



POLICIES AND PROCEDURES

MONTGOMERY COUNTY DIVISION OF FIRE AND RESCUE SERVICES

NO. 503

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DATE
04/25/95

TITLE

DISCIPLINARY ACTION PROCEDURES

DFRS CHIEF APPROVAL

PURPOSE

- 1.0 To establish procedures for the timely and proper processing of disciplinary actions.

APPLICABILITY

- 2.0 All DFRS personnel.

2.1



This policy was developed in cooperation with the International Association of Firefighters Local 1664.

DEFINITIONS

- 3.0 Complaint – A written statement alleging misconduct, violation of procedure or rule, dereliction of duty, or other action not consistent with the duties and responsibilities of employees of DFRS. The complaint must indicate the time, nature of complaint, witnesses, contact numbers, and all other pertinent information necessary for an investigation.
- 3.1 Disciplinary Action – A corrective and punitive action taken against an employee to maintain an orderly and productive work environment. The type of disciplinary action must be consistent with the applicable section of the Personnel Regulations and current Collective Bargaining Agreement (attachment 6.5).
- 3.2 Document of Record – A form to record commendations or the oral admonishment of an employee by a supervisor for minor infractions of Rules, Regulations, Policy or Procedures, which do not warrant a more severe disciplinary action. Supervisors should counsel an employee for first time minor infractions. The supervisor should use an oral admonishment/DOR if the employee repeats the infraction. A copy of the DOR will be maintained in the employee's Supervisory File for a period of twelve (12) months as outlined in Administrative Procedure 4.8. (Attachment 6.0).
- 3.3 Notice of Disciplinary Action – Written notice of disciplinary action to be issued an employee (Attachment 6.2).



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- 3.4 Oral Admonishment – A spoken warning or indication of disapproval concerning a specific act, infraction, or violation of policy or procedure that is usually given by the immediate supervisor. An oral admonishment that has risen to the level of an initial discipline must be recorded via a Document of Record.
- 3.5 Statement of Charges – A written document issued to an employee prior to notification of the disciplinary action (excluding oral admonishment). This document (Attachment 6.1) will include:
- a list of charges indicating Policy and Procedure(s) violated; and
 - the findings of any investigation conducted.
- 3.6 Workday – Monday through Friday, holidays excluded.

POLICY

- 4.0 The Department of Fire and Rescue Services will provide timely and proper processing of disciplinary actions.
- 4.1 Employees will be treated with equity and fairness.
- 4.2 Any supervisor may relieve an employee from duty if the employee causes a disruption of the work force. The supervisor must consult with and gain approval from the District Captain. The District Captain must notify the DFRS Duty Chief, and the Director when an employee is relieved from duty.
- 4.3 In cases of within-grade reduction, demotion, suspension, or dismissal, an employee must receive written notice of the disciplinary action at least 5 working days prior to the effective date, except in cases of theft of County property or serious violations of policy or procedure that create a health or safety risk.
- 4.4 Except in cases of theft or serious violations of policy or procedure that create a health or safety risk, disciplinary actions must be progressive in severity. The severity of the action should be determined after consideration of the nature and gravity of the offense, its relationship to



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the employee's assigned duties and responsibilities, the employee's work record and other relevant factors.

PROCEDURE

- 5.0 Any employee of DFRS can direct a complaint against another employee of DFRS to the employee's supervisor. The supervisor will investigate and take appropriate action.
- 5.1 Complaints from outside the Fire and Rescue Service or from anonymous sources will be referred to the Office of the Director.
- 5.2 Any Corporation Fire Chief or their designee shall direct any complaint to the employee's Shift Captain.
- 5.3 If a supervisor is unsure whether an employee has been counseled or disciplined for similar actions in the past, that supervisor must check with the shift captain before any disciplinary action is taken.
- 5.4 If the actions of the employee warrant a level of discipline above an oral admonishment, the supervisor will request that discipline by forwarding a complaint to the Deputy Chief, Program Support Services Bureau via the chain-of-command.
- 5.5 The Department will investigate the circumstances surrounding the complaint and determine the policy(s) or regulation(s) which have been violated.
- 5.6 The Director will issue the statement of charges
- 5.7 The employee responds in person or in writing to the charges within the designated time limits.



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- 5.8 The Director - reviews the employee's response to the charges, and determines appropriate action.
- a. Written Reprimand – Issued by the Director.
 - b. All other Actions – Director signs notification document and sends 2 copies of all documentation to the Office of Human Resources. Documentation must include:

Statement of Charges
Employee Response
Notification Document
Employee Personnel Action Form (PAF)
All supporting documentation
- 5.9 Office of Human Resources – Reviews all documents with the County Attorney's Office for compliance with Personnel Regulations. Returns documents to Director for action.

ATTACHMENT

- 6.0 Document of Record
- 6.1 Statement of Charges Memorandum
- 6.2 Notice of Discipline Action Memorandum
- 6.3 Written Reprimand Memorandum
- 6.4 July 24, 1987 Memo Re: Disciplinary Actions for MCGEO Employees
- 6.5 Current article regarding Discipline from Collective Bargaining Agreement

CANCELLATION

- 7.0 This policy cancels #503, Disciplinary Actions, Dated January 16, 1988.