

## 1.2 Rules and Regulations



### City of Oak Point Department of Public Safety Fire Department

TITLE: Rules and Regulations

SECTION/TOPIC: General Administration

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Approver

These SOPs/SOGs are based on FEMA guidelines FA-197

### 1.0 POLICY REFERENCE

The Director of Public Safety will structure the organization and make assignments of officers and members in an effort to provide the best possible services to the citizens of Oak Point, effectively utilize the time and talents of all members and position the Department to operate in a manner that facilitates change and places maximum emphasis on effectiveness.

### 2.0 PURPOSE

This standard operating procedure/guideline addresses the rules of conduct for all members of the Oak Point DPS Fire Department.

### SCOPE

This SOP/SOG pertains to all personnel in this organization.

### PREFACE

The Department's philosophy in approach to service delivery, personnel relations, and member conduct is contained in the Department's Mission and Values Statement. The specific rules and regulations contained in this policy and procedure are intended to support the Department Mission and Values Statement and the City of Oak Point's Personnel Rules and Regulations.

Ordinances of the City, City Personnel Rules and Regulations, and/or administrative policies have precedence over any provisions contained in these departmental rules and regulations where conflict occurs.

All members of the Department can access a copy of these rules and regulations through the City's website, and it is their responsibility to be completely familiar with the contents. These Rules and Regulations will be

reviewed periodically for necessary revisions. The on line version is considered the most current at all times All members of the Department shall be held accountable for their actions and be subject to disciplinary action ranging from counseling to dismissal, according to the nature and degree of the offense, for any violation of these rules and regulations.

#### 4.0 DUTIES

**Scope of Duties** – The Oak Point Department of Public Safety is obligated to provide fire, emergency medical service, to the citizens of Oak Point and the contracted entities. Firefighters in the department must assist in maintaining a state of readiness to provide those emergency services and in a manner that enhances public trust. This entails many necessary activities that are not specifically firefighting or medical/rescue related. All members in all positions will be required to perform a multitude of tasks ranging from menial to complex and complicated. Any duty assigned will be executed to the best of the employee’s ability, no matter how menial the task may be.

**Responsibility** – Failure to follow orders concerning non-emergency functions shall be considered the same as not following emergency orders, and will be handled accordingly.

#### 5.0 PROCEDURES/GUIDELINES & INFORMATION

Members whether on-duty or off-duty shall follow the ordinary and reasonable rules of good conduct and behavior and shall not commit any act in an official or private capacity tending to bring reproach, discredit, or embarrassment to their profession or the department.

##### **Rules of Conduct for all Members of the Fire Department**

- A. Members shall know and abide by all departmental orders and rules, and the duties and procedures governing their specific assignments.
  - 1. Nothing in these rules and regulations limits the charges against members because the alleged act or omission does not specifically appear in this manual, other order of the department, or in the laws or ordinances of which the department is responsible to uphold or is accountable too.
- B. All members shall, within jurisdictional limits, act in the protection of life and property, performing job functions according to the rules, regulations, and general orders of the department. Each member of the OPDPS is hereby authorized to provide necessary assistance at the scene of an emergency with-in the scope of their certified ability, while said member is off-duty. Further, members shall exhibit good moral character in the administration of their duties according to departmental orders.
- C. All members shall be governed by the following general rules of conduct. Violation of any of these rules by any officer or member of the department shall be considered sufficient cause for disciplinary action.
  - 1. Members shall abide by the laws of the United States and the State of Texas as well as the ordinances of the City of Oak Point. Members shall report to Administration immediately if arrested or dealt with as a possible suspect by law enforcement for any offense.

2. Members shall promptly obey all lawful orders and directions given by supervisors. The failure or deliberate refusal to obey such orders shall be deemed insubordination and is prohibited. Flouting the authority of a supervisor by displaying obvious disrespect or by disputing their orders shall likewise be deemed insubordination. Willful violation of department policy shall be deemed insubordination. Discourteous treatment of the public or any act of omission or commission of similar nature which discredits or injures the public will not be tolerated. Insubordination may also consist of direct, tacit, or constructive refusal to do assigned work.
3. Obedience to Unlawful Orders. No employee is required to obey an order that is contrary to the laws of the United States or the State of Texas or the ordinances of the City of Oak Point. If an employee receives an unlawful order, they shall report in writing the full facts of the incident and their actions to the Director.
4. Conflicts of Orders. If an employee receives an order that conflicts with one previously given them by a supervisor, the employee receiving the order shall respectfully point this out to the supervisor who gave the second order. If the supervisor giving the second order does not change the order in a way that eliminates the conflict, the second order shall stand and shall be the responsibility of the second supervisor. Orders shall be countermanded only when immediately necessary for the good of the department.

D. Expectation of Privacy

1. Members shall have no expectation of personal privacy in such places as lockers, desks, departmentally owned vehicles, file cabinets, computers, or similar areas that are under the control and management of this department. While this department recognizes the need for members to occasionally store personal items in such areas, members should be aware that these and similar places may be inspected or otherwise entered—to meet operational needs, internal investigatory requirements, or for other reasons—at the direction of the Director or his designee.
2. Members whose rank or job provides them a locked office shall have a reasonable expectation of privacy in so much that unauthorized entry into those offices is prohibited by all city personnel without their knowledge or the permission of the Director of Public Safety. As these offices many times deal with and contain information that is confidential in nature and not accessible to non-law enforcement personnel, any entry into those offices without the express permission of the Director of Public Safety will result in the filing of criminal charges by the department against the person(s) who made the unapproved entry.
3. No member of this agency shall maintain files or duplicate copies of official department files in either manual or electronic formats at his or her place of residence or in other locations outside the files normal area without express permission of the Director.

E. Rumors, Lies and Conduct Affecting Departmental Operation or Morale

1. Members shall not be party to rumors, gossip, false reports, or information and activities which would, or may tend to disrupt efficient department operation or morale, or which may bring discredit to the Department or the City. Members shall not concern themselves with or become involved in matters which do not pertain to them directly or which pertain to another member or branch of the department. Members will not make disparaging comments regarding any other member or regarding the department.
2. Members of the department have every right to feel secure in their conversations and confidences placed in other members of the department. Members also have the right to not be manipulated into saying something or portions of a conversation being taken out of context for unethical purposes. Therefore members of this department are prohibited from recording either audio or video, by any means, a supervisor, other officer, member, employee, or city employee without the express written consent of the Director of Public Safety. This rule shall not apply to security cameras within the department for security of the facility.
3. Members shall not concern themselves with or become involved in matters which do not pertain to them directly or which pertain to another branch of the department.
4. Members shall not become personally involved or develop a personal or social relationship with a victim, suspect, patient or witness nor develop a personal relationship with any member of this or any other department in which that relationship may affect the performance or safety of any member of this department.
5. Members shall neither publicly nor internally criticize or ridicule the department or its policies, city officials or other members by speech, writing, or other expression, where such speech, writing, or other expression is defamatory, obscene, unlawful, undermines the effectiveness of the department, interferes with the maintenance of discipline, or is made with reckless disregard for truth or its falsity.
6. Members may decide to seek employment elsewhere and the Department recognizes this fact. The department also feels members should be free to seek other employment without fear of retaliation at work, but members must understand that these decisions effect everyone and the department must continue to operate. Overtime, employment checks and fatigue are only some of the issues the department must deal with. In order to allow the department ample time to seek additional applicants any member who determines to seek other employment must notify the director of the department in writing prior to filing the application. Member actively seeking employment with another department are not eligible for promotion or specialized training.

F. Attention to Duty/Operations

1. Members shall, in situations requiring emergency leave or sick leave, notify their supervisors of the circumstances as soon as possible. If unable to report to work, members shall notify the on-duty supervisor at least three (3) hours before reporting time.

2. Each day while on-duty and immediately upon returning from an absence, members shall become familiar with the contents of recently issued communications and directives. Members shall check their email when coming on duty and going off duty and regularly throughout the shift.
3. All full-time personnel shall report for duty by **06:00 hrs**, part-time personnel shall report for duty **at their appointed time**, and ready to assume responsibilities. Off going shift personnel shall be up and out of their bunks by **05:30hrs**, ready to brief the oncoming shift of the previous day's activities.
4. Except where expressly prohibited, Members are required to take prompt and effective action conforming to departmental policy with respect to the preservation of life, coming to their attention or of which they have knowledge. Members shall promptly and punctually perform all official duties.
5. While on duty or at training, members shall remain alert, unencumbered by alcoholic beverages, prescription drugs, illegal narcotics, or conflicts arising from off-duty employment.
6. While on duty, members shall not engage in any personal business or training which has not been approved in writing by the Director.
7. While on-duty members shall not conceal themselves. Members shall keep themselves immediately and readily available at all times while on-duty.
8. While on-duty members shall respond without delay to all calls for service. Calls shall be answered in compliance with normal safety precautions, traffic laws and departmental policy. Members shall not permit apparatus to leave the quarters unless on call, drill evolutions, repair work or other Department business.
9. Members shall know the location and boundaries of their assigned areas. Members also shall be familiar with the names and general locations of streets and highways within our jurisdiction and the names and locations of hospitals and major public buildings within the immediate area.
10. Members shall be truthful and factual in all verbal and written communications, reports and investigations.
11. Sleeping on-duty. Members must be alert. Sleeping while on-duty during normal working hours (5:30a-8p) is forbidden.
12. Members shall not communicate in any manner, directly or indirectly, any information they may have overheard or been told due to their position with the department that may delay an arrest or enable persons guilty of criminal acts to escape arrest or punishment, dispose of property or goods obtained illegally, or destroy evidence of unlawful activity.

13. Studying on-duty. Members shall not, during their regularly assigned working hours, engage in any studying activity which has not been assigned by a supervisor of this department.
14. Members shall immediately or as soon as practical report the following accidents and injuries: all on-duty traffic accidents in which they are involved, all personal injuries received while on-duty, all personal injuries not received while on-duty but which are likely to interfere with performance of assigned duties, all property damage or injuries to other persons that resulted from the performance of assigned duties, and all accidents involving city equipment whether on or off-duty.
15. Apparatus or city owned vehicle accidents. All accidents involving apparatus or members of this department must be promptly reported to law enforcement and neither the apparatus nor driver is clear to leave the scene until released by Law Enforcement. A full report is to be completed, as well as a narrative of the circumstances surrounding the incident turned into the Director by all involved. If the accident was caused by negligence or any incompetence of drivers, such information must be included in the report. All such reports must be completed prior to involved personnel going off-duty. ALL ACCIDENTS INVOLVING CITY EQUIPMENT MUST BE INVESTIGATED BY AN OUTSIDE AGENCY.
16. When directed by a competent authority to make a statement or furnish materials relevant to a departmental administrative investigation, members shall comply with the directive.
17. Members are to complete their paperwork while on duty. All paperwork must be done truthfully, accurately and completely and turned in at the end of their shift unless approval is given by a supervisor to turn it in at a later date. Such approval must be in writing as well as the request and reason for the request.
18. If volunteer personnel are utilized due to paid personnel not available at the time it shall be only to the extent of their documented training. Volunteer personnel shall not be permitted to operate apparatus or actively engage in firefighting operations when paid personnel are available to do so.
19. Employees shall be responsible for maintaining the minimum amount of CE hours with their respective certifying agencies, but strongly encourages them to go beyond the minimum in their respective training.
20. Members shall not communicate to any person any information concerning operations, incidents, activities, or matters of department business, the release of which is prohibited by law or which may have an adverse impact on department operations or member safety of this department or another.

G. Maintenance of Property

1. Members shall not use or provide any city equipment or service other than for official city business.
2. Employees shall be responsible for the proper care and use of department property and equipment assigned to or used by them and shall promptly report to a supervisor any loss, damage, destruction, or defect pertaining to such equipment or property. Employees may in the event of damage or neglect of such property be required to repair and or purchase their own equipment in lieu of city issued equipment. If required to do so an employee may not report to work until such a purchase has been made and approved by the Director. All personnel are held responsible for any and all equipment, uniforms, badges, etc. that have been issued to the individual.
3. Employees shall operate department vehicles and apparatus or other equipment in such a manner as to avoid injury to persons or damage to property. Whenever a vehicle is involved in an accident, the operator shall immediately notify law enforcement by radio and a supervisor when able to safely do so. Under no circumstances shall an officer of this department investigate a fire vehicle accident.
4. Members shall not use any equipment that does not conform to departmental policy or specifications. All equipment shall be carried and utilized only as issued and authorized.

H. Identification and Recognition

1. All employees will carry their official identification on or about their persons while on-duty. Members shall give their last name, employee number and if necessary department to any person requesting such facts
2. An employee's issued ID badge shall not be altered or exchanged between employees or transferred to another person except by the Director. All ID badges must be issued.

I. Cooperation with Fellow Agencies

1. No member of this department or the department itself shall refuse any reasonable request for mutual aid or agency assistance that falls within the perimeters of these general orders. No employee shall offer any assistance or aid which has not been specifically requested by another agency. If someone needs our assistance they'll ask.

L. Restrictions on Behavior

1. Discriminatory conduct, use of improper jokes or slurs, or harassment against any individual on the basis of race, national origin, religion, disability, pregnancy, age, military status, sex or other protected status is prohibited.
2. Tobacco possession or use in any form is prohibited while on duty or at the department. This is to include all “Vapor” type Items or any other object that is for personal use and can give the appearance of or be mistaken for tobacco use.
3. Abuse of sick, injury, disability, or other leave benefits is cause for termination.
4. Weapons of any kind are prohibited from being carried while on-duty.(ACTIVE PSO Exception)
5. Members of the Department may not accept any reward, gratuity, gift or other compensation for any service performed as a result of or in conjunction with their duties as members of the department.
6. Members shall not engage in sexual conduct while on-duty, or on city property.
7. Members shall not be under the influence of any intoxicating beverage, medication or substance during their tour of duty or immediately prior to their tour of duty. Nor shall members be intoxicated off-duty while in the public. Members shall not bring containers of intoxicating beverages into a Department building or vehicle.
8. Members shall not visit any website where gambling in any form is available nor shall they visit any website or service where pornography is viewed, regardless of the owner of the technology.
9. Members are prohibited from entering any supervisors’ office when the supervisor is not present or aware of the employee’s actions. There are absolutely no exceptions to this policy.
10. Swapping or subbing of time is prohibited.
11. No member either living within the jurisdiction of the department or not, is permitted to go to their private residence while on duty, for any non-DPS emergency reason.

Media Coverage

News related information should be directed to the officer in charge of the emergency incident. At no time will representatives make remarks or talk to the media, concerning the department or the City of Oak Point, without the Director’s approval.