

FARMINGTON HILLS FIRE DEPARTMENT

PERSONNEL PROCEDURE

PRIORITY: 3

DISCIPLINE

No: 400.4

EFFECTIVE: 03/15/03

PAGE: 1 OF 2



FIRE CHIEF APPROVAL:

A handwritten signature in black ink, appearing to read "R. J. ...", is written over a horizontal line.

PURPOSE

To ensure due process in cases resulting in disciplinary action.

PROCEDURE

- I. Any member who violates City or Department policies and/or directives, or who neglects or evades their duties, may be subject to disciplinary action. Disciplinary action may include: a written reprimand, suspension, and loss of privileges, demotion, or termination of employment.
- II. Charges preferred against a member shall be in writing and shall be submitted within 14 days of either the alleged violation or the end of any investigation into any violation.
- III. The Fire Chief, Deputy Fire Chief, or Fire Marshal may suspend any member of the Department for cause.
- IV. Probationary members are subject to dismissal without cause.
- V. Members shall answer all questions truthfully and directly as it may relate to any investigation. Members may have representation during any phase of the disciplinary process after formal written charges have been filed. Such representation shall be at the member's expense. No member shall obstruct, hinder, or impede any investigation.
- VI. The Department retains the right to treat each occurrence upon its individual merits without creating any precedent for the treatment of any other situation, which may arise in the future. A member's previous record may be considered and more or less action may be taken depending on the circumstances and the member's service record.
- VII. Members not on probation shall have the right to present a grievance as it relates to disciplinary action. Grievances shall be handled in accordance with the following steps.

A. Step 1

1. If a member has a grievance, they shall submit through their District Chief a written request to bring the grievance to the Grievance Board of Appeals (GBA). Requests shall be made within seven (7) days of occurrence. The member shall state the facts given rise to the grievance, identify the violation, and indicate what relief is sought. The request shall be signed by the District Chief and forwarded to the Fire Chief. The Fire Chief shall call a meeting of the GBA within 14 days to review the appeal and hear from the member and any other members involved. The GBA may do any of the following:

- a. Overturn the disciplinary decision
 - b. Concur with the decision
 - c. Modify the decision
2. The GBA shall render a decision within 14 days of the hearing.

B. Step 2

1. If a member does not concur with the decision of the GBA, they may request in writing to meet with the Fire Chief. Such a request must be made within 14 days of the GBA decision. The Chief shall review the decision of the GBA and may, at his/her discretion, seek additional information or hear from other members involved. The Chief may do any of the following:
 - a. Overturn the disciplinary decision
 - b. Concur with the decision
 - c. Modify the decision
2. The Fire Chief shall render a decision within 14 days.

C. Step 3

1. If a member does not concur with the decision of the Fire Chief, he or she may request in writing a meeting with the Director of Human Resources. Such a request must be made with 14 days of the Fire Chief's decision. The Director of Human Resources may do any of the following:
 - a. Overturn the disciplinary decision
 - b. Concur with the decision
 - c. Modify the decision
2. The decision of the Director of Human Resources shall be final, notwithstanding any other rights afforded by law to an employee.