

TRURO FIRE RESCUE RULES & REGULATIONS

R&R #10 DISCIPLINE EFFECTIVE 12-15-99

10.0 DISCIPLINE:

Members of the Department falling to follow and conform to **these** Rules and Regulations and/or other rules, regulations, protocols and the like governing the operation and administration of the Truro Fire Department are subject to the following disciplinary actions.

- 10.1 Any employee may be subject to disciplinary action for the following reasons:
- a. Chronic tardiness or absenteeism without leave;
 - b. refusal to carry out lawful orders or instructions;
 - c. abusive or violent behavior;
 - d. repeated violations of standards of performance or work rules; inability to perform assigned tasks; or
 - f. any other behavior by the employee which impairs the performance of the employee=s duties to the Town.

10.1.2A department head shall be responsible for taking disciplinary action, in appropriate circumstances, with respect to employees within his or her department. The board of Selectmen shall be responsible for taking disciplinary action, in appropriate circumstances, with respect to department heads. For purposes of this article, the person (or persons) authorized to take disciplinary action is referred to as the employer.

10.1.3 The following disciplinary actions are authorized:

10.1.3.1 The employer shall conduct an Acorrective interview with the employee. The employer shall clearly describe to the employee his or her conduct which is not acceptable and which is the basis for the disciplinary action. The employer may also suggest ways in which the employee could remedy the behavior in question. Normally, a corrective interview shall precede other more serious disciplinary action taken with respect to a type of conduct, which subjects an employee to discipline.

10.1.3.2 If, after a corrective interview, an employee engages in conduct similar to that which was the basis for the earlier disciplinary action, the employer shall prepare a written Aemployee reprimand@ on a form approved by the Personnel board. The reprimand shall be prepared in triplicate and be signed by the employer and the employee. The employees signature shall be indicative only of the fact that the employer has discussed the reprimand with the employee. Copies of the reprimand shall be distributed to the employee, to his or her file, and to the employee=s immediate supervisor.

10.1.3.3 If, after a written reprimand, an employee engages in conduct similar to that which was the basis for the earlier disciplinary action, the employer may suspend the employee, without pay. The employee shall be provided with written notice of the suspension within twenty-four hours of the action. Such notice shall clearly state the reasons for the suspension and its duration.

10.1.3.4 If, after a suspension, an employee engages in conduct similar to that which was the basis for the earlier disciplinary action, the employer may discharge the employee.

10.1.3.5 While this article requires that discipline be imposed in graduated steps, i.e., progressing from a corrective interview to a written reprimand to suspension to discharge, so that an employee is provided with ample opportunity to perform according to the requirements of the job, there may be circumstances where conduct is so clearly and seriously detrimental that the employer is authorized to take any one of these disciplinary steps in the absence of what normally would be a preceding step.

10.2 Right of Appeal

Except for Department Heads remove from office, all employees coming within the scope of this bylaw shall have the right of appeal to the Personnel board from decisions made by the Department heads and/or appointing authority on matters covered by this bylaw and the decision of the Personnel board shall be final. Any appeal shall be in writing to the Personnel board within fourteen days of said decision. The Personnel board shall hold a meeting within fourteen days of receipt of said appeal and shall render a decision within fourteen days of the meeting. The decision shall be transmitted to the person making an appeal in writing with a copy to be sent to the department head.

10.2.1 Right of Hearing

All department heads removed from office shall have the right to be informed of the reasons for their removal and to request and receive a hearing before a joint board composed of the Board of Selectmen or other appointing authority, the Personnel board and the Town Moderator. The determination of this board shall be final, and there shall be no right of appeal to the Personnel Board acting alone.

