the following:

- a. Causing physical injury to another person;
 - b. Making threatening remarks, swearing and gestures;
 - c. Aggressive, hostile behavior that creates a reasonable fear of injury to another person or subjects another individual to emotional distress;
 - d. Intentionally damaging or threatening to damage employer property or the property of another employee; or member of the public;
 - e. Possession of a weapon while on City property or while on City business;
 - f. Sexual harassment, domestic violence or other offensive behavior;
 - g. Deliberate or careless conduct endangering the safety of other employees.
2. **On-the-Job.** There are situations where relationships between employees, or between an employee and their supervisor, result in strong negative feelings by the individuals involved. Any person involved in situations where they fear that physical retaliation may take place, or where someone made verbal threats of physical violence, should immediately discuss it with their supervisor, department head or the City Administrator. Employees involved in fighting or making verbal threats will be disciplined, up to and including dismissal.
3. **Dealing with the Public.** Similar situations could occur in employee contacts with the public. While the City has a strong commitment to customer service, the City does not intend for employees to be subjected to verbal abuse by any customer. A supervisor, or police officer, should be requested to intervene when a customer is abusive. If there is a concern over the possibility of physical violence, the employee should discuss it with their supervisor.
4. **Off-the-Job.** An employee may be involved in a personal, non-criminal dispute with family members or acquaintances. If the situation escalates, individuals sometimes secure an “Order of Protection” or an “Injunction against Harassment” or similar orders from the court. If an employee requests a court order, he or she should include the work location in the request. The employee should inform his or her supervisor of the order and provide a description of the individual cited in the order.

Even in the case where an employee has not secured a court order but fears for his or her safety, the employee should call 911 and inform his or her supervisor as soon as practical.

5. **City Response.** When any of the above situations is brought to the attention of a department head or the City Manager, an evaluation of the severity of the situation must be made immediately. If it is concluded violence could result, management shall:

Discuss the situation with employees who are likely to come in contact with the person. Management will provide a description of the subject and instructions on actions to be taken if the person comes to the worksite.

In all cases, if there is an immediate need for Police Department intervention, call 911.

6. **Possession and Use of Dangerous Weapons by Employees.** In the interest of maintaining a workplace that is safe and free of violence, except as hereinafter provided, possession or use of dangerous weapons, except where such possession or use is specifically required as part of the employee's job duties, is strictly prohibited on City property, in City vehicles, or in any personal vehicle being used for City business.
7. **Dangerous Weapons Defined.** A dangerous weapon is any instrument capable of producing bodily harm, and that manifests in intent to harm or intimidate another person or that warrants alarm for the safety of another person.

D. Sexual Harassment Policy:

1. **Policy.** The City is committed to providing a work environment that is free of discrimination and unlawful harassment. All employees are to enjoy a safe work environment free from unreasonable interference, intimidation, hostility, or offensive behavior on the part of supervisors, co-workers, or visitors. Sexual harassment in any form against any employee or member of the public will not be tolerated.
2. **Definition.** Sexual harassment is unlawful under federal statute Title VII of the Civil Rights Act of 1964 as well as under Minnesota Statutes Chapter 363A. Sexual harassment includes unwelcome sexual advances, requests for sexual favors, sexually-motivated physical contact, or other verbal or physical conduct or communication of a sexual nature, when:
 - a. Submission to the conduct or communication is made a term or condition, either explicitly or implicitly, of an individual's employment; or
 - b. Submission to or rejection of the conduct or communication by an individual is used as a factor in decisions affecting that individual's employment; or
 - c. The conduct or communication has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.
3. **Supervisory and Administrative Responsibility.** No supervisor shall engage in sexual harassment. If any discriminatory or unreasonable conduct is observed by a supervisor, the supervisor must ask the offending person or people to stop immediately and advise that discipline will follow if the behavior continues. Supervisors, who become aware of violations of the sexual harassment policy and fail to take appropriate action, will be subject to disciplinary action. All incidents or recurrences should be reported as described below.

4. **Employee Responsibility.** Employees shall conduct themselves in accordance with this policy and shall assist supervisors and department heads in maintaining a work environment free from sexual harassment. Any offensive conduct should be substantiated to the extent possible. Employees are encouraged to inform the offending person(s) that the employee finds the conduct offensive and request that it stops. The employee shall also immediately report any offensive conduct or incident of harassment to the department head or the City Administrator, as described below.
5. **Complaints.** In order for the City to address offensive or harassing conduct, such conduct must be promptly brought to the City's attention. Complaints of sexual harassment shall be dealt with fairly and evenhandedly. The dignity of all the parties involved shall be considered. Any employee, who believes that he or she has been harassed, or has witnessed sexual harassment, should promptly report the facts of the incident or incidents and the names of the individuals involved to the employee's department head, or to Human Resources. Department heads shall immediately report any and all such complaints to Human Resources and, if appropriate, may assist in investigating the complaint. If a department head is the alleged perpetrator, complaints should be made directly to Human Resources.

XI. DISCIPLINE & GRIEVANCE

A. Discipline Policy.

1. **In General.** City employees shall be subject to disciplinary action for failing to fulfill their duties and responsibilities. It is the policy of the City to administer disciplinary penalties without discrimination.
2. **Discipline.** The Fire Chief or his/her designee may investigate any allegation regarding the employee on which disciplinary action may be based before any disciplinary action is taken.

When possible, discipline of employees will be based on the nature and severity of the infraction and conditions surrounding the incident. Discipline may include oral reprimand, written reprimand, and suspension with or without pay, involuntary demotion, forced transfer to a comparable position, withholding a salary increase, decreasing the employee's salary and discharge.

3. **Disciplinary Action Steps.** The following steps may be used for disciplinary action against an employee. The City has the right to waive progressive discipline depending on the cause.
 - a. **Oral Reprimand.** The employee's supervisor may give the employee an oral reprimand. A written note may be placed in the employee's personnel file indicating that an oral reprimand was given.

- b. **Written Reprimand.** The employee's supervisor may give the employee a written reprimand. The employee must sign the written reprimand to acknowledge its receipt. The signature of the employee does not mean that the employee agrees with the reprimand. The reprimand shall be placed in the employee's personnel file.
 - c. **Suspension or Other Disciplinary Action.** With the approval of the City Administrator, an employee may be suspended with or without pay, demoted, placed on probation, denied a salary increase or receive a decrease in salary as disciplinary action. The employee shall receive notice of such disciplinary action in writing, and a copy of the notification shall be placed in the employee's personnel file.
 - d. **Discharge as Discipline.** A non-probationary employee may be discharged by the City Council for just cause.
4. **Hearing.** In any case of discipline under (c) or (d) above, the employee may appeal to Human Resource. The appeal must be submitted in writing to Human Resources within 10 days following the disciplinary action.

B. Grievance Policy.

- 1. **In General.** It is the policy of the City insofar as possible to prevent the occurrence of grievances and to deal promptly with those which occur.
- 2. **Procedure.** Employees may file a formal grievance in cases where they believe the policies and procedures of this Personnel Handbook have not been fairly or accurately applied. Grievances shall be handled through the procedures set forth below, unless the grievance relates to sexual harassment, in which case the procedure set forth in the sexual harassment section of this handbook shall control.
 - a. **Grievance Brought by Employee.** An employee must submit a grievance to his or her supervisor in writing, within 10 days of the incident which is the subject of the grievance. If the supervisor is the subject of or a party to the grievance, then the employee may submit their grievance directly to the next highest person in the chain of command.
 - b. **Investigation.** The supervisor receiving the grievance shall discuss the relevant circumstances with the employee and may investigate the matters disclosed in or relevant to the grievance.

An employee may choose to have a third party present at an investigatory interview, however, that person has no right to interfere with or participate in the interview, but rather is present merely to act as a witness.

- c. **Resolution.** The supervisor receiving the grievance shall consider and examine the causes of the grievance and any other related matters, and attempt to resolve

the grievance. The supervisor shall provide written notice to the employee of the resolution, and of the employee's right to appeal the matter to the Fire Chief and/or Human Resources.

- d. **Appeal.** The employee may appeal the supervisor's resolution of the grievance to the Fire Chief and then to the City Manager. The appeal shall be in writing, and delivered to the appropriate individual within five days after the supervisor notifies the employee of the supervisor's resolution of the grievance. The City Manager's decision on the appeal is final, subject to any rights under state law.

APPENDIX A

SALARIES

The hourly wage for paid on call firefighters and officers shall be \$10.00/hour for emergency call-backs with a two hour minimum call-back.

The training stipend for paid on call firefighters shall be \$105.00 per night of training with a maximum of 2 nights per month paid on attendance.

The training stipend for paid on call officers shall be \$130.00 per night of training with a maximum of 2 nights per month paid on attendance.

The training stipend for paid on call Deputy Fire Chief shall be \$155.00 per night of training with a maximum of 2 nights per month paid on attendance.

Appendix B

Firefighter Code of Ethics

Background

The Fire Service is a noble calling, one which is founded on mutual respect and trust between firefighters and the citizens they serve. To ensure the continuing integrity of the Fire Service, the highest standards of ethical conduct must be maintained at all times.

Developed in response to the publication of the Fire Service Reputation Management White Paper, the purpose of this National Firefighter Code of Ethics is to establish criteria that encourage fire service personnel to promote a culture of ethical integrity and high standards of professionalism in our field. The broad scope of this recommended Code of Ethics is intended to mitigate and negate situations that may result in embarrassment and waning of public support for what has historically been a highly respected profession.

Ethics comes from the Greek word ethos, meaning character. Character is not necessarily defined by how a person behaves when conditions are optimal and life is good. It is easy to take the high road when the path is paved and obstacles are few or non-existent. Character is also defined by decisions made under pressure, when no one is looking, when the road contains land mines, and the way is obscured. As members of the Fire Service, we share a responsibility to project an ethical character of professionalism, integrity, compassion, loyalty and honesty in all that we do, all of the time.

We need to accept this ethics challenge and be truly willing to maintain a culture that is consistent with the expectations outlined in this document. By doing so, we can create a legacy that validates and sustains the distinguished Fire Service institution, and at the same time ensure that we leave the Fire Service in better condition than when we arrived.

Firefighter Code of Ethics

I understand that I have the responsibility to conduct myself in a manner that reflects proper ethical behavior and integrity. In so doing, I will help foster a continuing positive public perception of the fire service. Therefore, I pledge the following...

- Always conduct myself, on and off duty, in a manner that reflects positively on myself, my department and the fire service in general.
- Accept responsibility for my actions and for the consequences of my actions.
- Support the concept of fairness and the value of diverse thoughts and opinions.
- Avoid situations that would adversely affect the credibility or public perception of the fire service profession.
- Be truthful and honest at all times and report instances of cheating or other dishonest acts that compromise the integrity of the fire service.
- Conduct my personal affairs in a manner that does not improperly influence the performance of my duties, or bring discredit to my organization.
- Be respectful and conscious of each member's safety and welfare.
- Recognize that I serve in a position of public trust that requires stewardship in the honest and efficient use of publicly owned resources, including uniforms, facilities, vehicles and equipment and that these are protected from misuse and theft.
- Exercise professionalism, competence, respect and loyalty in the performance of my duties and use information, confidential or otherwise, gained by virtue of my position, only to benefit those I am entrusted to serve.
- Avoid financial investments, outside employment, outside business interests or activities that conflict with or are enhanced by my official position or have the potential to create the perception of impropriety.
- Never propose or accept personal rewards, special privileges, benefits, advancement, honors or gifts that may create a conflict of interest, or the appearance thereof.
- Never engage in activities involving alcohol or other substance use or abuse that can impair my mental state or the performance of my duties and compromise safety.
- Never discriminate on the basis of race, religion, color, creed, age, marital status, national origin, ancestry, gender, sexual preference, medical condition or handicap.
- Never harass, intimidate or threaten fellow members of the service or the public and stop or report the actions of other firefighters who engage in such behaviors.
- Responsibly use social networking, electronic communications, or other media technology opportunities in a manner that does not discredit, dishonor or embarrass my organization, the fire service and the public. I also understand that failure to resolve or report inappropriate use of this media equates to condoning this behavior.

Developed by the National Society of Executive Fire Officers

**City of Albert Lea-Fire and Rescue
Receipt for Paid on Call Fire Fighter Handbook**

I acknowledge that I have received a copy of the City of Albert Lea's Paid on Call Fire Fighters Handbook. I agree to read it thoroughly, including the statements in the foreword describing the purpose and effect of the Handbook. I agree that if there is any policy or provision in the Handbook that I do not understand, I will seek clarification from the Human Resources Department.

I understand that no supervisor or other representative of the City (except the City Manager or City Council, in writing) has the authority to enter into any agreement for employment for any specified period of time, or to make any agreement with me.

In addition, I understand that this Handbook states the City's and Fire Department's policies and practices in effect on the date of publication. I understand that nothing contained in the Handbook may be construed as creating a promise of future benefits or a binding contract with the City for benefits or for any other purpose. I also understand that these policies and procedures are continually evaluated and may be amended, modified or terminated at any time.

Please sign and date this receipt and return it to the Human Resources Department.

Date: _____

Signature: _____

Print Name: _____