

ESTER VOLUNTEER FIRE DEPARTMENT

EVFD Operating Procedures Manual 3.40 Supplement

PAID EMPLOYEES PERSONNEL REGULATIONS

Objective & Scope:

To provide clarity for employment practices related to full-time staff. These regulations are applicable to full-time employees of Ester Volunteer Fire Department. These regulations do not apply to part-time employees, temporary employees or volunteers.

Under the supervision of the Board of Directors, the business and affairs of the Corporation shall be conducted by the Chief, who will be the chief executive officer. The Chief is empowered to interpret and administer all provisions of this manual of regulations. In absence of a specific provision, the Chief shall be empowered to interpret the intent of these regulations.

Legal:

Ester Volunteer Fire Department will abide by all applicable Federal, State and Local laws in regards to employment practices.

Applicability & Severability: In the event that one or more portions of this manual of regulations should be found deficient under Federal, State or Local law, all other provisions of the manual shall remain in effect.

Hiring Practices / Supervision:

Ester Volunteer Fire Department is an equal opportunity employer. The Chief of the department shall fill available positions based upon the applicants' experience, training and capabilities.

An employee may not supervise another employee who is a blood relative (father, mother, son, daughter, cousin, uncle, aunt) or related by marriage.

Probationary Period:

All newly hired paid employees will be placed in probationary status for a minimum of six months. During this time, the employee will be formally evaluated by his immediate supervisor, at least once. An unsatisfactory evaluation may result in termination of employment. During the probationary period, the employee may be dismissed without cause.

Promotion: A Paid Employee who is promoted to a new job classification shall be on probation in that classification for a period of 60 days. Said probationary period shall begin on the day the employee assumes the new job, and during that time the employee may be returned to his former job if found by the Fire Chief not to be qualified for the position. During said Probationary Period, said employee may elect to return to his previous position at not less than his rate of pay prior to the promotion.

Commuting Distance

Paid employees, who are required to respond to emergency calls, must reside within fifteen (15) minutes normal driving time of one of the department stations.

Benefits

The Benefits described in this policy are provided to all full time paid employees, except as specifically provided, and are contingent upon adequate funding being available to provide said benefits.

- 1. Holidays** - The following holidays will be observed: New Years Day, Presidents Day, Memorial Day, Independence Day, Labor Day, Veterans Day, Thanksgiving and the day after Thanksgiving, Christmas Day (2 days) and One (1) eight hour personal holiday.

Employees on a forty-hour work week will be given the above listed holidays off with full pay at their normal 40 hour rate. When a holiday falls on Saturday, it will be observed on the preceding Friday, and when it falls on Sunday it will be observed on the following Monday. For hourly non-exempt staff, the Chief may from time to time request the employee to work on a Holiday. If this is the case, the employee will be reimbursed at a rate of two times the employees normal hourly rate.

- 2. Health Insurance** - All employees who have completed at least three months employment will be eligible to participate in a company sponsored health care plan while on paid status. Coverage may be extended at the employee's expense while on a non-paid status (e.g. maternity leave, National Guard Service, leave of absence) and the entire premium amount must be paid prior to the month of coverage.

The plan may include dental, health and optical insurance as available. The plan will be open to qualified family members. Premiums will be apportioned between the company and the employee as funding is available. The percentages will be set by the Chief during the budget process. Expenses for the health insurance beyond the percentages paid by Ester Volunteer Fire Department are the responsibility of the employee.

- ~~**3. Retirement** - Employees may opt out of Health Insurance and apply their benefit package to a retirement plan. The plan will be governed by current IRS regulations and contributions will be made on a monthly basis at the employer's expense. Contributions and contribution levels to a retirement plan will be subject to all state and federal laws. Employees will be considered vested after 12 months of continuous employment. EVFD makes no guarantee as to the rate of return, investment plans, or interest earned.~~

~~If the employee has an existing plan, he/she may opt to apply the benefit to that plan as long as the above terms and conditions can be met. (Repealed January 2015)~~

- 4. Uniforms Provided** - All protective clothing, and safety equipment required to be worn by paid employees shall be furnished by the Department, and must have the prior approval of the Chief. Uniform shirts, insignias, badges, and collar brass will also be provided by the department. Uniform parts will be replaced on an as needed basis as follows: Two uniform shirts will be purchased by the department each year for replacement due to normal wear and tear. The department will also replace shirts damaged while on the job. The department will pay \$60 for one pair of safety boots every two years and \$40 for one pair of uniform pants per calendar year as approved by the Chief. Maintenance and cleaning of said items shall be the responsibility of the employee. All issued equipment and clothing will be returned to the department upon separation from employment.

Duties:

The Ester Volunteer Fire Department Operating and Procedures Manual and Combined Medical Standing Orders will be followed by the employees at all times. Duties will include those listed in the job description for the employee and such other duties as assigned by the Chief or his/her designee.

1. It is a condition of employment with Ester Volunteer Fire Department that the employee:
 - a. has no pending Driving While Intoxicated (D.W.I.) or Driving Under the Influence (D.U. I.) charges.
 - b. has no D.W.I. or D.U.I. convictions within the previous 5 years.
 - c. has no pending Drug and/or narcotic charges
 - d. has no Drug or Narcotic convictions within the previous 5 years.
 - e. has no pending Theft, Burglary, Breaking and Entering, or any other charge that would involve stealing or dishonesty or have a conviction on any of these charges within the previous 5 years.
 - f. has no pending charges involving violence
 - g. has no convictions on any violence related charges within the previous 5 years
 - h. has no pending charges involving sexual assault and/or deviance
 - i. has no convictions on any sexual related charges
 - j. has no other pending charges and/or convictions that the Chief feels would be detrimental to the department's mission and image
 - k. retains a valid State of Alaska driver's license
 - l. has no more than three traffic violations on their active record (excluding parking violations)
 - m. may be subject to testing for alcohol, marijuana, and illegal drugs at any time. Expenses are to be borne by the employer
 - n. can be summarily dismissed for use of alcohol, marijuana, or illegal drugs
 - o. successfully passes the departmental physical agility test, unless in the opinion of the Chief, that the employee may be excused from the test.
 - p. maintain current all certifications required by the position description.

Any violation of the above listed item must be reported to the Chief or his designee within 48 hours of the event. Inability or unwillingness of the employee to meet the above conditions of employment will subject the employee to termination. Progressive disciplinary procedures specified in the EVFD OPM's, need not be followed if employee fails to meet the delineated conditions of employment noted above.

2. The employee will wear from 09:00 to 17:00 hours a clean uniform consisting of an approved uniform shirt of the appropriate color for their rank, dark blue nomex pants and approved duty boots. Female employees will wear appropriate foundation garments. All uniform items will be approved by the Chief. During meetings, tours and classes in the station and any meeting outside the station, personnel will wear class B uniform shirts.
3. Employees may wear approved departmental tee shirts or coveralls when they are involved with vehicle maintenance, projects that will soil their uniforms or similar situations.
4. Employees will remove facial hair so that a SCBA mask may be properly sealed while on duty. Employees will secure their hair or maintain a hair length that will not present a hazard of entanglement in equipment or interfere with operations while on duty. Employees will maintain to the best of their abilities a clean and neat appearance while on duty.
5. Employees will have daily duties to accomplish. Clean up before the end of each shift is required. Projects will also be assigned. Emergencies will supplant normal duties. All efforts will be made to have the station clean at shift change (within reason).

Pay Periods and Wages:

1. **Salary** Increases or decreases for Paid Employees will be based on the following items:
 - a. Performance Evaluations
 - b. Availability of Funding
 - c. Similar Market Conditions
 - d. Cost of Living adjustment every July 1.

**Salary increases and decreases are subject to and limited by available funds and only upon approval by the Board of Directors.*

2. **Wage Merit:** The Chief may increase an employee's wage for meritorious conduct. That may be a permanent increase or a one-time bonus. The total dollar amount of all salary increases or decreases will be established by the Board of Directors on an annual basis. The Fire Chief will be responsible for the equitable distribution of said increases or decreases.

3. **Salary Schedule:** The most current salary schedule shall be maintained by the Chief and will be available to all paid employees in the EVFD OPMs.

4. **Paychecks:** All employees will receive their paychecks on the Friday following the end of the most current pay period. The pay period runs from Sunday at midnight for two weeks to Saturday at 2359 hours. Any payday that falls on a holiday will be observed on the last working day before the holiday. Pay checks will be given to employees or persons designated by employees in writing only, no exceptions.
5. **Time Sheets/Work Schedules:**
 - a. Completed time sheets will be submitted every two weeks by all employees to the Chief. Time sheets will be signed by the employee and approved by the Chief.
 - b. Time sheets will be maintained by the department as a permanent record in accordance with Alaska State Statutes.
6. **Forty hour non-exempt employees: (2080 hours/year):**
 - a. Non-exempt employees working a normal 40 work week schedule will be paid at the hourly rate applicable to that employee. Any hours over 40 hours in one seven day period will be paid at a 1 ½ hour overtime rate.
 - b. An employee will not be paid at an overtime rate when using leave time (sick, annual, holiday). Leave may not be taken so that an employee can work their normal shift at an overtime rate.
 - c. The normal work week will be from Sunday through Saturday. The normal hours will be from 08:00 hours to 17:00 hours with one hour off for lunch. Two 15 minute breaks with one at approximately 10:00 hours and the other at 14:00 hours shall be provided. Upon mutual written agreement between the employee and the Chief, the forty hour work week schedule may be modified. However, the total number of hours may not exceed 10 hours per day or 40 hours per week. Any hours beyond these specifications will be paid in overtime.
7. **Forty hour exempt employees: (2080 hours/year):**
 - a. Exempt employees shall be paid a flat salary rate rather than an hourly rate and are not eligible for overtime compensation.

Withholding & Deductions:

1. Mandatory federal, state (if any), and local (if any) taxes along with mandatory employee Social Security/ Medicare (FICA/Med) contributions and mandatory unemployment insurance (ESC) will be withheld from the employees pay checks by EVFD, Inc. The withholding rates will be determined by applicable laws and the employee's W-4 form. An accounting of the deductions will be provided with each paycheck and with the employee's annual W-2 form.
2. The Department will, upon the written request of an employee, make payroll deductions for the following items: Credit Union, Savings Bonds, and Retirement Contributions, Health Insurance contributions.

Overtime:

1. Overtime pay rate is at 1 ½ normal base rate. Overtime must be authorized by the Chief, Battalion Chief or his/her designee.
2. Employees should not automatically respond to an off duty incident unless there is a second tone out or special tone out for an overtime person. The Chief, Battalion Chief or designee makes the final decision as to whether overtime is to be offered. The department is not obligated to fill shifts with overtime personnel under any circumstances. Employees are encouraged to notify the Battalion Chief by radio and advise that you are available to respond to calls.
3. If a regular staff member calls in sick, or if on leave and if no volunteer is available to fill the shift by 09:00 hours, the Chief, Battalion Chief or designee can offer the overtime to the employee with the fewest hours of overtime, followed by the next fewest etc.. If the Chief, Battalion Chief or designee cannot reach the other employees and cannot otherwise fill the required overtime by 0900 hours, the on duty employee can be held over until the position is filled.
4. A “Hold Over” is when an employee is held over to work beyond the normal 09:00 hours end of shift time. Hold over minimum is 30 minutes (after end of shift). Hold over is 30 minute increments.
5. A “Call Back” is when an employee is off duty and is called back to work. Call back minimum is two hours (during emergency; does not include scheduled overtime) (30 min. increments after that)
6. New Employees: New employees may not work overtime (other than their normal assigned shifts) until they have completed their initial check-offs assigned by the Chief and have been approved to work overtime by the Chief.
7. Leave may not be taken so that an employee can work their normal shift at an overtime rate.
8. No employee can work more than 48 hours continuously. A 24 hour break in work must be taken between a 48 hour shift and the employees next shift. This may be modified by the Chief under emergency conditions.

Outside Employment

Outside employment, including other volunteer employment, is permitted, provided it does not conflict, interfere or negatively affect the department, or provided it does not affect or interfere with the employee’s assigned job responsibilities or detract from the employee’s on-the-job performance. Outside employment must be disclosed to the Chief immediately. Such employment shall not result in any of the following:

- a. Impairment of on-the-job efficiency;
- b. Conflicts of interest;
- c. Unfavorable publicity or poor public relations for EVFD;
- d. Interference with employee's regular working hours.

Jury Duty and Testifying:

Jury duty: if the employee is on duty, he/she will be paid at the normal rate. If the employee is off duty, no compensation will be offered. If the off-duty employee is testifying on behalf of EVFD, they shall be paid at a 1 ½ (overtime) rate. Any money reimbursed to the employee by the court for appearances during their duty day or while testifying on behalf of EVFD must be returned to the department. The Fire Chief will be notified of all jury duty appointments and actual service required immediately so additional coverage may be arranged as required.

Annual and Sick Leave Accrual

1. Annual Leave will be accrued at a rate of 4.6154 hours per pay period. Up to 240 hours of annual leave can be rolled over from year to year based on the ending date of the final pay period of the fiscal year..
2. Sick Leave will be accrued at a rate of 3.25 hours per pay period.
3. Accrual schedules will be maintained by the department. The Chief will be responsible for reviewing this schedule. The accrual schedule will be available to the employee on his/her paycheck stub

Annual Leave Use

1. Probationary employees may accrue annual leave, but are not entitled to it until the probationary period is successfully completed.
2. No distinction will be made between normal rate and overtime rate in regards to annual leave. Leave will be used hour for hour regardless of which shift hours are used.
3. All paid 40 hour shift employees must take at least 5 consecutive days, (40 hours) off per calendar year as scheduled vacation.
4. All annual leave requests will be submitted in writing for approval to the Fire Chief prior to the time leave is requested. Leave in excess of 16 hours must be submitted for approval at least 2 months prior to taking leave. Each employee requesting leave will complete a leave request form. Approval of leave is at the discretion of the Chief.
5. Cash out of annual leave upon separation/termination will be made unless the employee is terminated for cause.

Sick Leave Use

Definitions

1. A “qualifying event” is an absence
 - a. for an illness, injury, healthcare professional appointment and/or treatment of the employee;
 - b. to care for an immediate family member with an illness, injury, disability, healthcare professional appointment and/or treatment when care by the employee is necessary;
 - c. to avoid the passing on of a contagious disease by the employee;
 - d. to attend a funeral;
 - e. approved for EVFD Family and Medical leave, except absences for a qualifying exigency and absences after the first three days off work due to a work-related injury or illness; or
 - f. for an illness which continues for more than three days when the employee is on annual leave.
2. “Immediate family member” refers to an employee’s spouse, financially interdependent partner, parent, child, sibling, stepparent, grandparent, parent of a spouse or financially interdependent partner, grandparent of a spouse or financially interdependent partner, and child of a financially interdependent partner.
 - a. “Parent” refers to the biological parent of an employee, or an individual who stood in place of the parent of the employee when the employee was either under age 18, or age 18 or older and incapable of self-care because of a mental or physical disability.
 - b. “Child” refers to a biological, adopted, or foster child, a stepchild, a legal ward, or a child of a person standing in the place of a parent.
3. “Medical certification” means certification from a health care provider that sets for the following information:
 - a. The name, address, telephone number, and fax number of the health care provider and type of medical practice/specialization;
 - b. The approximate date on which the serious health condition commenced, and its probably duration;

- c. A statement or description of appropriate medical facts regarding the patient's health condition for which sick leave or FML leave is requested. The medical facts must be sufficient to support the need for leave. Such medical facts may include information on symptoms, diagnosis, hospitalization, doctor visits, whether medication has been prescribed, any referrals for evaluation or treatment (physical therapy, for example), or any other regimen of continuing treatment;
- d. If the employee is the patient, information sufficient to establish that the employee cannot perform the essential functions of the employee's job as well as the nature of any other work restrictions, and the likely duration of such inability;
- e. If the patient is a covered family member with a serious health condition, information sufficient to establish that the family member is in need of care and an estimate of the frequency and duration of the leave required to care for the family member;
- f. If an employee requests leave on an intermittent or reduced schedule basis for planned medical treatment of the employee's or a covered family member's serious health condition, information sufficient to establish the medical necessity for such intermittent or reduced schedule leave and an estimate of the dates and duration of such treatments and any periods of recovery;
- g. If an employee requests leave on an intermittent or reduced schedule basis for the employee's serious health condition, including pregnancy, that may result in unforeseeable episodes of incapacity, information sufficient to establish the medical necessity for such intermittent or reduced schedule leave and an estimate of the frequency and duration of the episodes of incapacity; and
- h. If an employee requests leave on an intermittent or reduced schedule basis to care for a covered family member with a serious health condition, a statement that such leave is medically necessary to care for the family member, which can include assisting in the family member's recovery, and an estimate of the frequency and duration of the required leave.

An employee who requests leave to care for a covered service member shall obtain a certification as described in OSHA 29 CFR 825.310.

Use of Leave

1. Employees who are ill must notify the Fire Chief, Battalion Chief, or the on-duty staff, via telephone, 30 minutes before the start of their shift.
2. Sick leave will be deducted from the employees accumulated sick leave bank.

3. Sick leave will only be granted for a qualifying event. All other events will be considered annual leave or leave without pay.
4. If the employee becomes ill during their shift, they must notify the Fire Chief or Battalion Chief immediately. They will not be held over.
5. No distinction will be made between normal rate and overtime rate in regards to sick leave. Leave will be used hour for hour regardless of which shift hours are used.
6. The department reserves the right to require a return to work authorization from a physician if the employee suffers an injury or a note from a physician verifying illness if more than 24 consecutive hours or 40 hours in one pay period are missed due to illness.
7. Worker's Compensation-Related
 - a. All employees are covered by worker's compensation insurance. Time off due to workman's compensation related injuries will not be charged against the employees annual leave bank. The employee will continue to accumulate their leave during the time that they are on workman's compensation until such time as a medical separation for the department occurs under applicable workman's compensation rules.
 - b. The monetary difference between the employee's normal salary and the amount paid by workman's compensation will be paid to the employee by the department until the employee is able to return to work, is medically separated from the department or for a period of 12 months, whichever occurs first.

Training

1. If the employee works on Tuesday, they must attend Tuesday night training. If they are not on duty, they may attend if they desire to do so, but they will not be compensated. Business meetings or training will not be compensated unless they are on duty and approved by Chief or if the employee is off duty and required by the Chief to attend the meeting or training. Off duty overtime for training or meetings will be 1 ½ times the employee's base rate.
2. At the discretion of the Fire Chief, employees may be reimbursed for expenses incurred while voluntarily attending classes, seminars, training sessions, etc. while off duty that are related to their employment with the company. In order to be eligible for reimbursement, an employee must have received prior approval from the Fire Chief, and must have received a satisfactory grade in the class. Annual leave may be used to attend such training sessions provided that the employee voluntarily requests in writing to do so and the Chief has approved the employee attending the class. (See also annual leave provisions in sections above).

Evaluations

1. All Paid Employees, not on probationary status, will be evaluated by their immediate supervisor at least once, on an annual calendar year basis. Two sequential unfavorable evaluations may be grounds for termination. The employee has the right to submit a written objection to their evaluations which will be come a part of their permanent record.

General Conduct:

1. Discipline Table - Employees who do not conform to the Departments Standard Operating Guidelines, and/or Department Policies may be disciplined. Such disciplinary actions may be initiated by Department Officers according to the following table;

Position	Warning	Written Reprimand	Temporary Suspension	Permanent Dismissal
Fire Chief	XX	XX	XX	XX
Acting Chief	XX	XX	XX	
Asst. Chief	XX	XX	XX	
Batt. Chief	XX	XX	XX	
Captain	XX	XX		
Lieutenant	XX	XX		

2. Chain of Command: The efficient operation of the Department requires that the Chain of Command be used at all times, and that orders and assignments made by officers be followed fully. This applies to both emergency and non-emergency operations.
3. Public Interaction: In all matters that pertain to department operations, procedures, and department business in general, all members will render prompt, courteous, and knowledgeable information, especially where the general public is concerned. However, the following are not allowed.
 - a. Discussing confidential matters outside working hours or in a public place where such information may be heard by those other than authorized departmental personnel.
 - b. Discussing administrative matters outside EVFD.
 - c. An employee must exhibit suitable professionalism while engaged in official activities, both within and off the organization's facilities. Interpersonal relationships between staff members must remain within the bounds of common decency, discretion and good taste. Personal conduct must be consistent within acceptable standards of courtesy, cooperative effort and professional behavior on and off the job.
4. Progressive Discipline System: Ester Volunteer Fire Department Inc. will adhere to the Progressive Discipline System described herein when disciplining, except in the case of serious offenses. In this policy the term "personnel" refers to paid employees of Ester

Volunteer Fire Department. All suspensions and dismissals will be handled by Departmental Officers. EXCEPTION: this section does not apply in the event that conditions of employment specified in these regulation cannot be met by the employee; in which case, the employee will be subject to immediate termination.

4. All personnel will be given at least one verbal warning for significant offenses. Officers and supervisors shall document all warnings in writing. Significant offenses may include, but are not limited to:
 - a. Failure to follow the Paid Employee Personnel Regulations, and/or EVFD Operating and Procedures Manual.
 - b. Failure to comply with routine safety rules
 - c. Unauthorized communication of confidential information
 - d. Insubordination (including failure to follow a direct order)
 - e. Inadequate work performance
5. Any personnel committing the same offense or a similar offense again may be given a written warning signed by the Officer or supervisor. All written warnings must be reviewed by the Fire Chief, or Acting Fire Chief, prior to being delivered. The written warning, indicating receipt by the member, or documentation indicating that he has received the warning, shall be placed in the employee's personnel file. The supervisor or Fire Chief shall clearly explain to the employee the Progressive Discipline System and that suspension or dismissal may result if an offense occurs again.
6. If the employee commits the same or a similar offense again, he/she may be suspended for a minimum of 3 shifts or longer. If an employee is to be suspended the officer in charge will immediately notify the Fire Chief or Acting Fire Chief. The use of suspension is optional and is not required prior to dismissal. An employee may be suspended only once during a six month period. If an additional suspension period is warranted within six months following the prior suspension, the employee will be dismissed. Suspended paid employees will not receive compensation or be permitted to use annual leave during the suspension.
7. Dismissal. The dismissal procedure described herein shall set forth conditions under which personnel may be dismissed to equitably protect the interests of both Ester Volunteer Fire Department and the member.
8. Guidelines: Employees may be dismissed without use of the Progressive Discipline System if, in the judgment of the Fire Chief, he commits offenses including but not limited to any of the following:
 - a. Theft of Department property, or personal property that may be on Department land, or equipment, or in Department buildings.
 - b. Willful destruction of Department property, or personal property that may be on Department land, or equipment, or in Department buildings.
 - c. Use of alcohol, inappropriate use of medications, or being under the influence of alcohol or drugs while working, and or, representing the Department.

- d. Physical assault, threats of violence, fighting or other violent acts against another person while on Department premises, Department time, or acting as a Department representative.
- e. Unauthorized absence without proper notification and permission for more than one shift.
- f. If the member should lose his state driving privileges and can no longer function in the capacity outlined in their job description.
- g. Gross insubordination, including failure to follow a direct order, to an Officer or the Fire Chief, by an employee.
- h. Unsafe behavior and/or violation of safety rules which could or do result in injury or loss of property.
- i. Criminal conviction of any crime that would negatively impact the public's trust of EVFD, i.e., theft, assault, arson, sexual misconduct, etc. After arrest, prior to conviction, the Fire Chief will immediately suspend the employee's response status. The Fire Chief will then confer with the President of the Board to determine any other appropriate actions that may be necessary.

Procedure

1. Only the Fire Chief can dismiss an employee. In the absence of the Fire Chief, the Acting Fire Chief may only suspend the employee until the Fire Chief returns.
2. An investigation, by the Fire Chief, shall be conducted prior to the dismissal of any personnel. If appropriate, the employee may be suspended prior to the dismissal. A letter to the employee with the basic elements of the following shall be given to the employee. **"You are hereby suspended pending investigation, by the Fire Chief, of this incident. Please leave the premises immediately. You will be notified, by the Fire Chief, of the results of the investigation as soon as possible."**
3. Dismissals shall be handled as follows:
4. Prior to the dismissal of an employee, the Fire Chief will present his investigation to the President of the Board of Directors. If agreement is reached to dismiss the employee, the Fire Chief will prepare the notification letter. If the President of the Board of Directors deems it necessary, either an executive committee, or special Board meeting may be called.
5. Upon this agreement, the Fire Chief shall meet with the employee and inform him/her of the dismissal.
6. Upon dismissal, the Fire Chief, or his designated representative, shall collect all of the Department issued clothing and equipment.
 - a. The Department will deduct any money owed from the employee's final paycheck, and/or bill any remaining balance.
 - b. This policy is not necessarily applicable in every instance. Management reserves the right to administer more or less severe disciplinary action in a particular case, or to deviate from this policy as it deems appropriate.

Orders

1. Issued Orders. Employees shall obey all orders issued by superior department officers whether volunteer or paid provided that the order does not pose an undue

threat of harm to the employee or others or that the order is illegal. Refusal to obey a lawful order will be reviewed and may subject the employee to dismissal proceedings.

2. Conflict of Orders. When an employee receives an order that is in conflict with a previously received order, he/she shall so inform the Officer issuing the conflicting order, and shall be guided by said Officers instructions. Likewise, when an Officer, issues an order, having been made aware that such an order is in conflict with a previously issued order, said Officer shall be held responsible for, and may be subject to disciplinary action for any harmful effect which might occur as a result of issuing the conflicting order, and/or the interference with the execution of the previous order.

Abandonment of Post:

1. No member shall remove him/herself from any post or assigned duties during emergency operations, without being properly relieved.

Traffic laws :

1. At no time during response are EVFD personnel authorized to disregard Alaska State traffic laws.

Property

1. Care of EVFD Property: Employees are responsible for the proper care and safe keeping of Department property.
2. Loan of Property: Department property shall not be loaned out to anyone without the permission of the Fire Chief.
3. Return of Property: Termination All employees shall return to the Fire Chief, or his representative, all department property in their possession, upon resignation or dismissal from the Department.

Use of Alcohol

1. No employee shall bring alcoholic beverages into any department station. No exceptions.
2. No alcohol will be consumed on department property.
3. No member shall be under the influence of alcohol while functioning as a member and/or representative of Ester Volunteer Fire Department.
4. No member shall wear EVFD uniforms or insignias while consuming alcohol in public.

Use of Medications and Illicit Drugs

1. No member shall bring marijuana or illegal drugs onto any Ester Volunteer Fire Department Property, or respond to any emergency, or represent the Department in any way while in possession of said drugs.
2. No employee shall be allowed on any Ester Volunteer Fire Department Property, respond to emergency calls, or operate any department equipment while under the influence of marijuana or illegal drugs.
3. No employee shall operate any Ester Volunteer Fire Department equipment, or respond to any emergency calls while under the affects of prescribed medications that are known to cause drowsiness, or have side affects that result in diminishing motor response.

Gambling

1. Gambling shall not be permitted in any Ester Volunteer Fire Department Station.

Firearms

1. In concern for the welfare and safety of employees and the public, as required by contract and to ensure a safe and productive work environment, firearms are not allowed in or on any buildings or vehicles owned by the Department or Service District.
2. Under no circumstance are concealed firearms allowed in or on any buildings or vehicles owned by the Department or Service District, regardless if the person has a permit to carry a concealed firearm.
3. EVFD employees, while representing EVFD, are not allowed to use, purchase, sell or possess a firearm, whether concealed or visible. This includes on emergency scenes, and non-emergency scenes.
4. All buildings owned, operated, or maintained by Ester Volunteer Fire Department will be posted in such a manner as to advise all that firearms are not allowed on the premises.

Smoking

1. The use of tobacco products in any building or vehicle that is owned, operated or maintained by Ester Volunteer Fire Department is strictly prohibited.
2. The use of tobacco products on emergency scenes is prohibited unless the Incident Commander designates a smoking area. The Incident Commander may designate a smoking area during long duration calls, as the situation permits.
3. The use of tobacco products at training sessions will be in designated smoking areas during scheduled breaks only.

Harassment

1. Harassment, including sexual harassment, is prohibited by federal and state law. It is also a violation of departmental policy for any supervisor or employee, male or female, to engage in the acts or behavior defined below. Appropriate disciplinary action will be

taken against any employee who violates this policy. Based on the seriousness of the offense, disciplinary action up to and including immediate termination will be taken.

2. All employees, supervisors and non-supervisors alike, will be expected to comply with this policy and take appropriate measures to ensure that such conduct does not occur.
3. Employees who feel they have been harassed in any manner should immediately report such incidents following the procedure described below without fear of reprisal. Confidentiality will be maintained to the extent permitted by the circumstances.
4. Definitions and Examples of Sexual Harassment:
 - a. Harassment: Verbal or physical conduct designed to threaten, intimidate or coerce. Also, verbal taunting which, in the employee's opinion, impairs their ability to perform their job.
 - b. Sexual Harassment: Unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when such conduct:
 1. Is made explicitly or implicitly a term or condition of employment, or
 2. Is used as a basis for an employment decision, or
 3. Unreasonably interferes with an employee's work performance or creates an otherwise offensive environment.
5. Sexual harassment does not refer to behavior or occasional compliments of a socially acceptable nature. It refers to behavior that is unwelcome, that is personally offensive, that lowers morale and therefore interferes with work effectiveness. Sexual harassment may take different forms. One specific form is the demand for sexual favors.
6. Examples of Sexual Harassment
 - a. Verbal: Sexual innuendoes, suggestive comments, jokes of a sexual nature, sexual propositions, threats.
 - b. Non-verbal: Sexually suggestive objects or pictures, graphic commentaries, suggestive or insulting sounds, leering, whistling, obscene gestures.
 - c. Physical: Unwanted physical contact, including touching, pinching, brushing the body, coerced sexual intercourse, assault.
7. Harassment Complaint Procedure:
 - a. Complaints of harassment of any type should be reported immediately to any one of these individuals:
 1. The Fire Chief
 2. The Deputy Fire Chief
 3. Battalion Chief on duty
 - b. All complaints received by any supervisor must be reported to the Fire Chief

Appeal Provisions:

1. Employees may not directly contact any Board member or Commissioner regarding disagreements or administration of policies, regulations or operational issues. This Paid Employee Personnel Regulations manual establishes a step-by-step appeal process as follows:
2. Disagreements over administration of policy, operations or regulation issues will first be discussed verbally with the Chief (Step #1).
3. If the issue is not resolved to the employee's satisfaction at step #1, the employee must reduce the issue to writing and submit it to the Chief for response. The Chief will issue a written reply within seven (7) days (Step #2).
4. If for any reason, the employee feels that he or she has been discriminated against, improperly disciplined, or wrongfully dismissed, he / she may immediately appeal the dismissal. The employee shall provide a written Notice of Appeal to the Fire Chief. The Fire Chief shall hold an appeal board hearing. The board shall be comprised of five (5) impartial members: two (2) from the fire department, one (1) from the Board of Directors, one (1) from the Ester Fire Commissioners, and one (1) citizen from the service area.

A written Notice of Appeal must be filed by the member being dismissed within fourteen (14) calendar days of the written dismissal letter. Any member who has been suspended for over 14 days but less than 90 days may appeal the dismissal to the Board of Directors by providing a written Notice of Appeal. This shall be the dismissed member's final chance of appeal

Honorable Service Recognition

1. The Department recognizes the contribution of paid staff to the success of the Department. The Department also recognizes that each employee should be treated equally upon honorable separation from the Department.
2. Any function to honor an employee will be organized by the Fire Chief or his delegated representative. No function involving alcoholic beverages will be held on EVFD property. The Board of Directors takes no responsibility for such functions. The Fire Chief will notify the Board of Directors of the activity and convey the desired action in relation to a gift, if applicable.
3. Gifts from the Department shall be administered per the EVFD Gift Policy: