

Southern Inyo Fire Protection District Policy Handbook

POLICY TITLE: Separation from District Employment
POLICY NUMBER: 2250
APPROVAL DATE: 02/17/09

- 2250.1** Resignation: To leave District service in good standing, an employee must file a written notice of termination with the General Manager at least two (2) weeks before the effective date. The General Manager may, however, grant good standing with less notice if he/she determines the circumstances warrant. Resignations may not be withdrawn without the General Manager's approval.
- 2250.2** Dismissal of Employees: An employee may be dismissed at any time by the General Manager for cause, and after consulting with District Legal Counsel.
- 2250.2.1** The following shall constitute sufficient cause for dismissal:
- 2250.2.1.1** Conviction of a felony;
 - 2250.2.1.2** Fraud in securing employment;
 - 2250.2.1.3** Misappropriation of District funds or property;
 - 2250.2.1.4** Intentional or gross misconduct; and,
 - 2250.2.1.5** Failure to respond or improve regarding an item specified in #2260.2, "Grounds for Discipline", of Policy# 2260, "Disciplinary Action", after an evaluation or corrective action plan has failed to produce an improvement to performance.
 - 2250.2.1.6** Incapacity due to mental or permanent physical disability rendering the employee unable to perform job duties.
 - 2250.2.1.7** Severe physical or mental disability.
- 2250.2.2** A probationary employee may be dismissed at any time during a probationary period without the right of appeal or hearing. In case of such dismissal, the General Manager shall notify the dismissed probationary employee in writing that he/she is being separated from District service.
- 2250.2.3** Dismissal of the General Manager shall be as outlined in the employment agreement between the General Manager and the District.

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2250.3 Notice of Dismissal: All employees shall be provided with a notice of dismissal. This notice shall be prepared by the General Manager after the consultation with District Legal Counsel and shall contain the following:

2250.3.1 A description of the proposed action and its effective date or dates and in the case of an employee, the ordinance, regulation or rule violated;

2250.3.2 A statement of the acts or omissions upon which the action is based;

2250.3.3 A statement that a copy of the materials upon which the action is based are attached or available for inspection upon request; .and,

2250.3.4 In the case of an employee, a statement advising the employee of the right to file an appeal as provided in # 2250.4 of this policy.

2250.4 Procedures for Disciplinary Action and Dismissal of Employees:

2250.4.1 An employee may, upon receipt of a notice of dismissal or disciplinary action, appeal in writing to the General Manager within five (5) working days of the date of the notification. The General Manager shall then schedule an informal hearing at which the employee may answer the charges against him/her, present any mitigating evidence, or otherwise respond to the notice of dismissal. The hearing guidelines and format shall be available upon request. The General Manager shall issue his/her opinion and decision within ten (10) working days of the hearing and may, if the General Manager finds that the dismissal was not justified, he/she may order a less severe disciplinary action, or may order the employee reinstated.

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POLICY TITLE: **Confidentiality Regarding Resignations**
POLICY NUMBER: **2251**
APPROVAL DATE: **11/18/08**

2251.1 To the extent permitted by law, District staff and Directors shall keep confidential the circumstances giving rise to an employee's or Director's resignation from the District.

2251.1.1 This policy is itself a public record which the District must release upon request.

Source for this policy: Lozano Smith Smith Woliver & Behrens

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POLICY TITLE: **Letters of Recommendation**
POLICY NUMBER: **2255**
APPROVAL DATE: **02/17/09**

2255.1 The Board of Directors recognizes that the District faces exposure to significant liability through the provision of letters of recommendation by District employees. The Board finds that it is, therefore, in the best interests of the District to ensure that letters of recommendation issued by the individuals in the capacity as District employees or which could be reasonably interpreted as written in the individual's capacity as a District employee, be accurate and conform to all requirements of law. Therefore, the General Manager is directed to create and implement a practice whereby all letters of recommendation are reviewed and approved by the General Manager before dissemination.

2255.1.1 The General Manager shall process all requests for references, letters of recommendation, or information about the reasons for separation regarding all District employees other than himself/herself. All letters of recommendation to be issued on behalf of the District for current or former employees must be approved by the General Manager.

2255.1.2 At his/her discretion, the General Manager may refuse to give a recommendation. Any recommendation he/she gives shall provide a careful, truthful, and complete account of the employee's job performance and qualifications.

2255.1.3 An employee has the right to appeal as keeping with the Board's appeal policy.

Source for this policy: Lozano Smith Smith Woliver & Behrens

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POLICY TITLE: **Disciplinary Action**
POLICY NUMBER: **2260**
APPROVAL DATE: **11/18/08**

2260.1 The following measures are part of the disciplinary process: warning, reprimand, suspension with or without pay, dismissal, demotion, or reduction in pay. The General Manager may discipline any employee for cause.

2260.2 Grounds for Discipline:

2260.2.1 Discourteous treatment of the public or fellow employees.

2260.2.2 Drinking of intoxicating beverages or the use of illegal or non-prescribed drugs on the job, or arriving on the job under the influence of such beverages or drugs.

2260.2.3 Habitual absence or tardiness.

2260.2.4 Disorderly conduct.

2260.2.5 Incompetence or inefficiency.

2260.2.6 Being wasteful of material, property, or working time.

2260.2.7 Violation of any lawful or reasonable regulation or order made and given by an employee's supervisor, insubordination.

2260.2.8 Neglect of duty.

2260.2.9 Dishonesty.

2260.2.10 Misuse of District property.

2260.2.11 Willful disobedience.

2260.2.12 Conduct unbecoming a District employee.

2260.3 All disciplinary action will be accompanied by a letter of warning to the employee stating the reasons and grounds for such discipline. The employee must acknowledge receipt of the warning by signing the letter at the time of presentation; this signature signifies only receipt of the document, not necessarily agreement to the contents. The employee may, before the conclusion of the next regular working day, respond in writing to the contents of the letter of warning.

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- 2260.4** All negative evaluations or letters of warning shall remain part of the employee's personnel file. Negative evaluation shall not be used by the General Manager/Fire Chief in decisions to dismiss if the performance has improved or the action which merited a warning has not recurred, each/both for a period of at least one year.
- 2260.5** Any disciplinary action which may result in suspension without pay shall be set forth in writing to the employee at least five (5) working days before the proposed effective date or dates. This notice shall be prepared by the General Manager/Fire Chief after consultation with the District Legal Counsel and shall contain the following:
- 2260.5.1** A description of the proposed action and its effective date or dates, and the ordinance, regulation; or rule violated;
 - 2260.5.2** A statement of the acts or omissions which the action is based;
 - 2260.5.3** A statement that a copy of the materials upon which the action is based is attached or available for inspection upon request.
 - 2260.5.4** A statement advising the employees of the right to request a hearing as provided in paragraph 2250.4 of Policy# 2250, "Separation from District Service";
 - 2260.5.5** A date by which time the employee must respond in writing if he/she wishes to contest the action.
- 2260.6** All notices of proposed action shall be personally served or mailed by certified mail, return receipt requested, to the last known address of the employee.

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POLICY TITLE: **District Vehicle Usage**
POLICY NUMBER: **2290**
APPROVAL DATE: **11/18/08**

2290.1 This policy applies to employees who drive District vehicles to and from work.

2290.1.1 During working hours, extraneous trips for personal purposes will be avoided. Occasionally, stopping at a store en route to a business destination, or going to or from work, occasionally stopping to buy groceries, pick up laundry, medications, etc., is also permitted.

2290.1.2 Other than the forgoing uses, District vehicles will not be used for any personal purposes without prior approval. This means that weekend or after hours trips to the store (regardless of how close to home), trips back to the office to retrieve forgotten personal items, or any other non-business usage will not be permitted.