

Martinsville Board of Works and Safety
Meeting Agenda
Monday, December 8, 2025
6:30 PM - City Hall, Council Chambers (Room 202)

THE CITY OF
Martinsville
INDIANA



Call to Order

Roll Call

Consideration of the Minutes

- A. Consideration of the November 24, 2025, Board of Works and Safety Meeting Minutes

Mayor's Comments

- A. Board of Works and Safety 2026 Meeting Dates

New Business

- A. Opening of Bids for the Parking Lot Project
- B. Opening of Bids for Next Phase of Sidewalk Installations
- C. Consideration of Fire Department Policies
- D. Consideration of Resolution 2025-0720 - Adopting Operation and Maintenance Manual for Martinsville Levee

Consideration of Claims

Consideration of Sewer Adjustment Applications

- A. 840 S. Ohio St. -- 350.19
- B. 60 Massey Road - \$39.41

Next Regular Meeting

- A. The next regular meeting of the Board of Works and Safety will be on Monday, December 29, 2025, beginning at 6:30 PM in the Council Chambers (Room 202), City Hall, 59 S. Jefferson St., Martinsville, Indiana

Adjournment

Any individuals who requires aid or service for effective communication, or a modification of policies or procedures to participate in a public meeting, program, service, or activity of the City of Martinsville, IN, contact Ben Meridia, ADA Coordinator, 56 North Main Street, Martinsville, IN, 46151, 765-342-6012, as soon as possible, but no later than 48 hours before the scheduled event.

**MARTINSVILLE BOARD OF WORKS AND SAFETY
MARTINSVILLE INDIANA
MORGAN COUNTY, INDIANA
NOVEMBER 24, 2025**

Call to Order

Roll Call

Board of Works Kelly Bray
Mayor Kenneth Costin
Board of Works John Lillywhite

A quorum was declared present.

Consideration of the Minutes

- A. Consideration of the Monday, November 10, 2025, Meeting Minutes

A motion to Approve was made by Board of Works Kelly Bray. John Lillywhite seconded the motion. The minutes were Passed 3-0.

Unfinished Business

- A. Tabled Sewer Adjustment Application from the November 10, 2025, Meeting -
1149-1159 E. Gray St.

Mac Dunn presented the adjustment request to the board for their consideration This is the third issue at this address within the past 12 months. The owner was offered the opportunity to attend the meeting but was not found to be present. A discussion ensued.

A motion to Decline was made by Board of Works John Lillywhite. Kelly Bray seconded the motion. The motion was Passed 3-0.

New Business

- A. Consideration of Agreement for Services - Pros Consulting

Mack Porter presented the agreement to the board for their consideration. The agreement is to develop a five year master park plan in order to obtain future grants. The cost of the agreement is \$48,080.00 without enhancements. With enhancements the total is \$68,000.00.

A motion to Approve was made by Board of Works John Lillywhite. Kelly Bray seconded the motion. The motion was Passed 3-0.

- B. Consideration of Change Order Number 7 - Banning Engineering

Mac Dunn presented the change order to the board for their consideration. The change order is in the amount of \$17,472.00.

A motion to Approve was made by Board of Works John Lillywhite. Kelly Bray seconded the motion. The motion was Passed 3-0.

Consideration of Sewer Adjustment Applications

A. 110 E. Morgan St. - \$507.83

A motion to Approve was made by Board of Works John Lillywhite. Kelly Bray seconded the motion. The motion was Passed 3-0.

B. 1600 Williamsburg Ct. - \$676.72

A motion to Approve was made by Board of Works John Lillywhite. Kelly Bray seconded the motion. The motion was Passed 3-0.

C. 440-446 S. Graham St. - \$9.01

A motion to Approve was made by Board of Works John Lillywhite. Kelly Bray seconded the motion. The motion was Passed 3-0.

D. 950 Cloverleaf Ct. - \$6,324.74

A motion to Approve was made by Board of Works John Lillywhite. Kelly Bray seconded the motion. The motion was Passed 3-0.

Next Regular Meeting

A. The next regular meeting will be on Monday, December 8, 2025, beginning at 6:30 PM in the Council Chambers (Room 202), City Hall, 59 S. Jefferson St., Martinsville, IN

Adjournment

Name		Signature
Kelly Bray, Member	Aye <input type="checkbox"/> Nay <input type="checkbox"/> Abstain <input type="checkbox"/>	
John Lillywhite, Member	Aye <input type="checkbox"/> Nay <input type="checkbox"/> Abstain <input type="checkbox"/>	
Kenny Costin, Mayor	Aye <input type="checkbox"/> Nay <input type="checkbox"/> Abstain <input type="checkbox"/>	
ATTEST		
Name	Signature	Date
Benjamin K. Merida, Clerk-Treasurer		

Martinsville Board of Works 2026 Meeting Dates
6:30 PM – Council Chambers (Room 202) – 59 S. Jefferson Street – Martinsville, IN

Monday, January 12, 2026

Monday, January 26, 2026

Monday, February 9, 2026

Monday, February 23, 2026

Monday, March 9, 2026

Monday, March 23, 2026

Monday, April 13, 2026

Monday, April 27, 2026

Monday, May 11, 2026

Tuesday, May 26, 2026

Monday, June 8, 2026

Monday, June 22, 2026

Monday, July 13, 2026

Monday, July 27, 2026

Monday, August 10, 2026

Monday, August 24, 2026

Monday, September 14, 2026

Monday, September 28, 2026

Tuesday, October 13, 2026

Monday, October 26, 2026

Monday, November 9, 2026

Monday, November 23, 2026

Monday, December 14, 2026

Monday, December 28, 2026

Chapter 5 - Emergency Medical Services

Patient Care Reports

500.1 PURPOSE AND SCOPE

The purpose of this policy is to establish the requirements for documentation of patient responses, and the related document distribution, storage, and disclosure.

500.1.1 DEFINITIONS

Definitions related to this policy include:

Emergency patient - An individual who is acutely ill, injured, or otherwise incapacitated or helpless and who requires emergency care (IC § 16-18-2-113).

500.2 POLICY

It is the policy of the Martinsville Fire Department to follow the patient documentation and distribution guidelines developed by the local, regional, or state EMS authority.

500.3 PROCEDURE

A Patient Care Report (PCR) shall be completed for every patient response (836 I.A.C. 1-1-5). This includes a patient who is released at the scene, meets the criteria for pronouncing death in the field, or is involved in a multi-casualty incident.

A PCR and a patient release form must be completed for all patients who refuse care and/or transportation (836 I.A.C. 1-1-5).

Contact with persons who do not meet the criteria required for the definition of a patient should be recorded in the department's incident reporting system to document that assistance was offered and declined. The department's reporting requirements concerning personal identification information, including a person's name, age, date of birth, and sex, should be followed.

The PCR should be completed as soon as possible after providing patient care.

An EMS evaluation, performed minimally by a qualified department member, may or may not be required for non-medical requests for assistance, such as "service calls" or "back-to-bed" requests. A PCR shall be completed for any person meeting the patient criteria.

For continuous quality improvement, the local or regional EMS authority, department EMS supervisors, and the designated hospital receiving center shall review their copies of the PCR and discuss any areas of concern.

500.4 DISTRIBUTION OF PCR COPIES

- (a) 1.
- 2.
- 3.

Martinsville Fire Department

Fire Policy Manual

Patient Care Reports

- 4.
- (b)
 - 1.
 - 2.
 - 3.
- (c) If a patient is declared dead and is not transported, copies should be distributed as follows:
 1. Copy retained by the Department
 - 2.
 3. Copy left with the body for the coroner's office
 4. Copy sent to the local law enforcement as requested
 - 5.

500.5 PCR STORAGE

PCRs shall be maintained and secured in a manner consistent with the Patient Medical Record Security and Privacy Policy.

Medical Supplies

501.1 PURPOSE AND SCOPE

The purpose of this policy is to establish a periodic automatic replenishment level system for medical supply inventories for the safety and welfare of patients and employees. Adequate levels for ordering medical supplies assist with budgeting and waste management. Adherence to this policy is intended to prevent the depletion of protective supplies for employees and supplies for the treatment of patients while reducing inventory overstock and the inability to obtain critical supplies.

501.2 POLICY

It is the policy of the Martinsville Fire Department to use a periodic automatic replenishment system for medical supply inventories.

501.3 PROCEDURES

The periodic automatic replenishment level should be based on normal inventory usage for a two-week period. The periodic automatic replenishment should include all medical supplies maintained in the fire station and carried on apparatus.

A delivery schedule for supplies should be created and distributed to all stations one month in advance.

501.3.1 MEDICATIONS

The following guidelines should be observed with regard to medication storage, security, distribution, and disposal:

- (a) Only department members who have received medication distribution training may handle and distribute medications.
- (b) Medications shall be kept secure from unauthorized handling or use.
- (c)
- (d) All medications should be kept in their original packaging.
- (e) All medications shall be protected from high temperatures by utilizing shaded areas for prolonged parking of vehicles.
- (f) Medication packaging shall be protected to ensure the integrity of the medication and that the lot numbers and expiration dates are legible.
- (g) Medications with expiration dates indicating only a month and year shall be removed from the inventory on the last day of the month shown.
- (h) Out-of-date medications should be exchanged for current medications.
- (i)

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Medical Supplies

501.4 BACK-ORDERED SUPPLIES

If the supplier is unable to fill an order, the supplier may indicate that the supply is back-ordered. Do not continue to order items that are on back-order. Any questions concerning back-ordered supplies should be directed to the supplier. If the needed items cannot be obtained in the normal manner, contact the Deputy Fire Chief.

Advance Health Care Directives

502.1 PURPOSE AND SCOPE

This policy identifies the circumstances and types of documents required for department Emergency Medical Services (EMS) members to withhold or withdraw resuscitative or life-sustaining measures based on Indiana medical consent laws.

Nothing in this policy should be interpreted to limit EMS members from relieving an airway obstruction.

502.1.1 DEFINITIONS

Definitions related to this policy include:

Advance directive - A document such as a living will declaration, life-prolonging procedures declaration, or durable power of attorney for health care, recognized under state law, relating to the provision of health care when the individual is incapacitated. It must contain the date of execution and the signature of the declarant, and be signed by two adult witnesses or a notary public (I.C. § 16-36-4-8; 410 I.A.C. 16.2-1.1-6)

Attorney-in-fact - A person granted legal authority in a written document to act for another in health matters (I.C. § 30-5-5-1; I.C. § 30-5-5-16).

Out of Hospital Do Not Resuscitate Declaration and Order (DNR order) - A document that directs a health care provider not to make resuscitative efforts, such as chest compressions, defibrillation, assisted ventilation, basic airway adjuncts, advanced airway adjuncts (e.g., endotracheal tube, Combitube®), cardiotoxic medications, or other medications or means intended to initiate a heartbeat or to treat a non-perfusing rhythm. A DNR order includes:

- An Out of Hospital DNR order in substantially the same form as set forth in I.C. § 16-36-5-15, or an equivalent document from another jurisdiction.
- A Physician Orders for Scope of Treatment (POST) form.

A DNR order can also be evidenced by a DNR identification device.

DNR identification device - A medic alert necklace/bracelet engraved with the declarant's name, date of birth, and the words "Do Not Resuscitate" (I.C. § 16-36-5-17).

Health care representative - A person designated in a written power of attorney for health care to make health care decisions (I.C. § 16-36-5-9).

Palliative care - The total care of patients who are not responsive to curative treatment, designed to achieve the highest quality of life possible.

Physician Orders for Scope of Treatment (POST) form - A form available statewide that allows an individual to express their desires concerning resuscitation and various resuscitation modalities (I.C. § 16-36-6-4).

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Advance Health Care Directives

502.2 POLICY

It is the policy of the Martinsville Fire Department that EMS members honor DNR orders to withhold or withdraw resuscitative measures.

502.3 PROCEDURES

The following guidelines should be used by members who are presented with a DNR order (I.C. § 16-36-5-19):

- (a) All EMS members shall honor a DNR order when it can be reasonably established that the patient is the subject of the DNR order and either:
 1. When EMS members have identified a DNR order, DNR necklace or bracelet or POST form as defined in this policy.
 2. When EMS members have personally seen the DNR order in the patient's medical record in a health care facility and they reasonably believe it has not been revoked.
- (b) All DNR patients should receive non-resuscitation-related palliative care and other comfort measures, as would any other person.
- (c) A DNR order shall be disregarded if the patient requests resuscitative measures.
- (d) When EMS members honor a DNR order, they shall note on the Patient Care Report (PCR) that a DNR order was presented and honored, and document the circumstances surrounding the DNR order on a PCR.
- (e) Base hospital contact should be made, the base hospital physician consulted and resuscitation initiated:
 1. If there are any questions concerning the validity of the DNR order.
 2. If a DNR order is incomplete or not signed.
 3. When a document other than those noted in this policy is presented.
 4. Any time EMS members have concerns or require assistance.
- (f) All DNR patients who are in cardiopulmonary arrest should not be transported. EMS members shall contact local law enforcement and/or the coroner's office to report the death and should support family members on-scene, as appropriate.
- (g) All DNR patients who decline transport to the hospital, including patients for whom transport is declined on their behalf, should not be transported. EMS members should make reasonable efforts to preserve the patient's privacy, dignity and comfort before leaving the scene.
- (h) If a DNR patient is transported to a hospital, the following shall apply:
 1. A valid DNR order shall be honored during transport of the patient.
 2. The DNR order shall accompany the patient.
 3. The attorney-in-fact or health care agent (if applicable) should accompany the patient to the hospital.

Latex Sensitivity

503.1 PURPOSE AND SCOPE

The purpose of this policy is to establish procedures to ensure that all department members are aware of the potential for severe allergic reactions caused by contact with products containing latex and how to mitigate patient exposure.

503.1.1 DEFINITIONS

Definitions related to this policy include:

Latex sensitivity - Allergic reactions after exposure to products containing latex/natural rubber (e.g., balloons, rubber gloves, other consumable medical products or medical devices).

503.2 POLICY

It is the policy of the Martinsville Fire Department that members shall take precautions to minimize latex exposure any time members are advised that a patient is known to have a latex sensitivity. When the use of a latex product is unavoidable, reasonable precautions shall be taken to prevent a latex sensitivity reaction in a patient.

503.3 PROCEDURE

If treating members are aware that a patient has a history of latex sensitivity, efforts to minimize exposure should be initiated. If a patient begins exhibiting signs of latex sensitivity or anaphylaxis, members should immediately initiate medical treatment and make reasonable efforts to minimize additional exposure to latex products.

All nonessential equipment should be stored in closed compartments.

Field units should strive to carry the following latex-free equipment:

- Nitrile exam gloves
- Airway equipment (e.g., bag valve masks, oxygen masks, nasal cannulas, oral airways, suction catheters)
- Plastic or soft cloth tape
- Stockinet or plastic wrap to use as a barrier on medical equipment (e.g., blood pressure cuff, splints, stethoscopes)

Care should be taken to avoid storing uncovered latex gloves with other medical and/or airway equipment.

Chapter 7 - Equipment and Technology

Use of Department-Owned and Personal Property

700.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the care and maintenance of department property entrusted to department members and the return of department property upon separation from employment or affiliation with the Department. This policy also provides guidelines for members to claim damage to or loss of personal property used in an occupational capacity.

700.2 POLICY

It is the policy of the Martinsville Fire Department to issue equipment to members for the purpose of performing their assigned duties. Members shall be responsible for the safekeeping, serviceable condition, proper care, use and request for replacement of all department property issued or entrusted to their care. A member's intentional or negligent abuse or misuse of department property may lead to discipline, including, but not limited to, the cost of repair or replacement of the property, and up to and including termination.

700.3 PROCEDURE

The following procedures shall be in effect regarding department property issued to members:

- (a) Members shall promptly report via the chain of command any loss, damage or unserviceable condition of department-issued property or equipment assigned for member use.
- (b) The use of damaged or unserviceable department property should be discontinued as soon as practicable and a supervisor notified so that the item may be replaced.
- (c) No member should attempt to repair damaged or unserviceable department property without supervisory approval.
- (d) Use of department property should be limited to official purposes in the capacity for which it was designed. Except when otherwise directed and/or required by circumstances, department property shall only be used by the member to whom it was assigned.
- (e) Department property should not be discarded, sold, traded, donated, destroyed or otherwise disposed of without supervisory approval.

700.3.1 SURRENDERING DEPARTMENT PROPERTY UPON SEPARATION

Members who separate from the Department shall return all department property, regardless of its condition. The following guidelines should apply:

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Use of Department-Owned and Personal Property

- (a) All department property, including keys, identification cards, electronic devices and system access cards, shall be returned to the Department no later than the member's departure date or as directed by the Fire Chief or the authorized designee.
- (b) Badge surrender shall be consistent with the Badges Policy.
- (c) A member who fails to return all department property in his/her possession may be required to reimburse the Department for the value of the property or may be subject to legal action brought by the Department.

700.4 FILING CLAIMS FOR PERSONAL PROPERTY

Members are responsible for exercising reasonable care and caution to avoid damage to or loss of personal property while on-duty. However, consistent with ~~collective bargaining agreements and~~ department rules, personal property that is lost or damaged during the proper performance of a member's job duties may be replaced or the cost reimbursed by the ~~or~~ Department when such loss or damage is not the result of intentional or negligent abuse or misuse by the member.

Any claim for the replacement or cost reimbursement for damage to or loss of a member's personal property must be submitted on the proper claim form to the member's immediate supervisor.

The supervisor is responsible for reviewing the claim to assess whether the lost or damaged property was reasonably required for the proper performance of the member's job duties. The supervisor will make a determination as to whether reasonable care was taken to prevent loss or damage and whether proper procedures were followed just prior to the occurrence of the loss or damage. A supervisor may direct a member to submit additional details in a separate written report, if needed.

If approved, the supervisor will forward the claim and related reports to the Deputy Fire Chief, who will determine the appropriate reimbursement value of the property and will forward the claim for payment to the proper entity.

700.4.1 COVERED PERSONAL PROPERTY

Property that is necessary in the performance of the member's job duties or has been specifically stipulated ~~by a collective bargaining agreement~~ should be considered a covered item. The age and condition of the damaged or lost property should be considered when determining replacement or reimbursement value. The member must demonstrate that the damaged or lost property is directly related to the proper performance of the member's duties.

700.4.2 EXCLUDED PERSONAL PROPERTY ITEMS

Members are discouraged from wearing expensive jewelry or watches or bringing personal property items to the workplace that may be damaged, lost or stolen. Personal property that is not eligible for replacement or reimbursement includes:

- (a) Any personal property that is lost or damaged directly or indirectly due to negligence of the member.

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Use of Department-Owned and Personal Property

- (b) Personal computers, communication devices, ~~cell phones~~, MP3 players, GPS devices or any other electronic devices that the member voluntarily brings to the workplace and that are not required by the Department for the performance of the member's duties.
- (c) Any personal property used in place of department-issued property, unless required by the Department.
- (d) Any jewelry, with the exception of watches, which should not exceed a \$100 reimbursement.

700.4.3 PERSONAL VEHICLES

The Department will not provide vehicle insurance coverage for members who use their personal vehicles for department business. All members must rely on their personal vehicle insurance carrier for replacement or cost reimbursement of damage to or loss of a personal vehicle. Members using a personal vehicle for department business shall have the minimum evidence of financial responsibility required for that vehicle (I.C. § 9-25-4-1 et seq.; 140 I.A.C. 1-2-4).

700.4.4 LOSS OR DAMAGE OF PROPERTY OF ANOTHER

Members intentionally or unintentionally may cause damage to the real or personal property of another while performing their duties. Any member who damages or causes to be damaged any real or personal property of another while performing any department function, regardless of jurisdiction, shall report it as provided below:

- (a) A verbal report should be made to the member's immediate supervisor as soon as practicable.
- (b) A written report should be submitted before the member goes off-duty or within the time frame directed by the supervisor to whom the verbal report was made.

700.4.5 DAMAGE BY PERSON OF ANOTHER AGENCY

If members of another jurisdiction cause damage to real or personal property belonging to the City, it shall be the responsibility of the member present or the member responsible for the property to make a verbal report to his/her immediate supervisor as soon as practicable. The member shall submit a written report before going off-duty or as otherwise directed by the supervisor.

All reports should be completed immediately after the incident or as soon as practicable if extenuating circumstances delay the member's ability to complete the report.

All reports, including the supervisor's written report, shall promptly be forwarded to the appropriate Deputy Fire Chief.

Personal Communication Devices

701.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for the use of mobile telephones and communication devices, whether issued or funded by the Department or personally owned, while on-duty or when used for authorized work-related purposes.

This policy generically refers to all such devices as Personal Communication Devices (PCDs) but is intended to include all mobile telephones, personal digital assistants (PDAs), and similar wireless two-way communications and/or portable internet access devices. PCD use includes but is not limited to placing and receiving calls, text messaging, blogging and microblogging, emailing, using video or camera features, playing games, and accessing sites or services on the internet.

701.2 POLICY

The Martinsville Fire Department allows members to utilize department-issued or funded PCDs and to possess personally owned PCDs in the workplace, subject to certain limitations. Any PCD used while on- or off-duty for business-related purposes, or reasonably associated with work-related misconduct, will be subject to monitoring and inspection consistent with applicable law and this policy.

Additionally, the use of a PCD either on-duty or off-duty for business-related purposes, or reasonably associated with work-related misconduct, may subject the member and the member's PCD records to civil or criminal discovery or disclosure under applicable public records laws.

Members who have questions regarding the application of this policy or the guidelines contained herein are encouraged to seek clarification from supervisory staff.

701.3 PRIVACY EXPECTATION

Members forfeit any expectation of privacy with regard to emails, texts, or anything published, shared, transmitted, or maintained through file-sharing software or any internet site that is accessed, transmitted, received, or reviewed on any PCD issued by the Department and shall have no expectation of privacy in their location should the device be equipped with location-detection capabilities. This includes records of all keystrokes or web-browsing history made on the PCD. The fact that access to a database, service, or website requires a username or password will not create an expectation of privacy if it is accessed through department PCDs or networks.

The Department reserves the right to access, audit, and disclose, for whatever reason, any message, including attachments, and any information accessed, transmitted, received, or reviewed over any technology that is issued or maintained by the Department.

Members have no expectation of privacy regarding any communications while using a personally owned PCD for department-related business or when the use reasonably implicates work-related misconduct.

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Personal Communication Devices

701.4 DEPARTMENT-ISSUED PCD

Depending on a member's assignment and the needs of the position, the Department may, at its discretion, issue or fund a PCD for the member's use to facilitate on-duty performance. Department-issued or funded PCDs may not be used for personal business either on- or off-duty unless authorized by the Fire Chief or the authorized designee. Such devices and the associated telephone number, if any, shall remain the sole property of the Department and shall be subject to inspection or monitoring (including all related records and content) at any time without notice and without cause.

Unless a member is expressly authorized by the Fire Chief or the authorized designee for off-duty use of the PCD, the PCD will either be secured in the workplace at the completion of duty or will be turned off when leaving the workplace.

701.5 PERSONALLY OWNED PCD

Members may carry a personally owned PCD while on-duty, subject to the following conditions and limitations:

- (a) Permission to carry a personally owned PCD may be revoked if it is used contrary to provisions of this policy.
- (b) The Department accepts no responsibility for loss of or damage to a personally owned PCD.
- (c) The PCD and any associated services shall be purchased, used, and maintained solely at the member's expense.
- (d) The device should not be used for work-related purposes except in exigent circumstances (e.g., unavailability of radio communications) or as otherwise authorized by department procedures.
 - 1. Use of a personally owned PCD for work-related business constitutes consent for the Department to access the PCD to inspect and copy the work-related data (e.g., for litigation purposes, public records retention and release obligations, internal investigations).
 - 2. Use of and data within a personally owned PCD may be discoverable in cases when there is reason to believe it is associated with work-related misconduct.
 - 3. Searches of a personally owned PCD by the Department should be limited to those matters reasonably associated with the work-related business or work-related misconduct.
- (e) The device shall not be utilized to record or disclose any department business-related information, including photographs, video, or the recording or transmittal of any information or material obtained or made accessible as a result of employment or appointment with the Department, without the express authorization of the Fire Chief or the authorized designee.
- (f) If the PCD is carried on-duty, members will provide the Department with the telephone number of the device.

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Personal Communication Devices

- (g) All work-related documents, emails, photographs, recordings, and other public records created or received on a member's personally owned PCD should be transferred to the Martinsville Fire Department no later than the end of the member's shift and deleted from the member's PCD as soon as reasonably practicable.

Except with prior express authorization from their supervisors, members are not obligated or required to carry, access, monitor, or respond to electronic communications using a personally owned PCD while off-duty. If a member is in an authorized status that allows for appropriate compensation consistent with policy or existing collective bargaining agreements, or if the member has prior express authorization from their supervisor, the member may engage in department business-related communications. Should members engage in such approved off-duty communications or work, members entitled to compensation shall promptly document the time worked and communicate the information to their supervisors to ensure appropriate compensation. Members who independently document off-duty department-related business activities in any manner shall promptly provide the Department with a copy of such records to ensure accurate recordkeeping.

701.6 USE OF PCD

The following protocols shall apply to all PCDs that are carried while on-duty or used to conduct department business:

- (a) A PCD shall not be carried in a manner that allows it to be visible while in uniform unless it is in an approved carrier.
- (b) All PCDs in the workplace shall be set to silent or vibrate mode.
- (c) A PCD may not be used to conduct personal business while on-duty except for brief personal communications (e.g., informing family of extended hours). Members shall endeavor to limit their use of PCDs to authorized break times unless an emergency exists.
- (d) Members may use a PCD to communicate with other personnel in situations where the use of radio communications is either impracticable or not feasible. PCDs should not be used as a substitute for, as a way to avoid, or in lieu of regular radio communications.
- (e) Members are prohibited from taking pictures, audio or video recordings, or making copies of any such picture or recording media unless it is directly related to official department business. Disclosure of any such information to any third party through any means requires express authorization of the Fire Chief or the authorized designee.
- (f) Members will not access social networking sites for any purpose that is not official department business. This restriction does not apply to a personally owned PCD used during authorized break times.
- (g) Using PCDs to harass, threaten, coerce, or otherwise engage in inappropriate conduct with any third party is prohibited. Any member having knowledge of such conduct shall promptly notify a supervisor.

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Personal Communication Devices

701.7 SUPERVISOR RESPONSIBILITIES

The responsibilities of supervisors include but are not limited to:

- (a) Ensuring that members under their command are provided appropriate training on the use of PCDs consistent with this policy.
- (b) Monitoring, to the extent practicable, PCD use in the workplace and taking prompt corrective action if a member is observed or reported to be improperly using a PCD.
 - 1. An investigation into improper conduct should be promptly initiated when circumstances warrant.
 - 2. Before conducting any administrative search of a member's personally owned device, supervisors should consult with the Fire Chief or the authorized designee.

701.8 OFFICIAL USE

Members are reminded that PCDs are not secure devices and conversations may be intercepted or overheard. Caution should be exercised while utilizing PCDs to ensure that sensitive information is not inadvertently transmitted. As soon as reasonably possible, members shall conduct sensitive or private communications on a land-based or other department communications network.

701.9 USE WHILE DRIVING

The use of a PCD while driving can adversely affect safety, cause unnecessary distractions, and present a negative image to the public. Firefighters operating emergency vehicles should restrict the use of these devices to matters of an urgent nature and should, where practicable, stop the vehicle at an appropriate location to use the PCD (I.C. § 9-21-8-59).

Except in an emergency, members who are operating vehicles that are not equipped with lights and siren shall not use a PCD while driving unless the device is specifically designed and configured to allow hands-free use (I.C. § 9-21-8-59). Hands-free use should be restricted to business-related calls or calls of an urgent nature.

Vehicle and Apparatus Inspections, Testing, Repair and Maintenance

702.1 PURPOSE AND SCOPE

The purpose of this policy is to establish the testing, inspection, repair and maintenance responsibilities of members with regard to department vehicles and apparatus. Vehicles and apparatus shall comply with all regulations specified in the Indiana Motor Vehicle Code and/or the National Fire Protection Association (NFPA) 1911. Inspections also ensure that vehicles and apparatus are properly equipped, maintained and refueled and present a professional appearance.

702.1.1 DEFINITIONS

Definitions related to this policy include:

Apparatus - A vehicle designed to be used under emergency conditions to transport personnel and equipment and to support the suppression of fires and mitigation of other hazardous situations (NFPA 1911).

In-reserve - Any vehicle or apparatus that, while not currently staffed, is ready for service or deployment as needed, regardless of whether it is fully equipped with tools and equipment.

In-service - Any vehicle or apparatus that is either staffed or cross-staffed by members of the Operations Division or that is pre-positioned to be readily available to on-duty Operations personnel for calls for service (e.g., airport rescue, firefighting apparatus).

Staff vehicles - Passenger vehicles modified for emergency response or administrative use.

702.2 POLICY

It is the policy of the Martinsville Fire Department that all vehicles and apparatus comply with the applicable federal and state vehicle operating and safety criteria. All vehicles and apparatus should be inspected daily, including in-service and in-reserve apparatus. Vehicles and apparatus that are out of service for testing, maintenance or repair need not be inspected until they are returned to service or released to in-reserve status.

702.3 PROCEDURE

702.3.1 APPARATUS DAILY INSPECTIONS

Operators should be responsible for conducting a daily inspection of all apparatus that has been established by the Department and includes all of the items and provisions identified to ensure safe operational status. An inspection list is detailed in the current version of the Indiana Commercial Driver's License Manual or in the applicable sections of NFPA 1911. The department daily inspection list shall be approved by the Fire Chief.

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Vehicle and Apparatus Inspections, Testing, Repair and Maintenance

When an apparatus becomes inoperative or in need of a repair that affects safe operation, the Lieutenant shall be immediately notified. Based on the determination of the Lieutenant, if the apparatus cannot be used in a safe manner, it shall be immediately removed from service.

An apparatus shall be considered unsafe and placed out of service if deficiencies are detected in one or more of the following areas:

- Brake system
- Cab and/or body mounting
- Steering
- Door latches
- Suspension
- Safety belts
- Wheels or tires
- Windshield, windshield wipers or defroster
- Throttle
- Transmission or driveline

Other deficiencies may or may not require an apparatus to be placed out of service. Any safety-related deficiency that does not require the apparatus to be taken out of service shall be repaired as quickly as possible.

702.3.2 STAFF VEHICLE DAILY INSPECTIONS

Members who are assigned staff vehicles should be responsible for the inspection and daily maintenance of their assigned vehicles. Daily maintenance should include checking and maintaining engine and transmission fluids, checking and maintaining tire inflation pressure, monitoring tire wear and any other inspection needed to ensure the safe operation of the vehicle.

Any vehicle issues discovered during inspection should be promptly addressed. When a vehicle becomes inoperative or in need of a repair that affects the safe operation of the vehicle, it should be immediately removed from service for repair.

702.3.3 WEEKLY INSPECTIONS

Members also are responsible for completing a [weekly](#) [monthly](#) inspection and equipment inventory for each assigned apparatus and vehicle and documenting it on the appropriate inspection form. When completed, the form should be forwarded to the Deputy Fire Chief in the member's chain of command.

702.3.4 TESTING AND REPAIR

Fire pumps on apparatus shall be tested as specified in NFPA 1911. Aerial devices shall be inspected and service tested by a competent person as specified in NFPA 1911.

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Vehicle and Apparatus Inspections, Testing, Repair and Maintenance

All repairs and preventive maintenance to apparatus shall be made by personnel deemed qualified by the registered owner of the apparatus.

702.4 RECORDS

The Department shall maintain an [electronic](#) ~~written~~ record of inspections, testing, repairs, and maintenance for each vehicle or apparatus using the appropriate [electronic records management system](#) ~~forms for the vehicle type~~. Completed [records](#) ~~are forms~~ ~~should be~~ forwarded to the Operations Deputy Fire Chief and retained by the Department based on established records retention schedules.

Use of Department Vehicles

703.1 PURPOSE AND SCOPE

The purpose of this policy is to establish the procedures for the off-duty use of department take-home vehicles. The use of take-home vehicles is an essential component of the department's recall program, which ensures resources are available in the event of an emergency or critical incident. To facilitate faster response to recalls or for other legitimate department needs, members may be allowed to take department vehicles home. These vehicles provide the means to respond directly to an incident without first diverting to a fire station to retrieve a vehicle and/or needed equipment.

703.1.1 DEFINITIONS

Definitions related to this policy include:

Emergency recall - A member's assignment requires immediate response during off-duty hours to other than the member's normal work location to handle an emergency action.

Investigative recall - A member's assignment requires timely response during off-duty hours to other than the member's normal work location to handle a fire investigation.

Take-home vehicle - A vehicle owned by the Department that is authorized for commuting between work and home and/or off-duty use. Department vehicles secured at a location other than the member's assigned work location for the purpose of shortening a member's commute shall also be considered take-home vehicles.

703.2 POLICY

The Department provides vehicles for official business use and may assign take-home vehicles based on its determination of operational efficiency, economic impact to the Department, emergency and investigative recall, and other considerations.

703.3 PROCEDURE

Department members authorized to use take-home vehicles must adhere to the following guidelines:

- (a) Vehicles shall only be used for official business and, when approved, for commuting to allow members to respond to department-related business and recall to duty outside their regular work hours.
- (b) Members authorized to use take-home vehicles are to monitor the radio whenever they are operating the vehicle. They are to make appropriate notification or take appropriate action on any fire-related matter that may come to their attention via the radio or through personal observation.
- (c) Department members are prohibited from driving department vehicles any time their driving ability may be impaired by prescription or non-prescription drugs or alcoholic beverages.

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Use of Department Vehicles

- (d) Members operating department-owned vehicles shall not permit persons other than department members or persons required to be conveyed in the performance of duty, or as otherwise authorized, to ride as a passenger in their vehicle.
- (e) ~~take-home vehicles are to be left at a fire facility during vacations or other periods of leave in excess of seven days unless approved by the Fire Chief or the authorized designee.~~
- (f) Department members shall not relinquish control of, nor allow any person to operate, department vehicles if that person is not a member of the Department, except in the case of an emergency where the member is unable to drive him/herself.

703.3.1 ASSIGNED VEHICLE AGREEMENT

Members who have been assigned a take-home vehicle may use the vehicle to commute to their workplace and for department-related business. The member must be approved for an assigned vehicle by the Fire Chief and shall sign an agreement that includes the following criteria:

- (a) ~~The member must live within a 30-minute commute of his/her regularly assigned work location (based on average traffic flow). A longer response time may be allowed based on special assignment of the member.~~
- (b) ~~Except as may be provided by a collective bargaining agreement, time spent during normal commuting is not compensable.~~
- (c) Department-owned vehicles shall not be used for personal errands or other personal business unless approved by a supervisor for exceptional circumstances.
- (d) The Department should provide necessary care and maintenance supplies.
- (e) ~~Off-street parking shall be available at the member's residence.~~
- (f) Vehicles shall be locked when not attended.
- (g) All department identification, portable radios, and equipment should be secured.

Members are cautioned that under Internal Revenue Service (IRS) rules, personal use of a department-owned vehicle may create an income tax liability to the member. Questions regarding IRS rules should be directed to the member's tax adviser.

The assignment of vehicles is at the discretion of the Fire Chief. Assigned vehicles may be changed at any time. Permission to take home a vehicle may be withdrawn at any time.

703.3.2 VEHICLES SUBJECT TO INSPECTION

All department-owned vehicles are subject to inspection and/or search at any time by a supervisor. No member assigned to or operating such a vehicle shall be entitled to any expectation of privacy with respect to the vehicle or its contents.

703.3.3 ACCESSORIES AND/OR MODIFICATIONS

No modifications, additions, or deletions of any equipment or accessories shall be made to department vehicles without written permission from the designated vehicle manager.

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Use of Department Vehicles

703.3.4 TOLL ROAD USAGE

Members responding to an emergency or incident on toll roads, while on-duty, are exempt from paying the toll (135 I.A.C. 2-5-5). All members passing through a toll facility during a response to an emergency shall draft a memo to the Fire Chief or the authorized designee as soon as practicable explaining the circumstances.

Commuting or returning to the station after an emergency may not qualify for this exemption. Members operating department-owned vehicles are responsible for the toll charge. All members operating a take-home vehicle off-duty on a toll road shall pay all appropriate toll charges.

Information Technology Use

704.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the proper use of department information technology resources, including computers, electronic devices, hardware, software and systems.

704.1.1 DEFINITIONS

Definitions related to this policy include:

Computer system - All computers (on-site and portable), electronic devices, hardware, software and resources owned, leased, rented or licensed by the Martinsville Fire Department that are provided for official use by its members. This includes all access to, and use of, Internet Service Providers (ISP) or other service providers provided by or through the Department or department funding.

Hardware - Includes, but is not limited to, computers, computer terminals, network equipment, electronic devices, telephones (including cellular and satellite), pagers, modems or any other tangible computer device generally understood to comprise hardware.

Software - Includes, but is not limited to, all computer programs, systems and applications, including shareware. This does not include files created by the individual user.

Temporary file, permanent file or file - Any electronic document, information or data residing or located, in whole or in part, on the system, including, but not limited to, spreadsheets, calendar entries, appointments, tasks, notes, letters, reports, messages, photographs or videos.

704.2 POLICY

Martinsville Fire Department members shall use information technology resources, including computers, software and systems, that are issued or maintained by the Department in a professional manner and in accordance with this policy.

704.3 PRIVACY EXPECTATION

Members forfeit any expectation of privacy with regard to emails, texts or anything published, shared, transmitted or maintained through file-sharing software or any internet site that is accessed, transmitted, received or reviewed on any department technology system.

The Department reserves the right to access, audit and disclose, for whatever reason, any message, including attachments, and any information accessed, transmitted, received or reviewed over any technology that is issued or maintained by the Department, including the department email system, computer network or any information placed into storage on any department system or device. This includes records of all keystrokes or Web-browsing history made at any department computer or over any department network. The fact that access to a database, service or website requires a username or password will not create an expectation of privacy if it is accessed through department computers, electronic devices or networks.

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704.4 RESTRICTED USE

Members shall not access computers, devices, software or systems for which they have not received prior authorization or the required training. Members shall immediately report unauthorized access or use of computers, devices, software or systems by another member to their supervisor or Fire Chief.

Members shall not use another person's access passwords, logon information and other individual security data, protocols and procedures unless directed to do so by a supervisor.

704.4.1 SOFTWARE

Members shall not copy or duplicate any copyrighted or licensed software except for a single copy for backup purposes, in accordance with the software company's copyright and license agreement.

To reduce the risk of a computer virus or malicious software, members shall not install any unlicensed or unauthorized software on any department computer. Members shall not install personal copies of any software on any department computer.

No member shall knowingly make, acquire or use unauthorized copies of computer software that is not licensed to the Department while on department premises, computer systems or electronic devices. Such unauthorized use of software exposes the Department and involved members to severe civil and criminal penalties.

Introduction of software by members should only occur as a part of the automated maintenance or update process of department- or City-approved or installed programs by the original manufacturer, producer or developer of the software. Any other introduction of software requires prior authorization from IT staff.

704.4.2 HARDWARE

Access to technology resources provided by or through the Department shall be strictly limited to department-related activities. Data stored on or available through department computer systems shall only be accessed by authorized members who are engaged in an approved department-related project or program or who otherwise have a legitimate department-related purpose to access such data. Any exceptions to this policy must be approved by a supervisor.

704.4.3 INTERNET USE

Internet access provided by or through the Department shall be strictly limited to department-related activities. Internet sites containing information that is not appropriate or applicable to department use and that shall not be intentionally accessed include, but are not limited to, adult forums, pornography, gambling, chat rooms, and similar or related internet sites. Certain exceptions may be permitted with the express approval of a supervisor as a function of a member's assignment.

Downloaded information from the internet shall be limited to messages, mail and data files.

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704.4.4 OFF-DUTY USE

Members shall only use technological resources related to their job while on-duty or in conjunction with specific on-call assignments unless specifically authorized by a supervisor. This includes the use of telephones, cell phones, texting, email or any other off-the-clock work-related activities. This also applies to personally owned devices that are used to access department resources.

Refer to the Personal Communication Devices Policy for guidelines regarding off-duty use of personally owned technology.

704.5 PROTECTION OF SYSTEMS AND FILES

All members have a duty to protect the computer system and related systems and devices from physical and environmental damage and are responsible for the correct use, operation, care and maintenance of the computer system.

Members shall ensure department computers and access terminals are not viewable by persons who are not authorized users. Computers and terminals should be secured, users logged off and password protections enabled whenever the user is not present. Access passwords, logon information and other individual security data, protocols and procedures are confidential information and are not to be shared. Password length, format, structure and content shall meet the prescribed standards required by the computer system or as directed by a supervisor and shall be changed at intervals as directed by IT staff or a supervisor.

It is prohibited for a member to allow an unauthorized user to access the computer system at any time or for any reason. Members shall promptly report any unauthorized access to the computer system or suspected intrusion from outside sources (including the internet) to a supervisor.

704.6 INSPECTION AND REVIEW

A supervisor or the authorized designee has the express authority to inspect or review the computer system, all temporary or permanent files, related electronic systems or devices, and any contents thereof, whether such inspection or review is in the ordinary course of his/her supervisory duties or based on cause.

Reasons for inspection or review may include, but are not limited to, computer system malfunctions, problems or general computer system failure, a lawsuit against the Department involving one of its members or a member's duties, an alleged or suspected violation of any department policy, a request for disclosure of data, or a need to perform or provide a service.

The IT staff may extract, download or otherwise obtain any and all temporary or permanent files residing or located in or on the department computer system when requested by a supervisor or during the course of regular duties that require such information.

Mobile Data Terminal Use

705.1 PURPOSE AND SCOPE

The purpose of this policy is to establish the guidelines for use of the Mobile Data Terminal (MDT) in the apparatus to access incident and resource information and log unit status. Members using the MDT shall comply with [the Morgan County Public Safety Dispatch - Spillman User Agreement](#) and the appropriate federal and state rules and regulations.

705.2 POLICY

The MDT shall be used for official department business only. Messages that are of a sexual, racist or offensive nature or are otherwise critical of any member of the Department are strictly forbidden. Messages may be reviewed by supervisors at any time without prior notification. Members generating or transmitting messages not in compliance with this policy are subject to discipline. All calls dispatched to fire companies should be communicated by voice and MDT unless otherwise authorized by the Captain.

705.2.1 USE WHILE DRIVING

Use of the MDT by the apparatus operator should be limited to times when the apparatus is stopped. Sending or reading MDT messages while an apparatus is in motion is a potentially dangerous practice. Reading messages while in motion should be done by the [Officer](#) or other crew member who is not driving and has access to the MDT.

705.2.2 DOCUMENTATION OF ACTIVITY

MDTs and voice transmissions are used to record the member's daily activity. To ensure the most accurate recording of these activities, the following are required:

- (a) All contacts or activity shall be documented at the time of the contact.
- (b) Whenever the activity or contact is initiated by voice, it shall be entered into the computer-aided dispatch system by a dispatcher.
- (c) ~~Whenever the activity or contact is not initiated by voice, a member of the fire company who is not operating the apparatus shall record it on the MDT.~~

705.2.3 STATUS CHANGES

All changes in status (e.g., arrival at scene, ~~meal periods~~, in service) will be transmitted either verbally over the radio or through the MDT system. Members responding to multi-company emergency incidents shall advise changes in status verbally over the radio to assist other companies responding to the same incident. Other changes in status may be entered by depressing the appropriate keys on the MDT. Under normal operating conditions, a status change shall not be sent to a dispatcher via a message format.

705.3 MDT CONSIDERATIONS

[Members take the following actions for non-functioning and use in proximity of explosive devices.](#)

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Mobile Data Terminal Use

705.3.1 NON-FUNCTIONING MDT

~~If possible, members will not use apparatus with malfunctioning MDTs .~~ If members must operate an apparatus in which the MDT is not working, members shall notify the Dispatch Center. It shall be the responsibility of the Dispatch Center to record all information that will then be transmitted verbally over the fire radio.

705.3.2 EXPLOSIVE DEVICE RESPONSES

When assisting on a report of a possible explosive device, members will turn off the MDT. Operating an MDT may cause some devices to detonate.

Knox-Box® Access

706.1 PURPOSE AND SCOPE

The purpose of this policy is to provide information about the Knox-Box® Rapid Entry System and the roles and responsibilities of department members with regard to Knox-key security, storage, access and accountability. This policy shall apply to all buildings or sites within the Martinsville Fire Department jurisdiction where it has been determined that a Knox-keyed device is needed or has been provided for accessibility for emergency responders.

706.1.1 DEFINITIONS

Definitions related to this policy include:

Computer-Aided Dispatch (CAD) premise information file - A file entered in a CAD system to automatically notify responding units of certain information, including the presence of a Knox-Box, about a facility to which they have been dispatched.

~~**Key tag** -- Attached to each key in a Knox-Box to identify its function.~~

Knox-Box - A locked box used for securely storing the keys to a gate, building or rooms within a building.

~~**Knox cabinet** -- A locked data cabinet used for storing information pertinent to the operation of a building, such as hazardous materials (HAZMAT) data and plant shut-down procedures. Keys to the facility can also be located within the cabinet.~~

Knox Company - The manufacturer/vendor of Knox-Box, cabinets, key switches, padlocks and related accessories. This is the only company whose products can be accessed by the Martinsville Fire Department.

Knox master key - A key carried on all fire apparatus that enables department members to access any Knox-keyed device within the jurisdiction.

~~**Knox tones** -- Electronic tones sent by a dispatcher over the radio to release the Knox master key from the fire apparatus.~~

706.2 POLICY

It is the policy of the Martinsville Fire Department to be registered with the Knox Company to participate in its rapid entry system, providing safe and secure nondestructive emergency access to commercial and residential properties. Participation minimizes potential budget impacts caused by forcible entry during an emergency and allows a building to be re-secured quickly and easily by members.

The Fire Chief or the authorized designee shall appoint a Knox program coordinator, who shall be responsible for ensuring that all aspects of the program are administered in accordance with state fire code, local ordinance and Knox Company requirements (I.C. § 36-8-17-6; 675 I.A.C. 22-2.5-6).

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706.3 KNOX KEY ACCOUNTABILITY

No individual member shall be issued a Knox master key. Appropriate fire apparatus shall be equipped with locking units that are accessed by an individual pin code. ~~- or by tones issued via two-way radio by -~~ Once the Knox master key is released, it should be used to access the Knox-keyed device at the location of the emergency and be immediately returned to the secured unit.

Each secured unit shall have an audit trail showing all access. ~~Each incident requiring to send tones shall have that activity noted in the incident record.~~

The Fire Chief is ultimately accountable for Knox master keys issued to the Department. Any missing master key shall be immediately reported verbally to a supervisor and followed up with a written explanation to the Fire Chief or the authorized designee by the end of the applicable/assigned shift.

Maintenance and security of the Knox master keys is essential to the credibility of the program. Any loss of a master key shall be thoroughly investigated and appropriate action initiated. If the key cannot be recovered, all Knox master keys in the jurisdiction may have to be replaced at department expense.

706.4 SITE INSTALLATION AND TESTING

It is a property owner's responsibility to order Knox-keyed devices and ensure that they are installed securely in a manner and location approved by the Department, in accordance with local building codes and ordinances. The reflective alert decal included with each Knox-Box should be mounted on the door or door frame adjacent to the Knox-Box. It is intended to alert fire companies to the presence of a Knox-Box.

Knox-Boxes should be installed near the main entrance to the building at a height not to exceed 6 feet. This height has proven ideal as it enables members to access the Knox-Box quickly without deploying a ladder, yet is high enough to discourage tampering.

Knox-key switches should be installed by a certified electrician familiar with these devices.

706.5 KEYS IN KNOX-BOXES

~~Every access key placed in a Knox-Box shall be identified with a sturdy key tag. Each set of keys shall be grouped together on a key ring. Tags and key rings may be purchased from the Knox Company at the time the Knox-Box is ordered. The keys being installed will be at the discretion of the property owner but should be selected based on the access needs of emergency responders.~~

Keys ~~typically~~ installed in a Knox-Box include:

- Main entrance
- Grand master
- Elevator control
- Mechanical room
- Fire alarm panel

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- Electrical room
- Roof access
- Other secured areas deemed appropriate by the owner and/or the Department

706.6 LOCK-UP OF KEYS IN KNOX-BOXES

Knox-Boxes are shipped to the property owner in the open position. After the box has been installed, the property owner must contact the Martinsville Fire Department to request a lock-up of the box. Fire prevention staff will assist the property owner in arranging for a lock-up. All keys should be ~~tagged and~~ ready for placement in the Knox-Box upon the arrival of the prevention staff.

Members receiving requests for lock-up should refer the owner to the appropriate prevention staff member or get the owner's contact information. All requests shall be forwarded to the appropriate prevention staff member.

706.7 TESTING KEY SWITCHES

After a key switch has been installed, the property owner must contact the Department. The [Fire Marshal](#) - ~~first-in engine company~~ will test the key switch at its earliest convenience to ensure that it works properly. The property owner does not need to be present for the test. If the key switch fails to operate, the property owner will be contacted by the engine company to have the necessary repairs made.

Once it has been determined that the Knox-Box operates properly, the Knox-Box coordinator and the Dispatch Center supervisor shall be notified so that the CAD premise information file can be updated to include the presence of a Knox-Box.

706.8 NUMBER OF KEY SETS REQUIRED

More than one set of keys is often required to be placed in the Knox-Box, especially in larger buildings. The extra sets of keys are needed for additional fire companies or second alarms arriving later at the same incident. The following guidelines have been established for the number of key sets required:

- Security gate only, or one- to two-story building: one set of keys
- Three to four stories: two sets of keys
- ~~Five to eight stories: three sets of keys~~
- ~~Nine stories and above: four sets of keys~~

706.9 ANNUAL KNOX-BOX TESTING

The Fire Chief or the authorized designee shall ensure that an annual check is performed on each Knox-Box in the jurisdiction by fire prevention staff ~~or an engine company~~. This should consist of checking the operation of the box and the keys.

Communications Operations

707.1 PURPOSE AND SCOPE

The purpose of this policy is to establish standards for two-way radio communications during routine, local emergency, regional emergency, and mutual aid events. The basic function of the communications system is to satisfy the immediate information needs of the Department in the course of its activities. Standards of performance are necessary if the system is to remain functional during emergencies.

707.1.1 FEDERAL COMMUNICATIONS COMMISSION COMPLIANCE

All Martinsville Fire Department radio operations shall be conducted in accordance with the Federal Communications Commission (FCC) procedures and guidelines.

707.2 POLICY

The Martinsville Fire Department will provide access to a two-way radio communication system to facilitate a more efficient response to emergency situations. The communication system is intended for official job-related communications between fire apparatus and the Dispatch Center. Fire apparatus and members shall be equipped with the appropriate types of two-way radios, personal communication devices and/or satellite paging system for the jurisdiction, type of work anticipated, and for local and regional interagency/multi-agency incidents.

707.3 COMMUNICATIONS LOG

It shall be the responsibility of the dispatchers in the Dispatch Center to record all relevant information on an incident. Dispatchers shall attempt to elicit as much information as possible to enhance the safety of the personnel who are responding and assist in anticipating conditions that may be encountered at the scene. Desirable information includes, but is not limited to, the following:

- (a) Location of incident reported
- (b) Type of incident reported
- (c) Date and time the report was received
- (d) Name and address of the reporting party, if possible
- (e) Incident number
- (f) Time of dispatch
- (g) Apparatus dispatched to the incident, including member identification numbers
- (h) Time of apparatus arrival
- (i) Requests from members during the incident
- (j) Time the apparatus returned to service

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- (k) Disposition or status of the reported incident
- (l) The time of any Incident Commander (IC) requested or automatic timed Personnel Accountability Report (PAR) or building collapse clocks

707.4 RADIO COMMUNICATIONS

Operations are more efficient and member safety is enhanced when dispatchers, supervisors, and members know the status of other companies, divisions, or groups, including their locations and the nature of the tasks or objectives to which they are assigned. Most critical incident communication should occur verbally, over the radio, for this reason.

707.4.1 APPARATUS IDENTIFICATION

Apparatus radio identification systems shall be based on the type of apparatus and the station responsibility/jurisdiction. Members should use the entire call sign when initiating communication with the Dispatch Center. The use of a call sign allows for a brief pause so that the dispatcher can acknowledge the appropriate company. Members initiating communication with other agencies shall use their entire call sign. This requirement does not apply to continuing conversation between the mobile unit and the Dispatch Center once the mobile unit has been properly identified.

707.4.2 RADIO TESTING

Members assigned to an apparatus for a shift should check for radio functionality at the beginning of each shift to ensure that the mobile and portable radios are working as designed.

Radios that are inoperable or malfunctioning shall be placed out-of-service, an appropriate repair tag completed, and the radio or apparatus placed in the area specified by the maintenance section or contractor.

707.5 NOTIFICATION OF ADVANCED STRUCTURAL COMPONENTS

Information provided by the local building commissioner regarding advanced structural components used in Class 1 and 2 structures as required by I.C. § 22-11-21-10, shall be maintained in the Dispatch Center. When dispatching Martinsville Fire Department units to the site of the qualifying property, the Dispatch Center should inform the responding units of the type and location of advanced structural components used in the floor, roof, or both (I.C. § 22-11-21-11).

Public Alerts

708.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for notifying the public of vital fire safety information and/or emergency evacuation instructions.

708.2 POLICY

It is the policy of the Martinsville Fire Department to use Public Alerts to notify the public of critical fire prevention campaigns, fire hazard warnings and emergency evacuation instructions. A Public Alert shall require the authorization of a Captain or higher rank.

708.3 PROCEDURE

Public Alerts are intended to inform the public about incidents and recruit public assistance through proactive activities via a widespread media alert. In addition to any local radio, television and press affiliates, the public will be notified of the circumstances of an emergency affecting the health and safety of people in a geographic area, and what the public can do to assist emergency responders during the incident.

The Public Information Officer should be involved in any communiqué released via a Public Alert, if time permits, but certainly in the case of fire prevention campaigns, fire hazard warnings, weather alerts or notification of health information (e.g., pandemics, heat events).

In the event of a widespread emergency, such as a hazardous material (HAZMAT) release, biological threat or a major fire, the Dispatch Center will likely be operating at or beyond capacity. Any Public Alert should include a telephone number outside the Dispatch Center for the public to call for additional information and explicit instructions not to call the Dispatch Center for additional information.

A Public Alert should include, but is not limited to:

- (a) The Martinsville Fire Department has generated the alert.
- (b) The nature of the alert.
- (c) The location and scope of the incident/prevention campaign/fire hazard.
- (d) What the listener should do to assist in the effort.
- (e) Established routes and/or destinations, if applicable.
- (f) Where the listener can call to get additional information, if applicable.
- (g) Instructions regarding what the listener should not do, if applicable.

708.4 SYSTEM ADMINISTRATION

The Fire Chief or the authorized designee shall liaison with ~~the appoint~~ ~~an~~ administrator for the Public Alert system. The administrator shall be responsible for all liaison contact with the Public

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Alert system vendor and all maintenance and upgrades of the system and will ensure the address/telephone number database is updated periodically in accordance with the vendor contract.

The administrator shall also conduct periodic audits of the system to ensure peak performance in terms of volume of calls reaching the desired number of recipients in a reasonable time. Based on audit results, adjustments may need to be made on the number of outgoing telephone lines or the system capacity.

The Training Officer and the administrator shall coordinate training in the use of the Public Alert system and ensure that the appropriate members receive training.

Photography and Electronic Imaging

709.1 PURPOSE AND SCOPE

The purpose of this policy is to authorize department members to utilize photography and electronic imaging to document non-incidents and incidents while also protecting the privacy of citizens and ensuring department compliance with the mandates of the Health Insurance Portability and Accountability Act (HIPAA). Records management and HIPAA restrictions are covered in detail under separate sections in this Policy Manual.

This policy establishes legal ownership of all photographs and electronic images collected by department members; establishes the parameters for the types of incidents, subjects, and activities that may be photographed or electronically imaged; and establishes restrictions on the use of such photographs and electronic images.

This policy does not apply to media captured through the use of body-worn cameras (see the Body-Worn Cameras Policy).

709.2 POLICY

It is the policy of the Martinsville Fire Department to authorize members to utilize photography and electronic imaging to document incidents and department activities that are subject to compliance with specific regulations, conditions, restrictions, and guidelines.

The use of photography or electronic imaging of medical patients, injured victims, or other people who are medically evaluated or treated by department members must also comply with the requirements of HIPAA.

The Martinsville Fire Department shall respect the privacy rights established in the state and federal constitutions.

709.3 OWNERSHIP AND COMMERCIAL USE OF PHOTOGRAPHS AND ELECTRONIC IMAGES

All photographs and electronic images taken by department members while on-duty or acting in an official capacity are the sole property of the Department and may not be sold, transferred for commercial use, bartered, or otherwise distributed for profit by any member of the Department without the express prior approval of the Fire Chief (17 USC § 201).

709.4 AUTHORIZED USE OF PHOTOGRAPHY AND ELECTRONIC IMAGING

709.4.1 NON-INCIDENT EVENTS

Photography and electronic imaging may be utilized by department members for non-incident events, including:

- (a) Documentation of department training events, exercises, lectures, classes, or activities, and all fire academy-related activities.

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- (b) Documentation of internal department events and activities, such as promotional ceremonies, member recognition or award presentations, meetings, seminars, workshops, and other activities involving department members.
- (c) Documentation of public events, such as safety seminars, fire station open house events, Fire Prevention education events and activities, school safety presentations, and club or service organization events.
- (d) Documentation of all department vehicles, apparatus, tools and equipment, facilities, and other department-owned property.
- (e) Creation and maintenance of a photo/image bank depicting all department members.
- (f) Documentation of all buildings, structures, facilities, infrastructure components, landmarks, and recreational areas within the department's jurisdiction for later use in disaster mitigation, recovery, and cost-recovery efforts.
- (g) Documentation of any condition, activity, or event related to the department's code enforcement responsibilities.
- (h) Documentation of inspections, code compliance activities, or any other activity of Fire Prevention.
- (i) Unless prohibited elsewhere in this policy, documentation of any department activity for future use in training.
- (j) For any other purpose authorized by the Fire Chief, Captain, or any Deputy Fire Chief.

709.4.2 INCIDENT-RELATED EVENTS

Photography and electronic imaging may be utilized by department members at incident scenes, including:

- (a) Documentation of the conditions on arrival and during suppression activities at any fire incident.
- (b) Documentation of fire, smoke, water, structural collapse, or any other damage or conditions resulting from any fire or fire-related event.
- (c) Documentation of people at the scene of a fire or a fire-related incident for the purpose of future investigation.
- (d) Documentation of anything of evidentiary value found at a fire or incident scene where any type of investigation may be initiated.
- (e) Documentation of the location, position, trauma, injuries, or any other factor of investigative interest related to deceased victims at a fire or fire-related incident or other incidents.
- (f) Documentation of the condition of vehicles, apparatus, bicycles, or other items involved in collisions, accidents, entrapments, or other rescue or medical events.
- (g) Documentation of the extrication of trapped individuals in any rescue situation.
- (h) Documentation of the cause, location, extent, severity, and nature of traumatic injuries of patients at the scene. These images may be transferred to the receiving physician, nurse, or other authorized representative who assumes medical care for the patient.

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- (i) Documentation of all aspects of any incident involving hazardous materials.
- (j) Documentation of severe weather events, including any damage, injuries, or fatalities caused by such events.
- (k) Documentation of any other event, situation, or activity as deemed appropriate and necessary by the Incident Commander of any event.

709.5 PROHIBITED USE OF PHOTOGRAPHY OR ELECTRONIC IMAGING

Department members are prohibited from using photography or electronic imaging except as permitted in this policy.

Prohibited use of photography or electronic imaging shall include but is not limited to:

- (a) Photographs and/or electronic images may not be taken, transmitted, or used in violation of any HIPAA regulation.
- (b) Photographs and/or electronic images may not be taken, transmitted, or used for personal purposes.
- (c) Unless requested by the receiving hospital or controlling medical authority or deemed necessary for the future treatment of the patient, no photographs or electronic images should be taken inside a private residence during a non-traumatic medical aid incident.
- (d) Unless requested by the receiving hospital or controlling medical authority or deemed necessary for the treatment of the patient, no photographs or electronic images should be taken of a patient under 18 years of age during a medical aid response.
- (e) Unless requested by the receiving hospital or controlling medical authority or deemed necessary for the future treatment of the patient, no photographs or electronic images depicting patient genitalia or the exposed breasts of female patients should be taken by department members.
- (f) Unless requested by the receiving hospital or controlling medical authority or deemed necessary for the future treatment of the patient, no photograph or electronic image should be taken of a patient being treated by department members if the person expresses or indicates that they do not wish to be photographed. In the event that the need arises to take a photograph or electronic image of a medical patient against the patient's wishes, the medical need for taking the image will be explained to the patient with a witness present. Details regarding the need for the photograph or electronic image, the explanation provided to the patient, and the identity of the witness present shall be included in a Patient Care Report and/or incident report for the response.

Non-Official Use of Department Property

710.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance on the non-official use of department property. Department property includes, but is not limited to, all portable pumps, chain saws, rescue saws, generators, fire hoses, hose adapters, suction hoses, ladders, rescue equipment, small tools and any power-driven tools.

710.2 POLICY

The personal use of department property is not authorized. No equipment shall be loaned or used by a member for any purpose other than official department business without the [completion of the appropriate request form and the](#) express prior approval of a [Chief Officer](#).

Requests from water companies or other agencies for hose adapters or other equipment should be forwarded to the appropriate Captain for consideration.

Department Use of Social Media

711.1 PURPOSE AND SCOPE

This policy provides guidelines to ensure that any use of social media on behalf of the Department is consistent with the department mission.

This policy does not address all aspects of social media use. Specifically, it does not address:

- Personal use of social media by department members (see the Member Speech, Expression, and Social Networking Policy).
- Use of social media in personnel processes (see the Recruitment and Selection Policy).
- Use of social media for issuance of fire hazard warnings, emergency evacuation instructions, and widespread emergencies (see the Public Alerts Policy).

711.1.1 DEFINITIONS

Definitions related to this policy include:

Social media - Any of a wide array of internet-based tools and platforms that allow for the sharing of information, such as the department website or social networking services.

711.2 POLICY

The Martinsville Fire Department will use social media as a method of effectively informing the public about department services, issues, investigations, and other relevant events.

Department members shall ensure that the use or access of social media is done in a manner that protects the constitutional rights of all people.

711.3 AUTHORIZED USERS

Only members authorized by the Fire Chief or the authorized designee may utilize social media on behalf of the Department. Authorized members shall use only department-approved equipment during the normal course of duties to post and monitor department-related social media unless they are specifically authorized to do otherwise by their supervisors.

The Fire Chief may develop specific guidelines identifying the type of content that may be posted. Any content that does not strictly conform to the guidelines should be approved by a supervisor prior to posting.

Requests to post information over department social media by members who are not authorized to post should be made through the member's chain of command.

711.4 AUTHORIZED CONTENT

Only content that is appropriate for public release, supports the department mission, and conforms to all department policies regarding the release of information may be posted.

Examples of appropriate content include:

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- (a) Announcements.
- (b) Tips and information related to fire prevention.
- (c) Investigative requests for information.
- (d) Requests that ask the community to engage in projects that are relevant to the department mission.
- (e) Real-time safety information that is related to in-progress fire incidents, geographical warnings, or disaster information.
- (f) Media releases.
- (g) Recruitment of personnel.

711.4.1 INCIDENT-SPECIFIC USE

In instances of active incidents where speed, accuracy, and frequent updates are paramount (e.g., incident alerts, public safety information), the Public Information Officer or the authorized designee will be responsible for the compilation of information to be released, subject to the approval of the Incident Commander.

711.5 PROHIBITED CONTENT

Content that is prohibited from posting includes but is not limited to:

- (a) Content that is abusive, discriminatory, inflammatory, or sexually explicit.
- (b) Any information that violates individual rights, including confidentiality and/or privacy rights and those provided under state, federal, or local laws.
- (c) Any information that could compromise an ongoing investigation.
- (d) Any information that could tend to compromise or damage the mission, function, reputation, or professionalism of the Martinsville Fire Department or its members.
- (e) Any information that could compromise the safety and security of department operations, members of the Department, victims, patients, or the public.
- (f) Any content posted for personal use.
- (g) Any content that has not been properly authorized by this policy or a supervisor.

Any member who becomes aware of content on this department's social media site that they believe is unauthorized or inappropriate should promptly report such content to a supervisor. The supervisor will ensure its removal from public view and investigate the cause of the entry.

711.5.1 PUBLIC POSTING PROHIBITED

Department social media sites shall be designed and maintained to prevent posting of content by the public.

The Department may provide a method for members of the public to contact department members directly.

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711.6 MONITORING CONTENT

The Fire Chief will appoint a supervisor to review, at least annually, the use of department social media and report back on, at a minimum, the resources being used, the effectiveness of the content, any unauthorized or inappropriate content, and the resolution of any issues.

711.7 RETENTION OF RECORDS

The Deputy Fire Chief and/or Division Chief should work with the Custodian of Records to establish a method of ensuring that public records generated through the use of social media are retained in accordance with established records retention schedules.

711.8 TRAINING

Authorized members should receive training that, at a minimum, addresses legal issues concerning the appropriate use of social media sites, as well as privacy, civil rights, and the dissemination and retention of information posted on department sites.

Body-Worn Cameras

712.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the use of a body-worn camera (BWC) by members of this department and for the access, use, and retention of department BWC media.

712.1.1 DEFINITIONS

Definitions related to this policy include:

Activate - To place a BWC in active mode (also called event mode). In active mode, the BWC records both video and audio.

Body-worn camera (BWC) - A digital recording device designed to be worn on an individual's uniform or clothing to capture video, audio, or still photographs of an event from the wearer's point of view.

BWC media - The video, audio, and images captured by department BWCs and the associated metadata.

BWC media systems - Any software, including web-based programs and mobile applications, used by the Department to upload/download, store, view, transfer, and otherwise maintain BWC media.

Deactivate - To place a BWC in buffering mode (also called ready or pre-event mode). In buffering mode, the BWC records video (without audio) in short, predetermined intervals that are retained only temporarily. However, when a BWC is activated, the interval recorded immediately prior to activation is then stored as part of the BWC media. Deactivate does not mean powering off the BWC.

Event - A general term referring to a set of circumstances that may, but does not necessarily, correlate directly to a single public safety incident.

Helmet-worn camera (HWC) - [A digital recording device designed to be worn on an individual's fire or rescue helmet to capture video, audio, or still photographs of an event from the wearer's point of view.](#)

712.2 POLICY

It is the policy of the Department to use BWCs ~~/HWCs~~ and BWC media for quality assessment and improvement in a way that enhances member safety and benefits those served by the Department while also protecting the privacy of members of the public.

712.3 RESPONSIBILITIES

712.3.1 BWC COORDINATOR RESPONSIBILITIES

The Fire Chief or the authorized designee should delegate certain responsibilities to a BWC coordinator.

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The responsibilities of the coordinator include:

- (a) Serving as a liaison between the Department and the BWC manufacturer/distributor and any third-party media storage vendor.
- (b) Developing inventory procedures for issuing and tracking BWC equipment, including properly marking BWCs as property of the Department and recording the date each BWC is placed into or taken out of service.
- (c) Assisting with troubleshooting and maintenance of BWC equipment and media systems and, when necessary, coordinating the repair or replacement of BWCs.
 - 1. All equipment and system malfunctions and their resolutions should be documented, and maintenance and repair records should be maintained for all BWCs.
- (d) Managing BWC media systems so that:
 - 1. Access is limited to the minimum necessary authorized users and user privileges are restricted to those necessary for the member to conduct assigned department duties (45 CFR 164.514(d)).
 - 2. Security requirements, such as two-factor authentication and appropriate password parameters, are in place for user credentials.
- (e) Configuring BWC media systems, or developing manual procedures, so that media is appropriately categorized and retained according to the event type tagged by members.
- (f) Retaining audit logs or records of all access, alteration, and deletion of BWC media and media systems, and conducting periodic audits to ensure compliance with applicable laws, regulations, and department policy.
- (g) Developing and updating BWC training for members who are assigned a BWC or given access to BWC media systems.
- (h) Coordinating with the department privacy officer to (see the Patient Medical Record Security and Privacy Policy):
 - 1. Develop and maintain Health Insurance Portability and Accountability Act (HIPAA) compliant procedures for BWC media that contains protected health information.
 - 2. Address BWC use in department privacy notices.
- (i) Coordinating with the Custodian of Records to (see the Records Management and Release of Records policies):
 - 1. Determine and apply proper retention periods to BWC media.
 - 2. Develop procedures for the appropriate release of BWC media.

712.3.2 MEMBER RESPONSIBILITIES

Every member utilizing ~~issued~~-a BWC/HWC is responsible for its proper use, safekeeping, and maintenance.

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At the beginning of each shift or period of BWC use, the member should inspect their assigned BWC to confirm it is charged and in good working order. As part of the inspection, the member should perform a function test by activating the BWC and recording a brief video stating their name, identification number, assignment, and the date and time.

~~Members should wear their assigned BWC on their outermost garment positioned at or near chest level and as close to the center of their body as practicable.~~ Members are responsible for ensuring there are no obstructions and that the BWC remains in a position suitable for recording.

When a BWC- / - HWC is not in the physical possession of the member to which it is assigned, it should be placed on the charging dock and stored in a secure location.

~~Members shall report any malfunction or damage to the BWC coordinator or on-duty supervisor as soon as practicable and, if possible, obtain a functioning BWC to use either temporarily while repairs are being made to the member's BWC or as a permanent replacement.~~

712.4 BWC USE

The following guidelines apply to the use of BWCs:

- (a) Only department-issued BWCs should be used without the express consent of the Fire Chief or the authorized designee.
- (b) BWCs should only be used by the member or members to whom it was issued unless otherwise authorized by a supervisor.
- (c) The use of department-issued BWCs shall be strictly limited to department-related activities.
- (d) Members shall not use BWCs or BWC media systems for which they have not received prior authorization and appropriate training.
- (e) Members shall immediately report unauthorized access or use of BWCs or BWC media systems by another member to their supervisor or the Fire Chief.

712.4.1 PROHIBITIONS

BWCs should not be used to record:

- (a) Routine administrative activities of the Department that do not involve interactions with the public. Care should be taken to avoid incidentally recording confidential documents that the Department has a duty to keep secure (i.e., protected health information).
- (b) Areas within the fire station where members have a reasonable expectation of privacy (e.g., locker rooms or dressing areas, breakrooms, sleeping quarters) unless responding to a call for service.
- (c) Conversations of other members without their knowledge.
- (d) When a member is taking an authorized break or otherwise engaged in personal activities.
- (e) In a courtroom unless responding to a call for service or emergency situation.

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BWCs shall not be used for the purpose of embarrassment, harassment, or ridicule of any individual or group.

712.5 ACTIVATION OF BWC

BWCs should be worn for all emergency and non-emergency calls and should be activated upon arriving on-scene. For non-dispatched events, members should use their discretion to determine when BWCs should be activated. Examples of non-dispatched events for which members should activate their BWC include encounters with individuals in which the member feels threatened or when coming upon a scene requiring emergency assistance.

Unless otherwise authorized by this policy or approved by a supervisor, for members not transporting a patient, BWCs should remain activated until the member leaves the scene at the conclusion of an incident. When transporting a patient, a member's BWC should remain activated until immediately before entering the hospital building to transfer patient care or as soon as reasonably possible thereafter. BWCs should not remain on or be activated while in a hospital unless the member feels that recording is warranted due to a possible security threat, combative or disagreeable patient, or other issue where the potential need for video/audio documentation outweighs privacy considerations.

At no time is a member expected to jeopardize their safety to activate their BWC. However, the BWC should be activated as soon as reasonably practicable in required situations.

If a member attempts to activate their BWC but the BWC fails to record an event, the member should notify their supervisor as soon as practicable.

712.5.1 NOTICE OF RECORDING

Unless otherwise approved based on unique circumstances, a member should wear the BWC in a manner that is conspicuous and shall answer truthfully if asked whether they are equipped with a BWC or if their BWC is activated.

712.5.2 PRIVACY CONSIDERATIONS

Members should remain sensitive to the dignity of individuals being recorded and should exercise sound discretion with respect to privacy concerns.

When responding to a place where individuals have an expectation of privacy (e.g., private residences, medical or mental health facilities, restrooms) or to a sensitive situation (e.g., individuals partially or fully unclothed, crime victims), the Incident Commander should determine whether it reasonably appears that the privacy concern outweighs any legitimate department interest in recording and, if so, direct all members present to mute or deactivate their BWC.

Members should choose to mute rather than deactivate BWCs when practicable. Deactivation should only be used when muting the BWC will not accomplish the level of privacy necessary for the situation.

Before muting or deactivating their BWC, the member should verbally narrate the reason on the recording. As soon as possible once the privacy concern is no longer an issue, or when

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circumstances change so that the privacy concern no longer outweighs the department's interest in recording the event (e.g., the individual becomes combative, the conversation ends), the member should unmute or reactivate their BWC and verbally note that recording has resumed.

712.5.3 LIVESTREAMING

Livestreaming enables authorized individuals to remotely view the audio and video captured by a member's BWC in real time. Only supervisors approved by the Fire Chief or the authorized designee shall have access to livestreaming capabilities.

Livestreaming should only be activated:

- (a) For purposes of member safety when the member is not responding to their radio or there is some other indication of distress.
- (b) When requested by the member.

712.5.4 DOCUMENTATION

Members are encouraged to provide narration while using a BWC when it would be useful to provide context or clarification of the events being recorded. However, the use of a BWC is not a replacement for written reports and should not be referred to in a written report in place of detailing the event.

712.6 UPLOADING BWC MEDIA

Members should [provide the BWC Coordinator with their cameras to](#) upload and tag BWC media as soon as practicable following the conclusion of an event, but no later than the end of their shift unless otherwise authorized by a supervisor.

712.6.1 TAGGING BWC MEDIA

Members should tag all media captured by their BWC with their name and/or identification number, the case or incident number, and the event type. BWC media should be tagged upon uploading or, if capabilities permit tagging in the field, as close to the time of the event as possible. If more than one event type applies to BWC media, it should be tagged with each event type. If BWC media can only be tagged with a single event type, the media should be tagged using the event type with the longest retention period.

BWC media depicting sensitive circumstances or events should be tagged as restricted. BWC media should be flagged for supervisor review when it pertains to a significant event such as:

- (a) An incident that is the basis of a formal or informal complaint or is likely to result in a complaint.
- (b) When a member has sustained a serious injury or a line-of-duty death has occurred.
- (c) When a firearm discharge or use of force incident has occurred by a fire investigator.
- (d) An event that has attracted or is likely to attract significant media attention.

Supervisors should conduct audits at regular intervals to confirm BWC media is being properly uploaded and tagged by their subordinates.

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712.7 BWC MEDIA

All BWC media is the sole property of the Department. Members shall have no expectation of privacy or ownership interest in the content of BWC media.

All BWC media shall be stored and transferred in a manner that is physically and digitally secure with appropriate safeguards to prevent unauthorized modification, use, release, or transfer in accordance with the HIPAA Security Rule (45 CFR 160 et seq.). Contracts with any third-party vendors for the storage of BWC media should include provisions specifying that all BWC media remains the property of the Department and shall not be used by the vendor for any purpose without explicit approval of the Fire Chief or the authorized designee.

Members shall not alter, copy, delete, release, or permit access to BWC media other than as permitted in this policy without the express consent of the Fire Chief or the authorized designee.

BWC media systems should not be accessed using personal devices unless authorized by the Fire Chief or the authorized designee.

712.7.1 ACCESS AND USE OF BWC MEDIA

BWC media systems shall only be accessed by authorized members using the member's own login credentials and in accordance with the Information Technology Use Policy.

BWC media shall only be accessed and viewed for legitimate department-related purposes in accordance with the following guidelines:

- (a) BWC media tagged as restricted should only be accessible by those designated by the Fire Chief or the authorized designee.
- (b) BWC media is not intended to be part of patient care records and should not be viewed by members for purposes of providing patient care or completing reports.
- (c) BWC media may be utilized for a company-level or formal post-incident analysis when approved by the Fire Chief or the authorized designee.
- (d) A member testifying regarding a department-related event may review the pertinent BWC media before testifying.
- (e) Supervisors are permitted to access and view BWC media of their subordinates.
 1. Supervisors should review BWC media that is tagged as a significant event or that the supervisor is aware pertains to a significant event.
 2. Supervisors should conduct periodic reviews of their subordinate's BWC media to evaluate the member's performance, verify compliance with department procedures, and determine the need for additional training. The review should include a variety of event types when possible. Supervisors should review BWC media with the recording member when it would be beneficial to provide guidance or to conduct one-on-one informal training for the member.
 3. Supervisors should conduct periodic reviews of a sample of each subordinate's BWC media to evaluate BWC use and ensure compliance with this policy.
- (f) The Training Officer is permitted to access and view BWC media for training purposes.

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1. The Training Officer should conduct a quarterly review of a random sampling of BWC media to evaluate department performance and effectiveness and to identify specific areas where additional training or changes to protocols would be beneficial.
 2. The Training Officer may use BWC media for training purposes with the approval of the Fire Chief or the authorized designee and in accordance with HIPAA. The Training Officer should use caution to avoid embarrassing or singling out a member and, to the extent practicable, should seek consent from the members appearing in the BWC media before its use for training. When practicable, sensitive issues depicted in BWC media should be redacted before being used for training.
- (g) The Custodian of Records may access BWC media when necessary to conduct department-related duties.
- (h) The BWC coordinator may access BWC media and the BWC media system as needed to ensure the system is functioning properly, provide troubleshooting assistance, conduct audits, and fulfill other responsibilities related to their role.

BWC media containing protected health information (PHI) is subject to the HIPAA Privacy Rule and shall only be used or disclosed for permitted purposes unless express written consent has been obtained from the patient (see the Patient Medical Record Security and Privacy Policy) (45 CFR § 164.506(c)). Members should take reasonable steps (e.g., redaction) to limit the amount of PHI in BWC media to the minimum amount necessary to accomplish the authorized purpose (45 CFR 164.502(b)).

712.7.2 PUBLIC ACCESS

Unless disclosure is required by law or a court order, BWC media should not be released to the public if it unreasonably violates a person's privacy or sense of dignity or depicts the interior of:

- (a) A private residence.
- (b) A facility that offers health care, mental health or substance abuse treatment, or social services.
- (c) A school building.
- (d) Any other building in which public access is restricted or which implicates heightened security concerns.

Requests for the release of BWC media shall be processed in accordance with the Release of Records and Patient Medical Record Security and Privacy policies. The Custodian of Records should review BWC media before public release.

712.8 RETENTION OF BWC MEDIA

BWC media should be retained in accordance with state records retention laws.

Unless circumstances justify continued retention, BWC media should be permanently deleted upon the expiration of the retention period in a way that it cannot be retrieved. BWC media shall

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not otherwise be deleted by any person without the authorization of the Fire Chief or the authorized designee.

712.9 FIRE INVESTIGATORS

Fire investigators are permitted to use BWCs for evidentiary or other investigatory purposes. The following guidelines apply to members serving as fire investigators:

- (a) BWCs should be activated during the performance of fire investigation or law enforcement-related functions.
 - 1. A fire investigator may temporarily mute or deactivate their BWC to protect the privacy of a victim or witness, when an individual wishes to provide information anonymously, when discussing case tactics or strategy, or during private conversations with other members or emergency responders. The reason should be narrated while recording before muting or deactivating. Upon the conclusion of the discussion, the fire investigator should immediately reactivate or unmute the BWC and narrate that the BWC has returned to actively recording.
- (b) Each incident report should reflect either "BWC available" or "BWC unavailable" and should include:
 - 1. The identity of each individual appearing in the BWC media to the extent practicable.
 - 2. An explanation of why BWC media is unavailable for all or part of the event (e.g., malfunction, battery issue, privacy concern).
 - 3. If livestreaming was activated during the event, the reason for livestreaming and the members who participated.
- (c) The fire investigator may review their BWC media for investigation-related purposes and should document in their report if they reviewed BWC media before completing the report.
- (d) BWC media relevant to a criminal prosecution should be exported from the BWC media system and securely transferred to digital evidence storage. Evidentiary BWC media is subject to the same laws, policies, and procedures as all other evidence, including chain of custody, accessibility, and retention periods.

712.10 TRAINING

The BWC coordinator should ensure that each member issued a BWC receives initial training before use, and periodic refresher training thereafter. Training should include:

- (a) Proper use of the BWC device and accessories.
- (b) When BWC activation is required, permitted, and prohibited.
- (c) How to respond to an individual's request to stop recording.
- (d) Proper use of the BWC media systems, including uploading and tagging procedures.
- (e) Security procedures for BWC media, including appropriate access and use in accordance with HIPAA and other privacy laws.

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Members who are not issued a BWC but who have access to BWC media systems shall receive training on the BWC media system, including appropriate access, use, and security procedures.

Chapter 11 - Facility

Facility Security

1100.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for the physical security of fire stations and other department facilities. The safety and security of department members is the primary purpose of this policy. Department members should be mindful of their responsibility to protect themselves from any potential physical threats and to protect the security of department facilities.

1100.2 POLICY

It is the policy of the Martinsville Fire Department to provide physical security measures for all facilities under department control.

1100.3 GUIDELINES

Members are responsible for ensuring that all department facilities remain secured from unauthorized access at all times.

Department members should apply the following guidelines whenever practicable.

1100.3.1 ADMINISTRATION, FIRE PREVENTION AND OTHER PUBLIC ACCESS AREAS

Public access facilities should only be accessible to the public during published business hours and only when sufficient staffing is available to monitor the movement of visitors and restrict access to areas containing confidential or sensitive materials or information. Any facility allowing access to the public should have a designated reception area and some method of limiting public access to controlled areas.

A visitor control process should be implemented at each facility that allows public access. ~~The control process should include a visitor's log. Each visitor should record his/her name and the purpose of the visit. Completed visitor logs should be retained for the period prescribed in the 's records retention schedule. All visitors entering controlled areas of any facility that allows public access should be issued a visitor's badge. The badge should be prominently displayed on the outermost layer of the visitor's clothing throughout the visitor's stay in the facility.~~ Visitors should be accompanied at all times while inside the controlled areas of the facility and monitored throughout the visit.

Members of the public should be prohibited from using photographic, electronic imaging or recording equipment while inside the controlled areas of the facility, unless such use is necessary for the business purpose of the visit and then only with the approval of the facility's manager or a chief officer.

No public access to the facility should be permitted outside of the published business hours. The facility should be secured against unauthorized entry when closed or when sufficient department personnel are not available to monitor visitor access.

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Fire stations are considered secure facilities with limited public access. Public access to a fire station shall only be permitted in the designated public access area, which should be kept free of confidential records, reports or other protected materials.

A member of the Department should accompany any visitor entering the controlled areas of the fire station. All visitors should be monitored throughout their stay in the fire station. The public should not be allowed access to the member sleeping quarters of the station or to any area where members have private lockers or storage for personal belongings. Visitors should not be allowed to take photographs, electronic images or other recordings while inside a fire station, unless it is essential to the purpose of the visit.

All fire station exterior doors should be equipped with self-closing and self-locking doors. All exterior doors should be kept closed and locked at all times, including apparatus bay doors, unless a member is present to prevent unauthorized access. All points of access to the fire station should be closed and locked any time members are not present. All exterior storage rooms, lockers or other facilities should remain locked at all times unless directly observed by a member.

1100.3.2 BREACH OF SECURITY

All members are responsible for assisting in maintaining the security of department facilities.

Any breach in security should be reported as soon as practicable through the chain of command to the chief officer or division manager responsible for the facility.

Any criminal activity that occurs and that poses a threat to department members should immediately be reported to local law enforcement. If warranted by conditions or circumstances, all on-duty members should be notified of the incident and any recommended precautions as soon as practicable. Other members of the Department should be notified of the incident as soon as practicable, given the totality of the circumstances.

1100.3.3 SUSPICIOUS ACTIVITY

Department members should be vigilant about any suspicious activity occurring in or around department facilities and should report any such activity through the chain of command to the chief officer or division manager responsible for the facility. In some circumstances it may be necessary to immediately contact law enforcement to investigate a suspicious activity or circumstance. Suspicious activity may include, but is not limited to:

- Anyone loitering in the vicinity of the facility for an extended period of time.
- Unknown individuals photographing or taking images of the facility, of members of the Department assigned to the facility or of department vehicles or apparatus.
- Unknown individuals who appear to be monitoring the activities taking place at the facility.
- Anyone attempting to gain access or requesting access to department facilities without proper authorization.
- Any abandoned packages or other items left on department grounds or adjacent to department facilities.

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- Any unknown or abandoned vehicles left on department grounds or adjacent to the department facility.

Emergency Power

1101.1 PURPOSE AND SCOPE

The purpose of this policy is to establish a process for identifying emergency power needs or relocation plans for critical facilities and/or equipment. The Department provides critical emergency services to the community and must be able to respond to incidents with fully functioning equipment, regardless of commercial power failures.

1101.2 POLICY

It is the policy of the Martinsville Fire Department to provide emergency power sources at its facilities where necessary.

1101.3 RESPONSIBILITIES

The Fire Chief or the authorized designee shall develop a plan to:

- (a) Identify critical resources and the equipment necessary for the department's mission and determine the department's needs for emergency power.
- (b) Equip facilities and/or equipment identified as crucial to the mission of the Department with electrical generators, uninterruptible power sources or other means of sustaining critical business components in the event of a loss of commercial power.
 1. All emergency power sources selected shall be in compliance with all building codes, environmental codes and Indiana Occupational Safety and Health Administration rules and regulations governing the use of such equipment.
- (c) In the event that an alternative source of power for critical equipment cannot be found, relocate the equipment to reduce the risk of having inoperative equipment.

1101.4 PROCEDURE

The following aspects of maintaining and operating emergency power sources for fire stations and other facilities should be identified in the plan:

- Specific apparatus, equipment, computers or systems that should be served by the emergency power at each facility
- Permit requirements associated with the type of equipment proposed in the plan
- Identification of the person responsible for periodically testing and maintaining the proposed equipment
- Fueling procedure for any generator fuel tanks in the proposed system
- Details of any fuel service contracts
- Identification of the person responsible for ensuring the tanks are full at all times and for refilling the tanks during and after a protracted event
- Identification of the person responsible for annually procuring a maintenance contract for the proposed equipment

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- Identification of the vendor and how the vendor is contacted, during and after regular business hours
- Details of the record-keeping system for testing and maintenance of the proposed equipment
- Contingency plans for a failure of the backup system
- If there is no contingency plan for the backup system, identification of alternatives to the critical equipment or apparatus needed to accomplish the mission

Wastewater Discharge

1102.1 PURPOSE AND SCOPE

The practices detailed in this policy are intended to minimize runoff releases associated with firefighting, fire training, emergency scene spills and discharges, trauma scene waste management and fire facility maintenance activities.

1102.2 POLICY

It is the policy of the Martinsville Fire Department to adhere to local, state and federal regulations established to minimize the adverse impacts to the environment from wastewater discharges by ensuring best management practices for department activities.

1102.3 NON-EMERGENCY ACTIVITIES

1102.3.1 DISCHARGES ASSOCIATED WITH FIRE TRAINING ACTIVITIES

Training activities should be performed in a manner that reduces or prevents discharges to the storm water systems. Occasionally, discharge into the storm water system is unavoidable (e.g., equipment failures). However, the following measures should be implemented to minimize the impact on water quality:

- (a) Conduct fire training, where feasible, in facilities where runoff controls that protect the storm drain system have been engineered and built into the facility.
- (b) Direct water flows to landscape or greenbelt areas whenever possible.
- (c) When flowing water cannot be contained in the landscape areas, survey the area prior to the training exercise to ensure that debris will not enter the storm water system as a result of water flow generated during the drill.
- (d) When practicable and necessary, divert flows to the sewer, with the permission of the local sewer agency.
- (e) Use fog streams for short durations.
- (f) Use lower gallon-per-minute nozzle settings.
- (g) Prevent discharge of foam to the storm drain system. If training activities involve the use of foam, block off all potentially affected storm drain inlets with plastic sheeting and sandbags, construct a temporary berm, collect the runoff and discharge to the sanitary sewer after a defoaming agent has been applied.

1102.3.2 VEHICLE AND EQUIPMENT WASHING AND CLEANING

The following should be considered in order to prevent or reduce the discharge of pollutants to the storm drain system from vehicle and equipment washing and cleaning:

- (a) Use cleaning methods that employ the minimal use of water, such as a wet chamois or non-water rinse, when applicable.

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- (b) Limit the use of all cleaning agents and, when feasible, use only water.
- (c) Remove debris from any area or facility that is used for washing and/or cleaning vehicles.
- (d) Direct water flows to landscape or green areas, or contain the water on-site and allow it to evaporate and infiltrate whenever it is safe to do so without causing damage or erosion.
- (e) Use designated wash areas (preferably covered and bermed) to contain and/or divert the wash water to the sewer, either through the use of a wet-vac or a plumbed sanitary sewer connection.
- (f) Use self-contained water recycling systems.
- (g) Use off-site commercial washing and steam-cleaning facilities. Prohibit all steam cleaning discharge from entering the storm drain. Direct all steam-cleaning discharge to the sanitary sewer.

1102.3.3 VEHICLE FUELING

- (a) The following measures should be taken to reduce the impact to storm water:
 - 1. Protect the fueling area from storm water by installing a canopy.
 - 2. Pave fueling area surfaces with Portland cement concrete (or other equivalent smooth impervious surface) with a 2 percent to 4 percent slope to prevent puddles.
 - 3. Keep perimeter drains clear of debris at all times.
 - 4. If a perimeter drain is not installed, install a berm or graded area to prevent runoff of storm water and spilled liquids.
 - 5. Use a dead-end sump to collect spills or install an oil-water separator.
 - 6. Utilize vapor recovery nozzles to help control drips as well as air pollution.
 - 7. Maintain a spill control kit at the refueling site.
- (b) When fueling fire vehicles, members should take the following measures to prevent fuel spills and leaks:
 - 1. Avoid fueling during rainy conditions in fuel areas that do not have a canopy.
 - 2. When necessary to refuel during rainy conditions in fueling areas that do not have a canopy, the person refueling shall not leave the fueling area while fuel is flowing from the pump.
 - 3. Avoid topping off fuel tanks.
 - 4. Use absorbent material on small spills and for general cleaning rather than hosing down an area. Remove the absorbent material promptly and dispose as hazardous waste.

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5. Avoid mobile fueling during non-emergency events if the vehicles and/or equipment can be brought to the refueling facility.

1102.3.4 VEHICLE AND EQUIPMENT MAINTENANCE AND REPAIR

.A “dry shop” can help prevent or reduce the discharge of pollutants from vehicle and equipment maintenance as follows:

- (a) Conduct vehicle and equipment maintenance in areas where precautions have been taken to prevent spills from entering the storm drain system.
- (b) Use dry cleaning methods in maintenance and repair areas unless adequate precautions have been taken to prevent the discharge of wash water to the storm drain.

1102.3.5 HOSE WASHING AND CLEANING

The discharge of pollutants from washing and cleaning fire hoses and equipment may be prevented or reduced by using the following safeguards, as appropriate:

- (a) Design new areas or facilities that will be used for washing and/or cleaning fire hoses in a way that prevents wash water or other debris from entering the storm drain or from receiving water that has not been adequately treated.
- (b) Direct water flows to landscaped or green areas, or contain the water on-site and allow it to percolate through plant material or the landscape, or to evaporate completely whenever it is safe to do so without causing damage or erosion.
- (c) Use designated wash areas (preferably covered and bermed) to contain and/or divert the wash water to the sewer either through the use of a wet-vac or a plumbed sanitary sewer connection.
- (d) When cleaning the wash area, use wet mop cleaning methods in small areas, when feasible.
- (e) Use methods of cleaning fire hoses that employ the minimal use of water, such as high-pressure spray washers, when applicable.
- (f) Consider the use of biodegradable cleaning agents.

1102.3.6 FACILITY MAINTENANCE

.Facility maintenance should be conducted as follows:

- (a) Use dry cleaning methods (e.g., sweeping) to clean impervious hardscape areas, such as apparatus floors, driveways, patios and walkways. Place debris in receptacles for solid waste disposal.
- (b) Maintain landscape areas as required to limit introduction of leaves and other landscape waste into the storm water system.
- (c) Monitor and maintain irrigation systems as required to minimize off-site discharge of irrigation run-off.
- (d) Maintain and repair structures using methods that do not result in the release of water, soil or waste into the storm drain system.

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1102.3.7 SOLID WASTE AND HAZARDOUS MATERIALS STORAGE AREAS

Solid waste and hazardous materials storage areas should be maintained as follows:

- (a) There should be a canopy or roof over solid waste and hazardous materials storage areas.
- (b) There should be secondary containment (e.g., a metal or plastic pan with a raised edge) for hazardous materials storage areas.
- (c) All trash and solid waste receptacles should have lids. Keep lids closed to prevent contact with rainfall and to ensure containment of waste within the storage area.

1102.4 EMERGENCY ACTIVITIES

It is not always possible to prevent discharge that occurs during emergency firefighting activities (e.g., flows necessary for the protection of life and property). However, when practicable, the following should be considered.

1102.4.1 DISCHARGES ASSOCIATED WITH EMERGENCY FIREFIGHTING ACTIVITIES

To the extent allowed by the circumstances at the scene and without compromising the health and safety of department members or the public, emergency firefighting activities should be performed in a manner that avoids or minimizes discharges to the storm water system, including the following:

- If possible, avoid directing firefighting flows directly on erodible surfaces if run-off will enter receiving waters or storm drains.
- If possible, apply firefighting flows so run-off will flow over vegetated areas prior to entering receiving waters or storm drains.

1102.4.2 TRAUMA SCENE CLEANUP

Trauma scene wastes (e.g., blood, human tissue) may be generated at various types of crime or accident scenes. This type of waste can pose a health risk to those responsible for overseeing and conducting the cleanup. The following procedures should be used when practicable to protect members and prevent any unnecessary discharge of material into the storm drain.

1102.4.3 CLEANUP OF TRAUMA SCENE WASTE ON PUBLIC PROPERTY

The Incident Commander (IC) should be familiar with any City ordinances regarding the cleanup of trauma scene waste on public property.

Decontamination and cleanup operations may include, but are not limited to, the following:

- (a) Before proceeding with site cleanup, emergency responders must have the proper personal protective equipment (PPE), adequate supplies of bleach and sufficient water to properly complete the operation. Universal precautions must be utilized during any cleanup operation. Additional information and guidance for cleanup policies and procedures for bodily fluids may be obtained 24 hours a day by contacting the county health department.
- (b) Personnel shall wear gloves when washing or handling contaminated equipment, clothing or other materials. Additional PPE may be necessary if there is the potential for splashing.

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- (c) The Coroner should remove any human tissue or body parts at the scene of a fatality, following its own policies and procedures. The Coroner will generally not respond to a non-fatal incident for the purpose of human tissue removal.
- (d) Human tissue, body parts or blood/bodily fluids in a solid state should not be allowed to enter a storm drain. Tissue found in the storm drain system should be removed to the maximum extent practicable.
- (e) The county health department may be contacted, if needed, for consultation or assistance in trauma scene management or questions regarding legal disposition of medical waste.

1102.4.4 SPECIFIC CLEANUP PROCEDURES FOR SMALL SPILLS

- (a) Martinsville Fire Department members may decontaminate and then wash down small amounts of human blood/bodily fluids that are still in a liquid state. A small spill is defined as a spill that can be thoroughly and completely disinfected with one gallon of 10 percent chlorine disinfectant. This determination should be made with the understanding that multiple applications may be necessary to accomplish full disinfection.
 1. Members shall wear PPE to protect skin, mucus membranes, lungs and clothing from chlorine or trauma scene waste.
 2. Members shall apply disinfectant to the liquid biowaste (foam may develop) and let it sit for a minimum of 10 minutes.
 3. After 10 minutes, members shall wash down the area using a fire hose or pressurized water extinguisher.
- (b) In non-emergency situations and when circumstances permit, members should also:
 1. Attempt to move trash or miscellaneous debris from the path of the run-off so no additional or unnecessary material is discharged or carried into the storm drain.
 2. If there is a choice between directing the run-off down a storm drain or a sewer, use the sewer.
 3. Porous surfaces, such as asphalt, may require multiple repetitions to completely disinfect and thoroughly clean the area.

1102.4.5 DISCHARGES ASSOCIATED WITH HAZARDOUS MATERIAL SPILLS

The City Emergency Management Agency (EMA) is the authority with responsibility for coordinating a response to hazardous material spills. The Martinsville Fire Department is a participating agency with specified responsibilities within the jurisdiction. The Martinsville Fire Department operates under a District Response Task Force plan that describes procedures for the allocation of resources and assigns tasks during a hazardous materials release emergency. Fire department and law enforcement members shall respond to hazardous material releases according to response protocols established by each department under oversight of the City EMA.

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1102.4.6 NOTIFICATION OF SPILLS, RELEASES AND DISCHARGES

Spills, releases and discharges of pollutants shall be reported by the IC as required by all applicable state and federal laws. In addition, any such spills, releases and illegal discharges with the potential to endanger health, safety or the environment shall be reported by the IC to the Indiana Department of Environmental Management as soon as practicable after discovery. If it is safe to do so, necessary actions shall be taken to contain and minimize the spill, release or discharge (327 I.A.C. 2-6.1-1 et seq.).

Department-Owned Fuel Storage Tanks

1103.1 PURPOSE AND SCOPE

The purpose of this policy is to ensure that all above-ground (ASTs) and underground fuel storage tanks (USTs) located on Martinsville Fire Department property are maintained and operated in a manner consistent with the safety of department members and the environment and in compliance with all applicable regulations and laws.

1103.2 POLICY

It is the policy of the Martinsville Fire Department to adhere to local, state, and federal regulations applicable to department-owned fuel tank operations.

1103.3 OPERATOR

The Fire Chief shall appoint an operator who will be responsible for:

- (a) Maintaining any required certifications.
- (b) Ensuring required inspections of UST facilities are conducted as provided in 40 CFR 280.36.
- (c) Providing initial and refresher training in the operation and maintenance of ASTs or USTs to personnel who operate or maintain any AST or UST system (40 CFR 280.240 et seq.).
- (d) Receiving reports of spills and notifying appropriate authorities.
- (e) Preparing Spill Prevention Control and Countermeasure (SPCC) plans if required (40 CFR 112.1 et seq.).
- (f) Preparing any required monitoring, response, corrective action, or other required plans.
- (g) Submitting any required documentation to regulatory agencies (329 I.A.C. 9-2-2).
- (h) Complying with technical standards and corrective action requirements (329 IAC 9-1-1).

1103.4 INSPECTION

Fuel dispensing areas, ASTs, and UST monitoring panels shall be inspected daily by the operator or another member designated by the operator.

- (a) Visual inspections shall be conducted of the AST and containment area to check for pooling of liquids or other signs of leaks and cracks or damage to concrete. Any damage or visible liquid in the containment area shall be reported immediately to the operator.
- (b) Fuel dispensing areas shall be inspected to ensure that the dispensing apparatus is properly maintained, and the area is free of litter and debris. The inspection shall confirm that absorbent or other appropriate cleanup materials are available in the fueling area as well as one or more portable fire extinguishers. Any litter and debris

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Department-Owned Fuel Storage Tanks

shall be removed, and any absorbent or other appropriate cleanup materials are disposed of properly.

- (c) Any alarms or warnings on a UST monitoring panel shall be reported immediately to the operator.

All inspections shall be documented including any issues identified. Documentation shall be forwarded to the operator.

1103.5 SPILL CLEANUP

Any spill of fuel or other vehicle fluids in the fueling areas shall be absorbed, picked up, and properly containerized to prevent the risk of fire or release to the environment. If a spill cannot be absorbed using the materials available on-site or if the spill has migrated off department property, the operator shall be notified immediately.

1103.6 RECORD-KEEPING

Copies of the following records should be maintained at Department sites with USTs or ASTs:

- (a) Any required monitoring, response, corrective action, SPCC, or other required plans
- (b) Any required permits and certifications
- (c) Sampling, monitoring, and test results
- (d) Training records
- (e) Records of inspections, repairs, and fuel deliveries
- (f) Any other records required by regulatory agencies including as applicable:
 1. Records related to USTs as provided in 40 CFR 280.34.
 2. Records related to any SPCC plan as provided in 40 CFR 112.7.
 3. Records of financial responsibility as provided in 40 CFR 280.111.
 4. Department_Agency] sites where the cumulative capacity of the ASTs exceeds 1,320 gallons shall maintain a copy of the SPCC plan for the facility.

Flag Display

1104.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance to members of the Martinsville Fire Department regarding the proper display of the flags of both the United States and the State of Indiana.

1104.2 POLICY

It is the policy of the Martinsville Fire Department to display flags at department facilities in compliance with Indiana and federal laws.

1104.3 DISPLAYING THE FLAG OF THE UNITED STATES

Federal law providing for the use and the display of the U.S. flag is contained in Title 4 Chapter 1 of the United States Code, commonly referred to as the "Flag Code." Members of this department will display the flag of the United States in accordance with the provisions of 4 USC § 1 through 4 USC § 10.

1104.3.1 DISPLAY OF THE U.S. FLAG IN DAILY OPERATIONS

Department members should consult the Flag Code for guidance whenever the flag of the United States is to be displayed in any manner. This is to ensure that the display is presented in accordance with the Flag Code and as follows:

- (a) The United States flag should be conspicuously posted on all department facilities during hours of operation.
- (b) It is the universal custom to display the flag only from sunrise to sunset on buildings and on a stationary flagstaff in the open. However, the flag may be displayed 24 hours a day if it is properly illuminated during the hours of darkness (4 USC § 6).
- (c) The flag should not be displayed on days when the weather is inclement, except when an all-weather flag is displayed (4 USC § 6).
- (d) The U.S. flag may only be flown at half-staff by presidential or gubernatorial decree, and on Memorial Day until noon (4 USC § 7).

Whenever the U.S. flag is displayed in conjunction with other flags or symbols it should occupy the position of honor (4 USC § 7).

1104.4 DISPLAY OF THE INDIANA STATE FLAG

Members of the Martinsville Fire Department will display the Indiana State flag prominently and in the proper position of honor in accordance with the United States Flag Code (I.C. § 1-2-3-5).

1104.4.1 DISPLAY OF THE INDIANA FLAG IN DAILY OPERATIONS

Department members should consult the Indiana Office of the Governor for guidance whenever the flag is to be displayed in any manner to ensure that the display is presented appropriately. Displays of the flag should be consistent with the following protocol:

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Flag Display

- (a) The flag should be conspicuously posted on all department facilities during hours of operation.
- (b) Generally, the flag should be displayed only from sunrise to sunset on buildings and on a stationary flagstaff in the open. However, the flag may be displayed 24 hours a day if it is properly illuminated during the hours of darkness.
- (c) The flag should not be displayed on days when the weather is inclement, except when an all-weather flag is displayed.
- (d) The flag shall be flown at half-staff whenever the flag of the United States is flown at half-staff, and may only be flown at half-staff at other times by order of the Governor of Indiana.
- (e) Whenever the flag is displayed in conjunction with the United States flag, the United States flag shall occupy the position of first honor (4 USC § 7). When the flag is displayed in conjunction with other flags or symbols, it should occupy the position of honor.

For flag display protocol subsequent to a line-of-duty death, see the Line-of-Duty Death Policy.

Fire Station Living

1105.1 PURPOSE AND SCOPE

The purpose of this policy is to provide for the health of all members and visitors by establishing guidelines for fire station cleanliness and maintenance, to ensure that stations and equipment are properly maintained and that clean and sanitary conditions exist in the living spaces.

1105.2 POLICY

It is the policy of the Martinsville Fire Department that routine care, maintenance, and cleaning shall be conducted daily at each station by members on all shifts.

1105.3 PROCEDURE

Each company shall be assigned responsibility for a specific area of the station and should cooperate with other companies to ensure all duties are completed during the course of a shift.

All fire stations and equipment shall be inspected periodically by a Captain. The focus of the inspections shall be the proper maintenance and overall cleanliness of the station and equipment.

All members should keep desks, cars, beds, and lockers in a neat and clean condition. Supervisors are responsible for monitoring member housekeeping and hygiene and immediately addressing any issue that disrupts the good working order of the station or detracts from a professional image.

- (a) The station and equipment shall be maintained in a clean, orderly, and sanitary condition. Daily tasks to accomplish this shall include but are not limited to:
 1. Vacuuming.
 2. Sweeping and mopping floors.
 3. Dusting.
 4. Polishing.
 5. Cleaning restrooms.
 6. Cleaning apparatus bays.
- (b) Additional station and equipment maintenance and cleaning should be conducted weekly or on an as-needed basis. Sporadic tasks shall be divided between shifts so there is a shared responsibility for the overall condition of the station and the equipment.
- (c) Safety considerations regarding cleaning and maintenance may include but are not limited to:
 1. Cleaning and repairing the source of water leaks quickly to avoid mold growth.
 2. Avoiding the use of compressed air to blow dust and debris from clothing while the clothing is being worn.
 3. Maintaining cooking appliances and eating utensils in good working order.

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Fire Station Living

4. Cleaning kitchen hoods and vents at least monthly and ensuring the hood light is installed and functioning.
 5. Providing and clearly labeling first-aid supplies.
 6. Posting signs in all restrooms reminding employees/visitors to wash their hands.
 7. Using department-provided fall protection systems or fall protection personal protective equipment when working above ground level (29 CFR § 1910.140; 620 IAC 1-1-1).
 8. Addressing hazards associated with walking-working surfaces (29 CFR § 1910.21; 620 IAC 1-1-1).
- (d) All members shall follow established policies and procedures regarding:
1. Beginning and end of shift preparation, readiness, equipment inventory, and testing.
 2. Meal plans for the shift.
 3. Shift change station cleanup.
 4. Sleeping quarter assignments.
 5. Permissible and restricted activities and hours.
 6. Use of technology and electronics on-duty.

Any disputes shall be resolved by a supervisor.

Chapter 4 - Fire Prevention

Fire Inspections

400.1 PURPOSE AND SCOPE

This policy provides guidance for the enforcement of fire codes through periodic inspection within Martinsville Fire Department's jurisdiction.

400.2 POLICY

The Martinsville Fire Department is committed to improving public safety through the enforcement of building standards relating to fire and public safety as adopted by the Indiana Fire Prevention and Building Safety Commission and published in the Indiana Fire Code, and any other regulations or ordinances that have been formally adopted by the Indiana State Fire Marshal's Office or the City for the prevention of fire or the protection of life and property against fire.

400.3 RESPONSIBILITIES

The Fire Chief or the authorized designee shall develop a periodic inspection program based on the risks to life and property for occupancies within the Martinsville Fire Department's jurisdictional boundaries. The inspection program will comply with the Indiana Fire Code and any local amendments or ordinances specific to the City. The department fire inspection program will be administered by the Fire Prevention Division under the responsibility of the Fire Marshal.

400.4 INSPECTION PROGRAM GUIDELINES

The Fire Marshal should develop an inspection program based on community risk reduction through education and enforcement. Inspections should be identified by risk, hazard, occupancy, frequency, and required state law and local code or ordinance.

400.5 HAZARDOUS OCCUPANCIES

Facilities that handle, store, or use hazardous materials should be inspected for compliance with applicable provisions of the Fire Code or local codes or ordinances. See the Hazardous Materials Disclosures Policy regarding hazardous materials submittal and inspections.

400.6 RIGHT OF ENTRY

If a building or premise to be inspected is occupied, the inspector shall present credentials to the occupant and request entry. If the building or premise is unoccupied, the inspector shall first make a reasonable effort to locate the owner or other person having charge or control of the building or premise and request entry (I.C. § 36-8-17-8).

If no permission to enter is granted, the inspector should work with legal counsel to secure entry in a manner provided by law, such as obtaining an administrative search warrant.

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400.7 INSPECTION FEES

The Department may charge any fire inspection fees adopted by the City. The fee assessed shall not exceed the estimated reasonable cost of providing the service for which the fee is charged (I.C. § 36-1-3-8).

400.7.1 RE-INSPECTION FEES

If a violation is discovered during an inspection, the follow-up inspection to ensure the corrections have been made should be conducted at no cost to the owner or occupant. Should the owner or occupant fail to comply with inspection requirements on the follow-up visit and an additional visit is required, a fee as adopted by the City ordinance may be assessed.

Fire Investigations

401.1 PURPOSE AND SCOPE

The purpose of this policy is to ensure that all fires and explosions responded to by the Martinsville Fire Department and occurring within this jurisdiction are investigated and properly documented in accordance with state and federal laws as well as national standards.

401.2 POLICY

It is the policy of the Martinsville Fire Department to promptly investigate the cause, origin, and circumstances of fires and explosions occurring in this jurisdiction that involve the loss of life or injury to a person, or the destruction of or damage to property.

401.3 RESPONSIBILITIES

The Fire Chief has overall responsibility for fire investigations. The Fire Marshal is responsible for management of the fire investigations program. The Incident Commander (IC) of each incident is responsible for ensuring that each fire is investigated for origin and cause.

401.4 PRELIMINARY INVESTIGATION

The first-in Officer should conduct a preliminary investigation of each fire or explosion to identify the area of origin. The Officer will notify the Fire Marshal of the results of the preliminary investigation.

If the origin of a fire or explosion appears to be suspicious, the Fire Marshal should take immediate charge of all physical evidence relating to the fire or explosion, coordinate with investigators, and contact local law enforcement.

The immediate response of an appropriate investigator should be requested when any of the following circumstances exist:

- (a) Major or unusual fires.
- (b) Any fire resulting in a injury or death
- (c) Incidents involving special circumstances, such as an especially high dollar loss, extensive damage, political sensitivity, or any other circumstance.
- (d) Arson and/or incendiary devices are involved, or the origin of the fire is otherwise suspicious
- (e) There has been an explosion
- (f) There is evidence or suspicion that a crime has occurred in connection with a fire or explosion
- (g) A fire has been started by a juvenile
- (h) Any illegal activity that potentially could cause a fire and/or explosion has occurred

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401.5 FIRE INVESTIGATORS

Fire investigators assigned to an incident are responsible for pursuing the investigation through its completion and providing complete written documentation.

In cases where a fire investigator reasonably believes that arson or an unlawful act may be involved in a fire, the investigator should consult with the Fire Marshal and request the assistance of law enforcement, if appropriate.

401.5.1 FIRE INVESTIGATOR QUALIFICATIONS

Fire Investigators shall:

- (a) Meet the job performance requirements of the National Fire Protection Association's (NFPA) standards for fire investigators.
- (b) Complete the certification requirements of the Indiana Department of Homeland Security, Board of Firefighting Personnel Standards and Education (655 I.A.C. 4-3-40).
- (c) Comply with all federal and state statutory and constitutional investigatory requirements, including limitations on searches and seizures.

401.6 FIRE INVESTIGATORS WITH ARREST AUTHORITY

Fire investigators with arrest authority assigned to an incident are responsible for conducting a thorough investigation and providing complete written documentation.

Fire investigators who reasonably anticipate an arrest in connection with an investigation should arrange to have a law enforcement officer from a law enforcement agency with jurisdiction present. If a law enforcement officer is unavailable to assist with an arrest, investigators should consider delaying the arrest until such time that law enforcement can be present.

401.6.1 FIRE INVESTIGATORS WITH ARREST AUTHORITY QUALIFICATIONS

In addition to the general qualifications for fire investigators required by this policy, fire investigators with police powers shall (I.C. § 36-8-3-7):

- (a) Be authorized to exercise police powers by the Fire Chief and by the chief of police of the City.
- (b) Complete the pre-basic training course for law enforcement officers required by I.C. § 5-2-1-9(f).
- (c) Complete the minimum basic training and educational requirements for law enforcement officers as provided in I.C. § 36-8-3-20.

401.7 DUTY FIREARMS

Fire investigators with police powers who are authorized to carry firearms shall also comply with the Martinsville Police Department Duty Firearms and Use of Force Policy.

Fire Investigations

401.8 EQUIPMENT

The fire investigator's vehicle should be stocked with the following equipment to help investigate fire cause, origin, and circumstance:

- Digital camera
- Spare batteries
- Voice recording device and spare media
- Fire investigator toolbox
- Shovels, rake, broom, and sifter
- Disposable latex evidence collection gloves
- Evidence collection markers and labels for canisters

401.8.1 USE OF PROTECTIVE GEAR

Fire investigators are responsible for using personal protective equipment (PPE) and respiratory protection appropriate for the conditions present at an investigation scene.

When entering any fire scene during the fire, before or during overhaul, or when there is a chance of reignition, fire investigators shall wear full structural PPE and self-contained breathing apparatus (SCBA).

See the Respiratory Protection Program Policy and the Personal Protective Equipment Policy for additional guidance.

401.8.2 LOGBOOK

Each investigator should maintain a curriculum vitae (CV) of field training, continued professional training hours, and investigative experience. The purpose of this CV is to assist in establishing the member as an expert witness in court appearances.

401.9 INCIDENT REPORTS

To ensure department incidents are documented in the National Fire Incident Reporting System (NFIRS), investigators should complete and submit a report to the Fire Marshal for each investigation conducted. All areas of the report are to be filled out, and when an item is not applicable, N/A is to be placed in the box. For additional information, see the National Fire Incident Reporting System (NFIRS) Policy.

The Fire Marshal is responsible for reviewing and approving the investigative reports.

401.9.1 REPORTS TO THE STATE FIRE MARSHAL

If the cause of a fire is determined to be suspicious or criminal in nature, the Fire Marshal shall immediately notify the Indiana State Fire Marshal's Office (ISFMO) (I.C. § 36-8-17-7).

The Fire Marshal shall provide the ISFMO with a written or electronic report regarding all ongoing fire investigations at the end of each month. Each report shall be on the form created by the ISFMO and shall include a statement of facts regarding the fire, the extent of damages caused by the

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fire, the amount of insurance on the affected property, and any other information required by the ISFMO (I.C. § 36-8-17-7).

Code Enforcement

402.1 PURPOSE AND SCOPE

The purpose of this policy is to establish the process by which the Martinsville Fire Department will enforce City fire and life-safety codes during inspections.

402.2 POLICY

It is the policy of the Martinsville Fire Department to use inspections to help reduce the risk of injury or death due to fire and life-safety code related violations, and increase the safety of building occupants, the community and emergency responders (I.C. § 36-8-17-6).

402.3 PROCEDURE

The Martinsville Fire Department may issue cease and correct orders when violations of the Fire Code are found during fire and life-safety inspections (I.C. § 36-8-17-6; I.C. § 36-8-17-9).

Any violation determined by an inspector to pose an immediate fire danger or threat to life-safety shall be referred to the Indiana State Fire Marshal's Office for approval to issue any emergency or temporary order as soon as practicable (I.C. § 36-8-17-9).

Private dwellings may be inspected for installation and operation of smoke detectors at the request of the property owner or primary lessee (I.C. § 36-8-17-8).

402.3.1 INITIAL INSPECTIONS

An initial inspection should be made to determine if any violations exist and identify the code sections violated. An order of correction should be issued for violations. The written correction order should describe the conditions deemed to be unsafe, identify the code section violated and, when compliance is not immediate, specify a time for re-inspection, typically to occur within two weeks. This time frame may be adjusted at the inspector's discretion and based on the type of violation (I.C. § 36-8-17-6; I.C. § 36-8-17-9).

All inspections, meetings and telephone conversations should be documented and an inspection report completed including names, telephone numbers, dates, violations and any other pertinent information related to the inspection. All documentation should be maintained in an inspection file.

A copy of the inspection report should be left with the responsible party.

402.3.2 RE-INSPECTIONS

Violations that pose an immediate hazard to life or property should be corrected before the inspector leaves the premises (e.g., a required exit being chained or locked).

All other violations should be corrected by the date identified in the correction order for re-inspection.

Generally, no more than two re-inspections should be conducted before escalating the process as provided in this policy.

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402.3.3 TIME EXTENSIONS FOR COMPLIANCE

An inspector may extend the compliance period if reasonable progress is being made toward correcting the violation, or if a plan is established for completion and life and property are not being compromised. Extensions should only be granted when the inspector believes there is a high probability of obtaining complete compliance. The inspector may request the responsible person submit a statement in writing, detailing the reason for the extension and the new compliance date.

402.3.4 FINAL NOTICES

A final notice may be used as the last warning notice issued prior to civil action. A final notice is not required prior to initiating legal action.

A final notice of violation should be provided to the violator by certified mail return receipt requested and should:

- Set a date by which the violator must correct the violation.
- Notify the violator of the date of the final re-inspection to verify code compliance prior to initiating legal action.

402.3.5 ENFORCEMENT

If compliance is not achieved by the time of the final re-inspection, a court order for enforcement may be obtained and issued through the Indiana Department of Homeland Security (DHS) (I.C. § 36-8-17-12).

402.4 RECORDS AND REPORTING

The Martinsville Fire Department shall keep a written report for each inspection and make them available to the DHS and/or submit monthly reports to the DHS as required by I.C. § 36-8-17-8.

Community Fire Station Visitation Program

403.1 PURPOSE AND SCOPE

The purpose of this policy is to establish the methods the Department uses to interact with the community, share information about the workings of a fire station and demonstrate the capabilities of various apparatus and equipment through educational activities conducted by the Operations Division.

403.2 POLICY

The Martinsville Fire Department will aggressively promote fire safety and public awareness through a variety of public information and education activities, including a fire station visit program operated by the Operations Division.

403.3 PROCEDURE

- (a) The fire station visit program is an educational activity intended to allow school groups, service clubs, youth organizations, church groups, and other civic-minded organizations to schedule and participate in a tour of a working fire station. The types of groups and organizations appropriate for inclusion in the fire station visit program include but are not limited to the following:
 - 1. Preschool classes or groups (public or private)
 - 2. Kindergarten classes or groups (public or private)
 - 3. Primary and secondary school groups (public, church-based, or private)
 - 4. Chaperoned, organized youth groups that generally include persons 17 years of age and under and are sponsored and accompanied by adult representatives of a formal organization
 - 5. Service clubs and organizations that are generally voluntary nonprofit organizations where members meet regularly to perform charitable work either by direct hands-on efforts or by raising money for other organizations
- (b) The fire station visit program is not intended, nor should it be used, as an entertainment opportunity or for a commercial or for-profit purpose. The following types of groups, entities, and activities are not appropriate for inclusion in the fire station visit program:
 - 1. Birthday party groups
 - 2. Social networking groups
 - 3. Business networking groups
 - 4. For-profit tour groups, including profit-based foreign student groups
 - 5. Any group, entity, or activity that is part of a for-profit enterprise

Neither of the lists above is intended to be all-inclusive; rather, they are general representations of the types of groups that are either appropriate or inappropriate for inclusion in the fire station visit program.

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Groups or organizations can request a fire station visit by contacting the Shift Officer. Requests must be submitted at least 3 days prior to the date requested for the fire station visit. The Shift Officer will evaluate each request in accordance with this policy. Each evaluation will be considered uniformly and without discrimination as part of the application process. Approved requests will be forwarded to the appropriate Shift Officer for station and crew assignment.

403.3.1 SCHEDULING FIRE STATION VISITS

The Operations Deputy Fire Chief may elect to limit the number of station visits assigned to individual crews based on the operational or training activities of that crew. The Deputy Fire Chief should notify the Fire Prevention Division personnel of the station and crew assigned to conduct each scheduled visit. The Fire Prevention Division personnel should confirm the appointment for the station visit with the party that requested the visit and act as the point of contact for them regarding any questions, issues, or changes in the scheduled visit.

403.3.2 ADDITIONAL CONSIDERATIONS

The fire station visit program will operate within the following parameters:

- (a) Participating group size will generally be limited to 30 persons, including chaperones and drivers. Larger groups may apply but approval of the application will depend on the availability of a Fire Prevention Division representative to assist with managing the tour on the day of the visit.
- (b) Station visits should be scheduled during regular business hours.
- (c) The crew assigned to manage a station visit should remain in-service and available for emergency calls during the visit. Visiting groups should be notified in advance that the crew may be called away from the station at any time and the visit may then be canceled.
- (d) Station visit participants should not be allowed to enter the private crew sleeping or dressing areas of the station.
- (e) The fire crews managing each station visit should ensure that no confidential information or information protected by the Health Insurance Portability and Accountability Act (HIPAA) is visible or accessible to the station visit participants. Specific areas of the station may be closed to the visiting groups as needed to protect confidential and/or protected materials.

403.4 RECORD-KEEPING

The Fire Prevention Division should maintain a record of all applications for the station visit program. The records should include:

- (a) The name and contact information for the group or organization applying for a fire station visit.
- (b) The name of the group leader or person submitting the application.
- (c) Information regarding the approval or denial of the application. For denied applications, the reason for the denial should be listed (e.g., non-conforming group, scheduling conflict, no crew availability).

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- (d) The scheduled date and time of each approved visit.
- (e) The Captain, station, and crew assigned to manage the visit.
- (f) Confirmation that the group or organization completed the station visit or the reason it was not completed.

These records should be retained in accordance with the department's established records retention schedules.

Fireworks Displays

404.1 PURPOSE AND SCOPE

The purpose of this policy is to establish general guidelines for the use of pyrotechnic devices in public fireworks displays to ensure that minimum life-safety procedures and practices are followed. The policy also outlines the Martinsville Fire Department standards for the storage and disposal of illegal fireworks.

404.2 POLICY

Fireworks are energetic materials that are inherently dangerous and should always be handled with caution. Heat, shock, and friction may ignite them, and in all cases, safety should be the primary concern.

It is the policy of the Martinsville Fire Department to observe the Indiana fireworks law and follow the regulations prepared by the local, state, or regional authorities governing the use of fireworks in public displays when enforcing permitting requirements, plan review, and inspections. The Department shall observe the federal regulations governing the storage and disposal of explosives.

404.3 PERMITTING PROCESS

Applications for permits for public fireworks displays shall be made in writing at least 15 days prior to the proposed display. Applications shall be submitted to the State Fire Marshal and Martinsville Fire Department in a timely manner in order to ensure the appropriate allocation of resources and to allow adequate time to address any changes that may be required (675 I.A.C. 12-9-5; I.C. § 22-11-14-2).

When applying for a public fireworks display permit, an applicant shall submit information and evidence to the State Fire Marshal and Martinsville Fire Department that includes (I.C. § 22-11-14-2; 675 I.A.C. 12-9-5):

- (a) The name of the organization sponsoring the display, and the names and pyrotechnic operator license numbers of persons actually in charge of the display.
- (b) The date and time the display is to be held.
- (c) The exact location planned for the display.
- (d) The size and number of all fireworks to be discharged including the number of set pieces, shells, and other items. Shells shall be designated by diameter specifying single, multiple break, or salute.
- (e) The manner and place of storage of all fireworks prior to, during, and after the display.
- (f) A diagram of the grounds on which the display is to be held, showing:
 1. The point at which the fireworks are to be discharged.
 2. The location of all buildings, roads, and other lines of communication.

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3. The lines behind which the audience will be restrained.
- (g) The location of all nearby trees, telegraph or telephone lines, or any other overhead obstruction.
- (h) Proof that satisfactory worker's compensation insurance is carried for all employees.
- (i) Documentary proof of public liability insurance (I.C. § 22-11-14-3).
- (j) Proof that an Indiana license in a general, special, or limited category has been obtained from the local, state, or regional authorities.
- (k) The name and resale license number of the wholesaler who supplied all of the items used in the display.

The permittee shall be responsible for compliance with the provisions under which a public fireworks display permit has been granted. A letter is required from the sponsor or pyrotechnic company acknowledging that any additional fees will be billed directly to the sponsor or company. Public displays fired on private property must also include a letter from the current property owner approving the event and holding the Martinsville Fire Department, its officers, and the City harmless for any damages or liability.

404.3.1 PLANS

A fully dimensioned plot plan shall be included with the application that shows:

- (a) The location of the display set-up and the location, including the distance of the firing box from the display.
- (b) All access roads, including road width, hydrant locations, and ingress and egress points.
- (c) All structures located in or near the firing area and a fallout area based upon 100 feet per inch of shell size.

404.3.2 INSPECTIONS

- (a) All department personnel involved in the inspection of any public fireworks display setup and firing should inspect for compliance with the following requirements (675 I.A.C. 22-2.5-3; 675 I.A.C. 28-1-39):
 1. A minimum of two currently serviced 2.5-gallon pressurized water extinguishers shall be available on the site.
 2. A water container for duds or misfired shells shall be available on the site.
 3. Barricades or barriers shall be used to keep unauthorized personnel out of the firing and fallout areas.
 4. Mortars are to be in good condition, with base plugs in place, no splits or bulges in the tubes, or bent or frayed muzzles.
 5. Operators and assistants located within the fallout area are required to have proper safety gear and protective clothing on during the firing of the display and immediately after the display.

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6. If mortar racks are used, they shall be stable and secure.
 7. Mortars up to 5 inches in diameter and buried in earth or placed in troughs or drums shall be spaced 3 feet apart from the sides of the drum or trough.
 8. Mortars 6 inches or larger in diameter and buried in earth or placed in drums and troughs shall be spaced a minimum of 5 feet apart or from the sides of the drum or trough. When a mortar requiring 5 feet of space is placed adjacent to a mortar requiring only 3 feet of spacing, the larger shall apply.
 9. Electrically fired shows require that all mortars buried in earth or placed in drums and troughs shall be nominally spaced 2 feet apart from the sides of the drum or trough.
 10. No smoking is permitted in firing or display areas.
 11. During the electrical firing, no one is allowed to enter the firing area of the display.
 12. Electrically fired shows require that all technicians shall be positioned a minimum of 100 feet from any mortar and positioned so as to be protected from the direct line of fire.
 13. A continuity test shall be conducted prior to the test fire.
- (b) The inspection will include but is not limited to:
1. Verification of proper pyrotechnics operator licensing of operator and pyrotechnics technician licensed assistants.
 2. Verification of identification and age of all unlicensed assistants.
 3. Inspection and inventory of fireworks shells to be discharged.
 4. Inspection of racks to determine proper spacing and bracing.
 5. Inspection of mortars used to fire aerial shells.
 6. Inspection of ready boxes.
 7. A test fire utilizing the largest non-salute type shell permitted in the display shall be conducted one hour prior to the display and shall be witnessed by an Martinsville Fire Department inspector.
 8. Inspection of any other components of the display as deemed appropriate by the inspector.

404.4 STORAGE AND DISPOSAL OF ILLEGAL FIREWORKS

Any fireworks seized pursuant to state law shall be stored in a manner approved by the Martinsville Fire Department Fire Marshal until relinquished to the local, state, or regional authorities for destruction (27 CFR 555.201 et seq.; 675 I.A.C. 22-2.5-36).

The Martinsville Fire Department Fire Marshal or the authorized designee shall notify the local, state, or regional authorities not more than three days after the date of seizure of any fireworks and shall state the reason for the seizure and the quantity, type, and location of the fireworks. Seized fireworks shall be held in trust for the appropriate authority for disposal.

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- (a) Routine seizures (quantities that are temporarily manageable):
 - 1. Inventory, randomly sample, and photograph the seized fireworks.
 - 2. Complete any forms required by the appropriate authority and forward as the form instructs.
 - 3. If the fireworks are in the original U.S. Department of Transportation (DOT) shipping cartons, do not remove.
 - 4. Loose fireworks must be placed in good quality cardboard boxes, such as banker boxes, the boxes that photocopy paper comes in, or similarly sized moving boxes. The boxes must have functional lids.
 - 5. The boxes must be labeled with the following information: type of fireworks, seizing agency's name, person responsible for the sorting, and the date.
 - 6. The following items should not be included:
 - (a) Improvised Explosive Devices (IED) and explosives (a bomb squad should handle these)
 - (b) Trash (including expended fireworks, lighters, and matches)
 - (c) Any evidence or contraband that is not related to fireworks (e.g., weapons, drugs, paraphernalia)
 - (d) Friction-initiated fireworks (e.g., Snap Caps) should be packaged separately from any other items
- (b) Seizures that require immediate assistance (quantities that exceed the capability of the Martinsville Fire Department to manage):
 - 1. Contact the appropriate Indiana State Fire Marshal investigator, who will assist with arranging for temporary storage.
 - 2. Inventory, randomly sample, and photograph the seized fireworks.
 - 3. Complete the necessary report and forward it to the appropriate authority.
 - 4. If the fireworks are in the original U.S. DOT shipping cartons, do not remove them.

The Martinsville Fire Department will remain as the lead agency responsible for prosecuting any case involving fireworks seized by the Department or may receive assistance from local law enforcement.

404.4.1 FEES

If the Department collects fees pursuant to a local ordinance that provides for administrative fines or penalties associated with the seizure of dangerous fireworks, the Department shall forward the required amount of the collected monies to Martinsville for deposit in compliance with local ordinance or state law.

Hazardous Materials Disclosures

405.1 PURPOSE AND SCOPE

The purpose of this policy is to establish the requirements for the receipt of dangerous or hazardous material submittals in compliance with local, state and federal requirements and for the inspection of the facilities that handle hazardous materials.

405.2 POLICY

The Martinsville Fire Department will work in coordination with the Local Emergency Planning Committee (LEPC) and the Indiana Emergency Response Commission (IERC) regarding the receipt of dangerous or hazardous material submittals and necessary inspections.

405.3 SUBMITTALS

Facilities treating, storing or disposing of dangerous or extremely hazardous substances in quantities regulated by state law are required to submit notification forms and annual reports to the Department (I.C. § 13-25-2-10).

Facilities required to prepare or have available a Safety Data Sheet (SDS) for a hazardous chemical under the Occupational Safety and Health Act of 1970 (29 USC § 651 et seq.) and regulations promulgated under that Act are also required to submit an SDS and hazardous chemical inventory forms (42 USC § 11021; 42 USC § 11022).

405.4 INSPECTIONS

The Department may inspect facilities that are subject to the requirements of this policy by requesting entry for the purpose of conducting on-site inspections and reviewing specific location information on hazardous chemicals at the facility (I.C. § 13-25-2-11).

The Department shall conduct field inspections of facilities that are subject to the requirements of this policy at least once every three years. Any deficiencies noted during field inspections should be documented and the facility advised to make the necessary corrections. Any deficiencies noted should be reported to the LEPC and IERC.

Where appropriate, the Department will enforce any applicable laws and suggest preventive measures designed to minimize the risk of the release of hazardous material into the workplace or environment.

405.5 PUBLIC RECORDS

Generally, submissions received by the Department are considered public records. Some information is subject to trade secret protection pursuant to state or federal law (40 CFR 350.5).

Requests to inspect submissions shall be processed in accordance with the Release of Records Policy.

Maximum Occupancy - Overcrowding

406.1 PURPOSE AND SCOPE

The purpose of this policy is to establish standards for abating overcrowded conditions in places of assembly. This policy shall apply to all assembly occupancies and other occupancies which may be subject to overcrowding.

406.2 POLICY

It is the policy of the Martinsville Fire Department to protect the safety of the public through enforcement of the Fire Code regarding occupancy overcrowding.

406.3 ENFORCEMENT

Any member of the Department, upon finding overcrowded conditions beyond the approved capacity of a building or portion thereof, or obstructions in aisles, passageways or other means of egress, or upon finding any condition which constitutes a life-safety hazard, shall contact the Fire Marshal for approval to order the dangerous condition removed or remedied or to vacate an occupancy (675 I.A.C. 22-2.5-5).

406.3.1 COMPLAINTS RECEIVED DURING NORMAL BUSINESS HOURS

All routine complaints of overcrowded conditions shall be forwarded to the Fire Prevention Division for investigation and follow-up. The complaint shall be entered into the complaint management system as soon as practicable and shall be assigned to an available inspector. The inspector should promptly investigate the complaint and notify the appropriate supervisor of the findings. All findings shall be documented in the complaint management system. All overcrowding hazards should be mitigated as necessary, in accordance with this policy.

406.3.2 COMPLAINTS RECEIVED AFTER HOURS

All complaints of overcrowding received by the Dispatch Center after hours shall be routed to the appropriate on-duty Captain. Depending upon the urgency of the complaint, the Captain may choose to take any of the following actions, as deemed necessary to investigate the complaint:

- Investigate the complaint and abate the hazard as necessary, in accordance with this policy.
-
- Call for assistance from the Fire Marshal, who should investigate the complaint and abate the hazard as necessary, in accordance with this policy.
- Call for local law enforcement support.

406.3.3 FIRST DOCUMENTED OVERCROWDING OFFENSE

Routine overcrowding complaints that do not pose an immediate life-safety hazard should be investigated and abated as necessary, in accordance with established procedures. A warning

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letter should be issued to the business owner advising that any future overcrowding cases may result in a criminal citation being issued.

406.3.4 SECOND DOCUMENTED OVERCROWDING OFFENSE

The second and all subsequent documented cases of overcrowding should result in a criminal citation being issued, in accordance with Martinsville Fire Department procedures.

Juvenile Firesetter Referrals

407.1 PURPOSE AND SCOPE

The purpose of this policy is to provide department personnel with resources for helping juvenile firesetters and their families receive the help they need through education, diversion, assessment and psychological services, in cooperation with local nonprofit organizations.

407.2 POLICY

It is the policy of the Martinsville Fire Department to participate in a coordinated effort with local nonprofit organizations, and the White River Township FD to provide appropriate referral or treatment services to juveniles from this jurisdiction.

407.3 PROCEDURE

Entry into a juvenile firesetter program may be recommended by department personnel following a request from parents, guardians or caregivers, or as a result of a fire incident. There are multiple types of referrals:

407.3.1 CAREGIVER REFERRALS

Parents or guardians who call the Martinsville Fire Department for assistance will be directed to a member trained in juvenile firesetter intervention. When possible, telephone contact should be made with the parents within 48 hours of the Department being contacted. Parents should be provided with information about the program options and should be encouraged to make an appointment with the department's Fire Prevention personnel. A pre-interview form should be completed during the telephone contact.

407.3.2 WALK-IN REFERRALS

If someone comes to a fire station with a child who may be involved with firesetting, that person should be referred to Fire Prevention. If no Fire Prevention personnel are available, a pre-interview referral form should be completed during the walk-in contact and forwarded to the Fire Prevention Division. When appropriate, a Fire Prevention member should be contacted to advise of the walk-in contact and asked to return to the station, if possible.

407.3.3 FIRE DEPARTMENT REFERRALS

If a juvenile firesetter is identified at a fire scene, the Incident Commander (IC) should complete a juvenile firesetter referral form. The form should be forwarded to the Fire Prevention Division. The IC should be contacted by the Fire Prevention Division confirming the receipt of the referral form and advising what action is being taken with the juvenile and his/her family.

If evidence at a fire scene indicates a juvenile started the fire, the IC must contact law enforcement and report this involvement in a fire incident report. The report should indicate that:

- The person involved in the ignition of the fire was a child or a person under the age of 18.

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- The fire was a result of a child experimenting with fire or arson.
- The information known about the juvenile (e.g., name, age, sex, address).
- The parent or guardian information, if known.

A copy of the report should be sent to the Fire Prevention Division.

The IC should call a fire investigator any time there is evidence of arson, when there are witnesses with information that could identify the juvenile firesetter or when the suspect is still at the scene.

A juvenile who has been referred to the Department by the juvenile justice court will be assigned to a member of the Fire Prevention Division. If the juvenile fails to attend any mandated program sessions, the Fire Prevention member should notify the court or the juvenile's probation officer. If the juvenile successfully attends all required sessions and completes the program, the Fire Prevention member should send a program completion letter on department letterhead to the juvenile's probation officer.

407.4 PROGRAM COMPONENTS

The following components should be included in any juvenile firesetter program. Depending on the individual situation, some of the steps may not apply.

Assessment - The first step is generally a family interview including a Federal Emergency Management Agency (FEMA) assessment at a location designated by the Martinsville Fire Department. Assessments may be conducted at the child's home or living environment of the child and family members are encouraged to attend.

Diversion - Diversion is a process that allows the child to complete all or some of the program after which a citation can be dismissed or not processed. For admission into diversion, the juvenile will undergo a criminal background check. A parent or legal guardian and the child must attend a diversion hearing, where the child will be asked to describe behaviors and to answer questions to assess whether the child is at risk of repeating his/her offense. The child's parents or legal guardians and the child may be asked to sign a contract that requires specific actions to qualify the child for continued participation in the firesetter program. When the child successfully completes the program the Department will process a request to dismiss the citation.

Educational intervention - In this step families attend a fire safety academy. It is recommended that all family members attend. Academies may be conducted several times throughout the year and child/family placement is subject to availability. Academies should be broken into age-appropriate classes for the juveniles. Informational training seminars should be included for parents and guardians.

Counseling - The Department may recommend family counseling. If a child and family have been referred to counseling, it is strongly recommended that the counseling occur concurrently with academy attendance. A list of local organizations and resources should be provided to the family.

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Behavioral update - After completing the academy and/or counseling, a representative from the firesetter program may follow up with adults in the child's home to discuss the child's behavior and review any progress.

The Fire Prevention Division should produce regular reports specific to juvenile firesetters and outcomes. Reports should be included in department training programs as part of awareness and disposition outcomes.

Fire Watch Services

408.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidance for the Department regarding incidents or situations which may require a fire watch due to required automatic fire protection and/or detection services that are inoperable, construction/demolition activities, hot work or other high-risk activities or events which may have an adverse impact on public safety.

408.1.1 DEFINITIONS

Definitions related to this policy include:

Fire guard - A person who is qualified and whose sole duty is to patrol the premises and watch for fire. This person should be equipped with an approved means of contacting the Department in the event of a fire. Several fire guards might compose a single fire watch (675 I.A.C. 22-2.5-5).

Fire watch - A temporary measure intended to ensure continuous and systematic surveillance of a building or portion thereof by one or more qualified individuals for the purposes of identifying and controlling fire hazards, detecting early signs of unwanted fire, raising an alarm of fire and notifying the Martinsville Fire Department. Fire watch may be conducted by department personnel.

Hot work - Operations including cutting, welding, Thermit welding, brazing, soldering, grinding, thermal spraying, thawing pipe, installation of torch-applied roof systems or any other similar activity.

408.2 POLICY

It is the policy of the Martinsville Fire Department that the Department will, where required, ensure appropriate measures are taken to protect building occupants, spectators or other attendees of certain events in accordance with the Fire Code.

408.3 RESPONSIBILITIES

On notification that hot work activities are being performed or that required automatic fire protection or detection systems are inoperable and the building or occupancy has not been evacuated, the Fire Chief or the authorized designee, or the Fire Marshal, in the case of hot work activities, shall ensure that a fire watch is implemented (675 I.A.C. 22-2.5-10; Fire Code Ch. 35).

Whenever it is essential for public safety, due to the number of persons or the nature of the activity, the Fire Chief or the authorized designee should make a determination whether a fire watch should be implemented (675 I.A.C. 22-2.5-5).

408.4 PROCEDURES

408.4.1 EVENTS OR ACTIVITIES

Where a fire watch is implemented due to an event or activity that may create conditions endangering public safety (675 I.A.C. 22-2.5-5):

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- (a) The Fire Chief shall approve the fire guard(s).
- (b) The fire guard(s) shall be in uniform.
- (c) The fire guard(s) shall remain on duty at all times while the structure is open to the public.

408.4.2 OUT OF SERVICE FIRE PROTECTION OR DETECTION SYSTEM

Where a fire watch is implemented due to the failure or inoperability of a fire protection or detection system, the Fire Chief shall (Fire Code Ch. 9):

- (a) Determine the minimum level of fire watch service, including the number of personnel assigned to fire guard duties.
- (b) Ensure that each assigned fire guard is provided with at least one means of direct communication with the Dispatch Center and his/her sole duty shall be to perform constant patrols and watch for the occurrence of fire.
- (c) Direct all fire guards to make a thorough inspection of all buildings and spaces where the required protection system is out of service, together with any other areas of concern during fire watch patrols.
- (d) Continue the fire watch until the automatic fire protection or detection systems are back in service.

408.4.3 ADDITIONAL PROCEDURES

For fire watches conducted by the building owner, the Fire Chief should confirm that all fire guards assigned to the fire watch are and equipped with at least one form of direct communication with the the Dispatch Center.

Chapter 10 - Personnel

Recruitment and Selection

1000.1 PURPOSE AND SCOPE

The purpose of this policy is to establish the recruiting, selection, training, and retention processes utilized by the Martinsville Fire Department. This policy supplements any rules that govern employment practices for the Martinsville Fire Department.

1000.2 POLICY

In accordance with applicable federal, state, and local law, the Martinsville Fire Department provides equal opportunities for applicants and department members regardless of actual or perceived race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, age, disability, pregnancy, genetic information, veteran status, marital status, and any other classification or status protected by law. The Department does not show partiality or grant any special status to any applicant, member, or group of members unless otherwise required by law.

1000.3 RECRUITMENT

The Administration Division should employ a comprehensive recruitment and selection strategy to recruit and select members from a qualified and diverse pool of candidates.

The strategy should include:

- (a) Identification of racially and culturally diverse target markets.
- (b) Use of marketing strategies to target diverse applicant pools.
- (c) Expanded use of technology and maintenance of a strong internet presence. This may include an interactive department website and the use of department-managed social networking sites, if resources permit.
- (d) Expanded outreach through partnerships with media, community groups, citizen academies, local colleges, universities, and the military.
- (e) ~~Member referral and recruitment incentive programs.~~
- (f) ~~Consideration of shared or collaborative regional testing processes.~~

The Administration Division shall avoid advertising, recruiting, and screening practices that tend to stereotype, focus on homogeneous applicant pools, or screen applicants in a discriminatory manner.

The Department should strive to facilitate and expedite the screening and testing process, and should periodically inform each candidate of their status in the recruiting process.

1000.4 SELECTION PROCESS

The Department shall actively strive to identify a diverse group of candidates that have in some manner distinguished themselves as being outstanding prospects. Minimally, the Department

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should employ a comprehensive screening, background investigation, and selection process that assesses cognitive and physical abilities and includes review and verification of the following:

- A comprehensive application for employment (including previous employment, references, current and prior addresses, education, military record)
- Driving record
- Reference checks
- Employment eligibility, including U.S. Citizenship and Immigration Services (USCIS) Employment Eligibility Verification Form I-9 and acceptable identity and employment authorization documents (documentation may be requested upon hire)
- Information obtained from public internet sites
- ~~Financial history consistent with the Fair Credit Reporting Act (FCRA) (15 USC § 1681 et seq.)~~
- Local, state, and federal criminal history record checks
- ~~Polygraph or voice stress analyzer examination (when legally permissible)~~
- Medical and psychological examination (may only be given after a conditional offer of employment)
- Review board or selection committee assessment

1000.4.1 VETERAN PREFERENCE

The Department will provide veteran preference points as required (I.C. § 5-9-3-1; I.C. § 5-9-3-2).

1000.5 BACKGROUND INVESTIGATION

Every candidate shall undergo a thorough background investigation to verify their personal integrity and high ethical standards, and to identify any past behavior that may be indicative of the candidate's unsuitability to perform duties relevant to the operation of the Martinsville Fire Department.

1000.5.1 NOTICES

The Administration Division shall ensure that investigations are conducted and notices provided in accordance with the requirements of the FCRA (15 USC § 1681d).

1000.5.2 CRIMINAL BACKGROUND INFORMATION

Criminal background information, whether directly from the Indiana State Police National Crime Information System or provided by a third party, may have restrictions on the access, use, security, and release of the information. The Administration Division shall establish procedures to ensure compliance with any applicable requirements and security limitations (I.C. § 10-13-3-27).

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1000.5.3 REVIEW OF SOCIAL MEDIA SITES

Due to the potential for accessing unsubstantiated, private, or protected information, the Administration Division should not require candidates to provide passwords, account information, or access to password-protected social media accounts.

The Administration Deputy Fire Chief should consider utilizing the services of an appropriately trained and experienced third party to conduct open source, internet-based searches and/or review information from social media sites to ensure that:

- The legal rights of candidates are protected.
- Material and information to be considered are verified, accurate, and validated.
- The Department fully complies with applicable privacy protections and local, state, and federal law.

Regardless of whether a third party is used, the Administration Deputy Fire Chief should ensure that potentially impermissible information is not available to any person involved in the candidate selection process.

1000.5.4 RECORDS RETENTION

The background report and all supporting documentation shall be maintained in accordance with the established records retention schedule.

1000.5.5 DOCUMENTING AND REPORTING

The background investigator shall summarize the results of the background investigation in a report that includes sufficient information to allow the reviewing authority to decide whether to extend a conditional offer of employment. The report shall not include any information that is prohibited from use, including that from social media sites, in making employment decisions. The report and all supporting documentation shall be included in the candidate's background investigation file.

1000.6 DISQUALIFICATION GUIDELINES

As a general rule, performance indicators and candidate information and records shall be evaluated by considering the candidate as a whole, and taking into consideration the following:

- Age at the time the behavior occurred
- Passage of time
- Patterns of past behavior
- Severity of behavior
- Probable consequences if past behavior is repeated or made public
- Likelihood of recurrence
- Relevance of past behavior to public safety employment
- Aggravating and mitigating factors

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- Other relevant considerations

A candidate's qualifications will be assessed on a case-by-case basis, using a totality-of-the-circumstances framework.

1000.7 EMPLOYMENT STANDARDS

All candidates shall meet the minimum standards required by state law. Candidates will be evaluated based on merit, ability, competence, and experience, in accordance with the high standards of integrity and ethics valued by the Department and the community.

Validated, job-related, and nondiscriminatory employment standards shall be established for each job classification and shall minimally identify the training, abilities, knowledge, and skills required to perform the position's essential duties in a satisfactory manner (see the Position Descriptions Policy). Each standard should include performance indicators for candidate evaluation. The Department of Human Resources should maintain validated standards for all positions.

Selection standards for promotional opportunities are detailed in the Promotions and Transfers Policy.

1000.7.1 STANDARDS FOR FIREFIGHTERS

Candidates shall meet the minimum standards established by Indiana law, including those provided in I.C. § 36-8-3.5-12 and I.C. 36-8-4.7-5.

1000.8 TRAINING

All entry-level firefighter candidates shall complete training in an accredited fire training program established by the Indiana Department of Homeland Security, Board of Firefighting Personnel Standards and Education (I.C. § 36-8-10.5-7; I.C. § 36-8-10.5-6; 655 I.A.C. 2-2-1).

1000.9 RETENTION

The primary focus should be on hiring those who are the best fit for a particular position. In order to retain quality members, the Department should:

- Seek member input on retention strategies.
- Develop a workplace that respects, encourages, and enables a work/life balance.
- Facilitate training and career development opportunities.
- Develop and maintain quality supervisors.
- Provide regular and meaningful performance feedback.
- Promote an environment where members are able to speak freely.
- Treat members fairly, equitably, and consistently.
- Consider ways to reward excellent performance.
- Follow up on any feedback acquired during an exit interview process.

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Retention incentives may include items from ~~a collective bargaining agreement~~, employment benefits, seniority benefits, forms of recognition, etc.

Performance Evaluations

1001.1 PURPOSE AND SCOPE

The purpose of this policy is to detail the Martinsville Fire Department performance evaluation system, which is used to record work performance for both the Department and the employee, giving recognition for good work and providing a guide for improvement where needed. The employee performance evaluation report is a gauge in measuring performance and is used for making personnel decisions relating to merit increase, promotion, reassignment, discipline, demotion and termination. The report also provides a guide for mutual work planning and review, and an opportunity to convert general impressions into a more objective history of work performance based on job standards.

1001.2 POLICY

The [Department](#) [[Department_Agency](#)] evaluates employees in a nondiscriminatory manner based upon job-related factors specific to the employee's position, without regard to actual or perceived race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, age, disability, pregnancy, genetic information, veteran status, marital status, and any other classification or status protected by law.

1001.3 PROCEDURE

Within one year of appointment to a supervisory position, all supervisors should attend an approved supervisory course that includes training on the completion of performance evaluations.

Each evaluation will cover a specific time and should be based on the employee's performance during that period. Evaluations are based on observed or documented behavior. If a supervisor becomes aware of or witnesses either outstanding or unsatisfactory performance by an employee, the performance should be noted and a conversation between the employee and the supervisor should take place as soon as practicable after the performance is noted. This conversation is to immediately reinforce outstanding behavior, or correct and counsel unsatisfactory behavior. The supervisor should create a documentation of the performance and the follow-up conversation and use this documentation at the next evaluation period.

At the beginning of the rating period, each supervisor should discuss the tasks of the position, standards of performance expected and the evaluation rating criteria with each employee. When a non-probationary employee's job performance falls below the established standards of the job, the supervisor should, as soon as practicable but at least 90 days prior to the end of the annual evaluation period, advise the employee in writing in order to provide an opportunity for the employee to improve performance. The involved employee should be provided the opportunity to initial any such writing and respond in writing within 30 days, if desired. Failure to meet established performance standards is justification for an unsatisfactory rating. Rating factors that are not observed are assumed to be performed at a standard level.

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The performance evaluation report will be completed by the employee's immediate supervisor. Other supervisors directly familiar with the employee's performance during the rating period should be consulted by the immediate supervisor for their input.

1001.4 FULL-TIME PROBATIONARY EMPLOYEES

All personnel will serve a 12-month probationary period before being eligible for certification as permanent employees. Probationary firefighters shall be evaluated daily, weekly and monthly during the probationary period (I.C. § 36-8-4-12).

Performance evaluation reports shall be completed as defined by the Department of Human Resources by specific job classification for all other full-time personnel during the probationary period.

1001.5 FULL-TIME PERMANENT STATUS EMPLOYEES

Permanent employees are subject to three types of performance evaluations:

Regular - A performance evaluation report shall be completed once each year by the employee's immediate supervisor on the anniversary of the employee's date of hire, except for employees who have been promoted. In the case of promotion, a performance evaluation report shall be completed on the anniversary of the employee's date of last promotion.

Transfer - If an employee is transferred from one assignment to another in the middle of an evaluation period and less than six months have transpired since the transfer, an evaluation shall be completed by the current supervisor with input from the previous supervisor.

Special - A special evaluation may be completed any time the rater and the rater's supervisor believe one is necessary due to employee performance deficiencies. Generally, the special evaluation will be used to document areas of performance deemed less than standard when follow-up action is planned (e.g., action plan, remedial training, retraining). The evaluation form and associated documentation shall be submitted as one package.

1001.5.1 RATINGS

[4 - Far Exceeds Standards \(FES\) – Work performance is superior and far exceeds job requirements on a consistent basis.](#)

[3 - Exceeds Standards \(ES\) – Work performance often exceeds job requirements. Employee has exceptional job skills, demonstrates the ability to handle all aspects of the position with little or no direct supervision and offers suggestions to improve specific operations.](#)

[2 - Meets Standards \(MS\) – Work performance meets job requirements in an acceptable and expected manner. Some improvements in various areas may be occasionally needed. Employee has a firm grasp of job duties and responsibilities and can be relied on to carry them out accurately with minimal supervision.](#)

[1 - Does not Meet Standards \(DNMS\) – Work performance does not meet job requirements and definite improvement is needed. Employee does not have a firm grasp of the position,](#)

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accomplishments are less than expected or job demands, productivity suffers from poor attendance, etc. A specific plan for the employee to improve performance by a specific date is recommended.

0 - Does not apply (NA) – Not applicable to this person in their current job position.

~~**Outstanding** -- Performance that is well beyond that expected or required in the standards for the position. It is exceptional performance, definitely superior or extraordinary.~~

~~**Exceeds standards** -- Performance that is better than expected of a fully competent employee. It is superior to what is expected or required by the standards for the position but is not of such rare nature to warrant outstanding status.~~

~~**Meets standards** -- Performance expected of a fully competent employee and meets the standards required of the position.~~

~~**Needs improvement** -- Performance that is less than that expected of a fully competent employee and less than the standards required of the position. A needs improvement rating should be thoroughly discussed with the employee and include a structured plan intended to improve performance, with short-interval interim evaluations.~~

~~**Unsatisfactory** -- Performance that is inadequate or undesirable, intolerable and inferior to the standards required of the position.~~

~~Written comments should be used by the rater to document the employee's strengths and weaknesses and make any suggestions for improvement. Any job dimension rating marked unsatisfactory or outstanding should be substantiated in the rater comments section.~~

1001.6 EVALUATION INTERVIEW

When a supervisor has completed the preliminary evaluation, arrangements shall be made for a private discussion of the evaluation with the employee. The supervisor should discuss the results with the employee and answer any questions the employee may have. If the employee has valid and reasonable protests of any of the ratings, the supervisor may make appropriate changes to the evaluation. Areas needing improvement and goals for reaching the expected level of performance should be identified and discussed. The supervisor should also provide relevant counseling regarding advancement and training opportunities. The supervisor and employee will sign and date the evaluation. Permanent employees may also write comments in the employee comments section of the performance evaluation report.

1001.7 EVALUATION REVIEW

After the supervisor finishes the discussion with the employee, the signed performance evaluation report should be forwarded to the rater's supervisor for review.

The second-level supervisor should review the evaluation for fairness, impartiality, uniformity and consistency, and evaluate the first-level supervisor on the quality of the ratings provided to the employee.

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1001.8 RECORDS MANAGEMENT

The original performance evaluation report should be maintained in the employee's personnel file for the tenure of the employee's employment. A copy should be provided to the employee and a copy should be forwarded to the Department of Human Resources.

Performance evaluation reports will be permanently destroyed in accordance with established records retention schedules.

Promotions and Transfers

1002.1 PURPOSE AND SCOPE

The purpose of this policy is to establish required and desirable qualifications for promotion and transfer within the ranks of the Martinsville Fire Department.

1002.2 POLICY

The Martinsville Fire Department determines promotions and transfers in a nondiscriminatory manner. It is the policy of the Martinsville Fire Department to utilize the promotional testing criteria, study materials, and testing instruments available from authenticated and validated local, regional, and nationally recognized best practices in the fire service. This policy will establish the required and desirable qualifications for promotion and transfer within the ranks of the Department based on these criteria.

Nothing in this policy is intended to supersede any contract language related to promotional requirements that may exist in a collective bargaining agreement.

1002.3 GENERAL REQUIREMENTS

The following conditions will be used in evaluating members for promotion and transfer (I.C. § 36-8-4-6):

- (a) Presents a professional, neat appearance
- (b) Time in grade
- (c) Maintains a physical condition which aids in their performance
- (d) Demonstrates the following traits:
 1. Emotional stability and maturity
 2. Stress tolerance
 3. Sound judgment and decision-making ability
 4. Personal integrity and ethical conduct
 5. Leadership
 6. Initiative
 7. Adaptability and flexibility
 8. Ability to conform to organizational goals and objectives in a positive manner

1002.4 APPOINTMENTS

The following position is defined as an [appointment transfer](#) and is not considered a promotion:

- Training Officer

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Promotions and Transfers

1002.4.1 DESIRABLE APPOINTMENT QUALIFICATIONS

The following qualifications are considered for [appointment transfer](#):

- Three years of experience
- Completion of the probationary period with the Martinsville Fire Department
- Expressed interest in the [appointment transfer](#) position
- Education, training, and demonstrated abilities in areas related to the [appointment transfer](#) position
- Completion of any local, regional, or national training or certification for the [appointment transfer](#) position

1002.4.2 APPOINTMENT CRITERIA

The following criteria apply to [appointment transfers](#):

- (a) Administrative evaluation as determined by the Fire Chief. This shall include a review of supervisor recommendations. Each supervisor who has supervised or otherwise been involved with the candidate should submit these recommendations.
- (b) The supervisor recommendations should be submitted to the Deputy Fire Chief for whom the candidate will work. The Deputy Fire Chief should schedule interviews with each candidate.
- (c) Based on supervisor recommendations and those of the Deputy Fire Chief after the interview, the Deputy Fire Chief should submit his/her recommendation to the Fire Chief.
- (d) [Appointment Transfers](#) will be made by the Fire Chief.

The policy and procedures for all positions may be waived for temporary assignments, for emergency situations or for training ~~in accordance with any applicable collective bargaining agreement~~.

1002.5 PROMOTIONS

Specifications for promotional opportunities are on file with the Martinsville Fire Department.

1002.6 TRAINING OFFICER RESPONSIBILITIES

It is the responsibility of the Training Officer to maintain a training file on each member of the Department. Any relevant training certificate or certification document submitted to the Department by a member should be permanently retained in the member's training file.

Position Descriptions

1003.1 PURPOSE AND SCOPE

The purpose of this policy is to establish a comprehensive description of overall duties and responsibilities of each rank or job classification within the Department.

1003.2 POLICY

It is the policy of the Martinsville Fire Department to develop unique position descriptions for each assignment within an established rank or classification.

1003.3 PROCEDURE

The Department of Human Resources will generally develop and maintain classification specifications (e.g., firefighter, Lieutenant, Captain) [and they can also be found in PublicShare](#). Within the classification specifications there may be multiple assignments. The descriptions will detail the unique duties and responsibilities of each assignment.

~~Position descriptions may be included in collective bargaining agreements.~~

Position descriptions should be considered living documents and should be reviewed and evaluated for modification. This should occur at least annually and any time duties or expectations of a specific position substantially change.

Position descriptions should be reviewed prior to hiring to ensure the candidate's knowledge, skills and abilities are consistent with the current performance expectations of the position.

Classification Specifications

1004.1 PURPOSE AND SCOPE

The purpose of this policy is to establish the origin and maintenance processes of the job classifications applicable to the Martinsville Fire Department.

1004.2 POLICY

It is the policy of the Martinsville Fire Department to coordinate with the Department of Human Resources for the development of job classifications unique to the Department.

1004.3 PROCEDURE

The Fire Chief should appoint an officer from the Administration Division to work with the Department of Human Resources to develop, update and maintain the job classifications. These should include information from ~~collective bargaining agreements with~~ each employee group; should identify the duties and responsibilities, authority, reporting requirements and chain of command for the member; and should include expected working hours, attire and working location.

1004.3.1 POSITION DESCRIPTIONS

Multiple position descriptions may be needed for each job specification (e.g., a Lieutenant assigned to the Training Division will have the same job specification, but will have a considerably different position description than a Lieutenant assigned to the Operations Division). ~~Position descriptions may be addressed in the collective bargaining agreements with the various employee groups or in the Position Descriptions Policy.~~ =

Career Tracks

1005.1 PURPOSE AND SCOPE

The purpose of this policy is to establish specific career tracks for each classification specification within the Martinsville Fire Department.

1005.2 POLICY

It is the policy of the Martinsville Fire Department to ensure that each member is provided to the full extent, and without any limitation, the same access to advancement available to other members in each classification specification. To increase member job satisfaction and retain quality members, the Department shall ensure each member understands his/her career track and the opportunity for career advancement. A career track change may also be available, if the member obtains additional education, certification or licensing, which could open other opportunities.

1005.3 PROCEDURE

The Martinsville Department of Human Resources shall maintain all information on classification specifications, promotional opportunities and career tracks.

Fire Officer Development

1006.1 PURPOSE AND SCOPE

The purpose of this policy is to outline the required and recommended competencies in the Martinsville Fire Department's fire officer development program.

1006.2 POLICY

It is the policy of the Martinsville Fire Department to use professionally recognized programs and resources to train and develop members for supervisory roles.

1006.3 RESOURCES

To assist members in developing the needed competencies for supervisory roles, the Martinsville Fire Department ~~may~~ **will** utilize such resources as:

- Indiana Department of Homeland Security, Board of Firefighting Personnel Standards and Education Voluntary Certification program.
- The Center for Public Safety Excellence's (CPSE) Fire Officer Designation (FO).
- The National Fire Academy's (NFA) Executive Fire Officer Program (EFOP).
- The National Fire Protection Association (NFPA) 1021, Standard for Fire Officer Professional Qualifications.
- The International Association of Fire Chiefs' (IAFC) *Officer Development Handbook*.
- Other department-approved certification programs for the professional development of fire officers.

Reporting for Duty

1007.1 PURPOSE AND SCOPE

This policy describes the department's expectations of its employees when reporting for duty, to ensure that all members are fully capable of functioning in their capacity.

1007.2 POLICY

It is the policy of this department to identify the expectations required of its members when reporting for duty in order to provide efficient and quality services to the community and to provide for the safety of its members.

1007.3 PUNCTUALITY

All members should be punctual and be ready to immediately perform their duties at the assigned time.

1007.4 RELIEF

Members are required to remain on-duty until relieved. Upon entering the station, it is the member's responsibility to contact the member being relieved and receive a briefing.

Lieutenants shall remain on-duty until change-of-crew unless they are relieved or otherwise directed by a Captain. Lieutenants may not be absent from their place of assignment without the specific permission of a Captain.

1007.5 READINESS FOR DUTY

Upon reporting for duty, all members should prepare themselves and their gear to be immediately available to respond to calls for service. This should include, but is not limited to, placing personal protective equipment (PPE) on the member's assigned apparatus.

1007.6 PERSONAL APPEARANCE

All members should don the appropriate uniform prior to the start of their work assignments and be properly attired at all times when representing the Department. Each member should wear the appropriate uniform or protective equipment that has been approved for the activity being performed.

1007.7 SLEEPING WHILE ON DUTY

[Once Station duties, training, daily task, and special events are completed employees may take a nap and/or sleep. If a task or special event arises throughout the day the employee shall complete the new tasks or events.](#)

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1007.8 CLEANLINESS

All members should keep their persons, uniforms, desks, cars, beds and lockers in a neat and clean condition. If a persistent problem is noticed, the member should be notified immediately.

1007.9 INABILITY TO REPORT FOR DUTY

Members should notify their Lieutenant at his/her duty assignment location as soon as practicable of any inability to report for duty at the time required. If members are unable to make contact with the Lieutenant at the duty station, members should notify the duty Captain.

1007.10 EMERGENCY RECALL

Upon receipt of an emergency recall, without delay, members should secure and/or stabilize their home and family, and report for duty at the appropriate work location. Members shall recognize the potential for emergency recall and take measures in advance to properly prepare their families. Except when otherwise instructed, members should travel to their normal work assignment once they have received the notice of recall. Members shall not leave their duty assignments until properly relieved. Members shall follow the procedures detailed in the Emergency Recall Policy.

1007.11 RELIEVED FROM DUTY FOR VIOLATIONS

Any Lieutenant may relieve a member under [their](#) ~~his~~ ~~her~~ command from duty, when, in the Lieutenant's judgment, an alleged offense committed is sufficiently serious to warrant immediate action. A report of such action shall be immediately made to the appropriate Captain, followed by written charges and documentation in accordance with department procedures.

Emergency Recall

1008.1 PURPOSE AND SCOPE

The purpose of this policy is to establish the right of the Martinsville Fire Department to recall off-duty employees in the event of a large-scale or protracted emergency, natural disaster or other unusual situation that depletes on-duty resources. The policy also establishes the procedures to be used to recall off-duty employees, in accordance with state and federal laws ~~and collective bargaining agreements~~.

1008.1.1 DEFINITIONS

Definitions related to this policy include:

Automatic aid - Apparatus and firefighters who are dispatched automatically by contractual agreement between two fire departments, communities or fire districts.

Mutual aid - Apparatus and firefighters who are dispatched, upon request, by the responding fire department. Mutual aid is defined by a signed contractual agreement between the Martinsville Fire Department and neighboring jurisdictions.

1008.2 POLICY

It is the policy of the Martinsville Fire Department to provide sufficient resources at the scene of an emergency to reasonably provide for the safety of the employees working at the scene, and to ensure adequate resources are available for additional emergency calls. In some instances, this may require the emergency recall of employees.

1008.3 PROCEDURES

The Fire Chief or any other chief officer, Captain or Incident Commander (IC) may initiate an emergency recall by providing the Dispatch Center or other designated resource with brief information regarding the emergency, where members are to report for duty and the name or names of personnel required.

1008.3.1 TRIGGERING INCIDENTS

The types of incidents that may require the initiation of an emergency recall include, but are not limited to:

- One major incident affecting a localized or widespread area.
- Two or more incidents causing a high demand for resources at different locations.
- Numerous incidents causing a peak demand on the entire resource system.
- Any time designated by the Fire Chief or the authorized designee.

1008.3.2 THE DISPATCH CENTER RESPONSIBILITIES

The Fire Chief or the authorized designee should be responsible for developing and implementing an emergency recall procedure that complies with state and federal laws ~~and collective bargaining~~

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~~agreements~~. Dispatch or the other designated resource should follow the established procedure when implementing an emergency recall.

1008.3.3 FIREFIGHTER RESPONSIBILITIES

Firefighters should reply to an emergency recall immediately ~~or provide notification within 10 minutes with their status and estimated time of arrival~~. If applicable, they should report for duty with their personal protective equipment.

1008.3.4 EXCEPTIONS

~~Members may not refuse an emergency recall notice~~. Firefighters who receive an emergency recall notification and are under the influence of any impairment, such as medications or alcohol, ~~should advise the caller of the impairment and~~ should not report for duty.

1008.4 OTHER RESOURCES

If sufficient resources cannot be assembled by an emergency recall, the Department may consider other options such as:

- Automatic aid
- Mutual aid
- Additional chief officers

Overtime

1009.1 PURPOSE AND SCOPE

The purpose of this policy is to identify the use and management of overtime by Martinsville Fire Department employees and to establish an overtime compensation request process.

1009.2 POLICY

It is the policy of the Martinsville Fire Department to maintain a degree of flexibility concerning the overtime policy due to the nature of fire service work and the needs of the Department.

1009.3 PROCEDURE

Overtime may be available due to unforeseen personnel absences, emergency incidents or constant staffing requirements. The Fire Chief or the authorized designee should develop a plan for the fair distribution of both the workload and the income opportunity if a plan is not stipulated in the collective bargaining agreement. The plan should consider the City's interest in managing overtime costs.

Any instance of work that requires overtime compensation shall be approved in advance by a supervisor. If circumstances do not permit prior approval, then approval shall be sought as soon as practicable during the overtime shift and in no case later than the end of the shift in which the overtime is worked.

Employees classified as non-exempt by the Fair Labor Standards Act (FLSA) are not authorized to volunteer work time to the Department. Non-exempt employees who work authorized overtime and are compensated, either by payment of wages ~~as agreed upon and in effect through the collective bargaining agreement~~ or by the allowance of accrual of compensatory time off, should submit a request for overtime payment as soon as practicable after overtime is worked.

The individual employee may request compensatory time in lieu of receiving an overtime payment. However, the employee may not exceed the number of hours allowed by ~~the collective bargaining agreement or~~ City rules and regulations, or the FLSA (29 CFR 553.22).

1009.4 OVERTIME COMPENSATION REQUESTS

Employees should submit all overtime compensation requests to their immediate supervisor as soon as practicable for verification and forwarding to the Administration Division. Failure to submit a request for overtime compensation in a timely manner may result in discipline.

1009.5 ACCOUNTING FOR OVERTIME

Employees should record the actual time worked in an overtime status. ~~In some cases, a collective bargaining agreement may stipulate that a~~ A minimum ~~number~~ of one (1) hours will be paid, and additional time will be paid by the minute. ~~.~~

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1009.5.1 VARIATION IN TIME REPORTED

Where two or more employees are assigned to the same incident or activity, and the amount of time for which compensation is requested varies between the employees, the Captain or other approving supervisor may require each employee to include the reason for the variation on the overtime compensation request.

1009.5.2 CHIEF'S OVERTIME/COMPENSATORY TIME

[The Fire Chief is entitled to compensatory time off at the rate of minute for minute off for time worked in excess to the actual workweek.](#)

Discriminatory Harassment

1010.1 PURPOSE AND SCOPE

The purpose of this policy is to prevent department members from being subjected to discriminatory harassment, including sexual harassment and retaliation. Nothing in this policy is intended to create a legal or employment right or duty that is not created by law.

1010.2 POLICY

The Martinsville Fire Department is an equal opportunity employer and is committed to creating and maintaining a work environment that is free of all forms of discriminatory harassment, including sexual harassment and retaliation. The Department will not tolerate discrimination against a member in hiring, promotion, discharge, compensation, fringe benefits, and other privileges of employment. The Department will take preventive and corrective action to address any behavior that violates this policy or the rights and privileges it is designed to protect.

The nondiscrimination policies of the Department may be more comprehensive than state or federal law. Conduct that violates this policy may not violate state or federal law but still could subject a member to discipline.

1010.3 DEFINITIONS

Definitions related to this policy include:

1010.3.1 DISCRIMINATION

The Department prohibits all forms of discrimination, including any employment-related action by a member that adversely affects an applicant or member and is based on actual or perceived race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, age, disability, pregnancy, genetic information, veteran status, marital status, and any other classification or status protected by law.

Discriminatory harassment, including sexual harassment, is verbal or physical conduct that demeans or shows hostility or aversion toward an individual based upon that individual's protected class. It has the effect of interfering with an individual's work performance or creating a hostile or abusive work environment.

Conduct that may, under certain circumstances, constitute discriminatory harassment can include making derogatory comments; making crude and offensive statements or remarks; making slurs or off-color jokes; stereotyping; engaging in threatening acts; making indecent gestures, pictures, cartoons, posters, or material; making inappropriate physical contact; or using written material or department equipment and/or systems to transmit or receive offensive material, statements, or pictures. Such conduct is contrary to department policy and to a work environment that is free of discrimination.

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1010.3.2 RETALIATION

Retaliation is treating a person differently or engaging in acts of reprisal or intimidation against the person because the person has engaged in protected activity, filed a charge of discrimination, participated in an investigation, or opposed a discriminatory practice. Retaliation will not be tolerated.

1010.3.3 SEXUAL HARASSMENT

The Department prohibits all forms of discrimination and discriminatory harassment, including sexual harassment. It is unlawful to harass an applicant or a member because of that person's sex.

Sexual harassment includes but is not limited to unwelcome sexual advances, requests for sexual favors, or other verbal, visual, or physical conduct of a sexual nature when:

- (a) Submission to such conduct is made either explicitly or implicitly as a term or condition of employment, position, or compensation.
- (b) Submission to, or rejection of, such conduct is used as the basis for any employment decisions affecting the member.
- (c) Such conduct has the purpose or effect of substantially interfering with a member's work performance or creating an intimidating, hostile, or offensive work environment.

1010.3.4 ADDITIONAL CONSIDERATIONS

Discrimination and discriminatory harassment do not include actions that are in accordance with established rules, principles, or standards, including:

- (a) Acts or omission of acts based solely upon bona fide occupational qualifications under the Equal Employment Opportunity Commission and Indiana Civil Rights Commission guidelines.
- (b) Bona fide requests or demands by a supervisor that the member improve the member's work quality or output, that the member report to the job site on time, that the member comply with City or department rules or regulations, or any other appropriate work-related communication between supervisor and member.

1010.4 RESPONSIBILITIES

This policy applies to all department members, who shall follow the intent of these guidelines in a manner that reflects department policy, professional standards, and the best interest of the Martinsville Fire Department and its mission.

Members are encouraged to promptly report any discriminatory, retaliatory, or harassing conduct or known violations of this policy to a supervisor. Any member who is not comfortable with reporting violations of this policy to the member's immediate supervisor may bypass the chain of command and make the report to a higher-ranking supervisor or manager. Complaints may also be filed with the Fire Chief, the Director of Human Resources, or the Mayor.

Any member who believes, in good faith, that the member has been discriminated against, harassed, or subjected to retaliation, or who has observed harassment, discrimination, or

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Discriminatory Harassment

retaliation, is encouraged to promptly report such conduct in accordance with the procedures set forth in this policy.

Supervisors and managers receiving information regarding alleged violations of this policy shall determine if there is any basis for the allegation and shall proceed with a resolution as stated below.

1010.4.1 QUESTIONS OR CLARIFICATION

Members with questions regarding what constitutes discrimination, sexual harassment, or retaliation are encouraged to contact a supervisor, a manager, the Fire Chief, the Director of Human Resources, or the Mayor for further information, direction, or clarification.

1010.4.2 SUPERVISOR RESPONSIBILITIES

The responsibilities of supervisors and managers shall include but are not limited to:

- (a) Continually monitoring the work environment and striving to ensure that it is free from all types of unlawful discrimination, including harassment or retaliation.
- (b) Taking prompt, appropriate action within their work units to avoid and minimize the incidence of any form of discrimination, harassment, or retaliation.
- (c) Ensuring that their subordinates understand their responsibilities under this policy.
- (d) Ensuring that members who make complaints or who oppose any unlawful employment practices are protected from retaliation and that such matters are kept confidential to the extent possible.
- (e) Making a timely determination regarding the substance of any allegation based upon all available facts.
- (f) Notifying the Fire Chief or the Director of Human Resources in writing of the circumstances surrounding any reported allegations or observed acts of discrimination, harassment, or retaliation no later than the next business day.

1010.4.3 SUPERVISOR'S ROLE

Supervisors and managers shall be aware of the following:

- (a) Behavior of supervisors and managers should represent the values of the Department and professional standards.
- (b) False or mistaken accusations of discrimination, harassment, or retaliation can have negative effects on the careers of innocent members.

Nothing in this section shall be construed to prevent supervisors or managers from discharging supervisory or management responsibilities, such as determining duty assignments, evaluating or counseling members, or issuing discipline, in a manner that is consistent with established procedures.

1010.5 INVESTIGATION OF COMPLAINTS

Various methods of resolution exist. During the pendency of any such investigation, the supervisor of the involved member should take prompt and reasonable steps to mitigate or eliminate any

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continuing abusive or hostile work environment. It is the policy of the Martinsville Fire Department that all complaints of discrimination, retaliation, or harassment shall be fully documented, and promptly and thoroughly investigated.

1010.5.1 SUPERVISOR RESOLUTION

Members who believe they are experiencing discrimination, harassment, or retaliation should be encouraged to inform the individual that the behavior is unwelcome, offensive, unprofessional, or inappropriate. However, if the member feels uncomfortable or threatened or has difficulty expressing the member's concern, or if this does not resolve the concern, assistance should be sought from a supervisor or manager who is a rank higher than the alleged transgressor.

1010.5.2 FORMAL INVESTIGATION

If the complaint cannot be satisfactorily resolved through the supervisory resolution process, a formal investigation will be conducted.

The person assigned to investigate the complaint will have full authority to investigate all aspects of the complaint. Investigative authority includes access to records and the cooperation of any members involved. No influence will be used to suppress any complaint and no member will be subject to retaliation or reprisal for filing a complaint, encouraging others to file a complaint, or for offering testimony or evidence in an investigation.

Formal investigation of the complaint will be confidential to the extent possible and will include but is not limited to details of the specific incident, frequency and dates of occurrences, and names of any witnesses. Witnesses will be advised regarding the prohibition against retaliation, and that a disciplinary process, up to and including termination, may result if retaliation occurs.

Members who believe they have been discriminated against, harassed, or retaliated against because of their protected status are encouraged to follow the chain of command but may also file a complaint directly with the Fire Chief, [or the Director of Human Resources](#), ~~or the~~.

1010.5.3 ALTERNATIVE COMPLAINT PROCESS

No provision of this policy shall be construed to prevent any member from seeking legal redress outside the Department. Members who believe that they have been harassed, discriminated against, or retaliated against are entitled to bring complaints of employment discrimination to federal, state, and/or local agencies responsible for investigating such allegations. Specific time limitations apply to the filing of such charges. Members are advised that proceeding with complaints under the provisions of this policy does not in any way affect those filing requirements.

1010.6 DOCUMENTATION OF COMPLAINTS

All complaints or allegations shall be thoroughly documented on the appropriate forms and in a manner designated by the Fire Chief. The outcome of all reports shall be:

- (a) Approved by the Fire Chief, ~~the~~ [or the Director of Human Resources](#), depending on the ranks of the involved parties.
- (b) Maintained in accordance with the established records retention schedule.

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1010.6.1 NOTIFICATION OF DISPOSITION

The complainant and/or victim will be notified in writing of the disposition of the investigation and the actions taken to remedy or address the circumstances giving rise to the complaint.

1010.7 TRAINING

All new members shall be provided with a copy of this policy as part of their orientation. The policy shall be reviewed with each new member. The member shall certify by signing the prescribed form that the member has been advised of this policy, is aware of and understands its contents, and agrees to abide by its provisions during the member's term with the Department.

All members shall receive annual training on the requirements of this policy and ~~shall certify by signing the prescribed form that they have reviewed the policy,~~ understand its contents, and agree that they will continue to abide by its provisions.

Conduct and Behavior

1011.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines to prevent activities or behaviors that may lead to disciplinary actions or dismissal.

1011.2 POLICY

It is the policy of this department that its members strive to attain the highest professional standard of conduct and discharge their duties in a courteous and professional manner.

1011.3 PROFESSIONAL CONDUCT

All members should be governed by the ordinary and reasonable rules of behavior observed by law-abiding and self-respecting citizens, and should conduct themselves at all times in such manner as to reflect favorably on the Department. Conduct unbecoming of a member shall include that which discredits the Department or the person as a member of the Department or which impairs the operation or efficiency of the Department or its members.

All members should conduct themselves in a manner that will not impair the good order and discipline of the Department. Members should not, while on-duty, indulge in hazing or bullying; offensive, obscene, or uncivil language; verbal or physical altercations or threats thereof; or conduct which might cause injury to another person.

All members of the Department should be familiar with the expected standard of behavior, both on- and off-duty.

1011.4 INTERACTION WITH THE PUBLIC

In the performance of their duties, members should be courteous to the public and tactful. They should control their tempers, should exercise reasonable patience and discretion, and should not engage in any argumentative discussions even when provoked.

In the performance of their duties, members should not use coarse, violent, profane, or insolent language or gestures, and should not express prejudice or discrimination.

1011.5 COURTESY TO MEMBERS

Members should be courteous and respectful in their relations with all members of the Department. Members shall not use coarse, violent, profane, or insolent language or gestures, and shall not express prejudice or discrimination.

1011.6 DISCRIMINATION, OPPRESSION, OR FAVORITISM

Unless required by law or policy, discriminating against, oppressing, or providing favoritism to any person because of actual or perceived characteristics such as race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, age, disability, economic status, cultural group, veteran status, marital status, and any other classification or status protected

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by law, or intentionally denying or impeding another in the exercise or enjoyment of any right, privilege, power, or immunity, knowing the conduct is unlawful, is prohibited.

1011.7 CONFORMANCE TO LAWS

Members shall obey all laws of the United States and of any state and local jurisdiction in which the member is present.

1011.7.1 REPORTING OF CONVICTIONS

Certified members shall provide written notification to the Indiana Department of Homeland Security within 90 days of misdemeanor, felony, and operating while intoxicated convictions. The required notice shall be provided on the approved form and contain the information required by law (655 I.A.C. 2-2-6).

1011.8 DEROGATORY OR MALICIOUS STATEMENTS

Members should not be a party to any malicious gossip, report, or activity that would tend to disrupt department morale or bring discredit to the Department or any member thereof. Member questions concerning department policy, activities, officers, and/or safety issues shall be submitted by official written communication to the member's immediate supervisor.

1011.9 POLITICAL ACTIVITY

Members should not engage in political activities of any kind while on-duty. Members are also prohibited from engaging in any political activity off-duty while wearing any uniform items or equipment that could identify them as members of the Department (I.C. § 3-14-1-6).

1011.10 SEXUAL ACTIVITY

Members should not engage in any sexual activity while on-duty. This includes use of any electronic device to communicate or receive messages, photos, or any other content of a sexual or provocative nature.

1011.11 ILLEGAL GAMBLING

Members should not engage or participate in any form of illegal gambling at any time while on-duty. This includes accessing gaming websites from computers or any electronic device, whether department-issued or owned by the member.

1011.12 GIFTS AND GRATUITIES

Members should not solicit or accept any gift, including money, tangible or intangible personal property, or any service, gratuity, favor, entertainment, hospitality, loan, promise, or any other thing of value from any person, business, or organization that is doing business with, or seeking to do business with, the Department or the City (I.C. § 35-44.1-1-1).

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If it may reasonably be inferred that the person, business, or organization seeks to influence the actions of a member or seeks to affect the performance of a member while on-duty, the incident should be immediately reported to the next level supervisor.

1011.13 OFFERS OF DONATIONS AND GIFTS OF THE HEART

Members who are approached with monetary donations ~~following major disasters~~ shall direct the person or entity to the Administration Division for instruction on proper ways to donate.

At no time should a member accept any monetary donation from the public. If a citizen offers a gift of a non-monetary nature, such as food or product, the gift shall be placed in an area of the station or office to be shared by all members.

At no time shall a member consider a gift of the heart as a personal present.

1011.14 ABUSE OF POSITION

Members should not use their official positions, official identification cards, or badges to avoid the consequences of illegal acts or for other non-work-related personal gain. Members shall not lend their identification cards or badges to another person or permit their identification cards or badges to be photographed or reproduced without the approval of the Fire Chief (I.C. § 35-44.1-1-1).

Members should not authorize the use of their names, photographs, or official titles that identify them as department members (e.g., in connection with testimonials or advertisements of any commodity or commercial enterprise) without the approval of the Fire Chief.

1011.15 PUBLIC STATEMENTS AND APPEARANCES

Members should not address public gatherings, appear on radio or television, prepare any articles for publication, act as correspondents to a newspaper or periodical, or release or divulge investigative information or information on any other matter of the Department while presenting themselves or in any way identifying themselves as representing the Department without the approval of the Fire Chief.

Personnel Complaints

1012.1 PURPOSE AND SCOPE

This policy provides guidelines for reporting, investigation and disposition of complaints regarding the conduct of members of this department and the service provided by this department. This policy shall not apply to any questioning, counseling, instruction, informal verbal admonishment or other routine or unplanned contact of a member in the normal course of duty, by a supervisor or any other member, nor shall this policy apply to a criminal investigation.

1012.2 POLICY

This department takes seriously all complaints regarding service provided by the Department and the conduct of its members.

The Department will accept and address all complaints of member misconduct in accordance with this policy and applicable federal, state and local law, municipal and county rules ~~and the requirements of any collective bargaining agreements.~~

It is also the policy of this department to ensure that the community can report misconduct without concern for reprisal or retaliation.

1012.3 PERSONNEL COMPLAINTS

Personnel complaints consist of any allegation of misconduct or improper job performance by any employee that, if true, would constitute a violation of department policy or rule or federal, state or local law. Allegations or complaints may be generated internally or by the public.

Inquiries about employee conduct or performance that, if true, would not violate department policy or rule or federal, state or local law, may be handled informally by a supervisor and shall not be considered a personnel complaint. Such inquiries generally include clarification regarding policy, procedures or the response to specific incidents by the Department.

1012.3.1 CLASSIFYING COMPLAINTS

Personnel complaints shall be classified in one of the following categories:

Informal - A matter in which the member's Captain is satisfied that appropriate action has been taken by a supervisor of rank greater than the accused member.

Formal - A matter in which a supervisor determines that further action is warranted. Such complaints may be investigated by a supervisor of rank greater than the accused member or referred to the designated department representative, depending on the seriousness and complexity of the investigation.

Incomplete - A matter in which the complaining party either refuses to cooperate or becomes unavailable after diligent follow-up investigation. At the discretion of the assigned supervisor or the designated department representative, such matters need not be documented as personnel

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complaints but may be further investigated or resolved as a complaint, depending on the seriousness of the complaint and the availability of sufficient information.

1012.4 AVAILABILITY AND ACCEPTANCE OF COMPLAINTS

1012.4.1 AVAILABILITY OF COMPLAINT FORMS

Personnel complaint forms will be available and clearly visible in public access locations within department facilities. Forms will also be available on the department website. ~~Forms may also be available at other government offices and facilities.~~ Personnel complaint forms in languages other than English may also be provided as determined necessary or practicable.

Every supervisor is responsible for monitoring public satisfaction or inquiries regarding the personnel complaint process and forwarding to the Captain any suggestions for improvement or changes.

[Form](#)

1012.4.2 SOURCES OF COMPLAINTS

- (a) Members of the public may make complaints in any form, including in writing, by email, [or in person](#) ~~or by telephone~~.
- (b) Any department member becoming aware of alleged misconduct shall immediately notify a supervisor.
- (c) Supervisors shall initiate a complaint based upon observed misconduct or receipt from any source alleging the misconduct of a member that, if true, could result in disciplinary action.
- (d) Anonymous complaints and third-party citizen complaints should be accepted and investigated to the extent that sufficient information is provided.

1012.4.3 ACCEPTANCE OF COMPLAINTS

All complaints will be courteously accepted by any member and promptly given to the appropriate supervisor. Although written complaints are preferred, a complaint may also be filed verbally, ~~either in person or by telephoning the~~, and will be accepted by any supervisor. If a supervisor is not immediately available to take a verbal complaint, the receiving member shall obtain contact information sufficient for the supervisor to contact the complainant. The supervisor, upon contact with the complainant, shall complete and submit a complaint form as appropriate.

Although not required, complainants should be encouraged to file complaints in person so that proper identification, signatures, photographs or physical evidence may be obtained as necessary.

1012.5 COMPLAINT DOCUMENTATION AND TRACKING

Supervisors shall ensure that all formal and informal complaints are documented on a complaint form. The supervisor shall ensure that the nature of the complaint is defined as clearly as possible.

All complaints and inquiries should be documented in a log that records and tracks complaints. The log shall include the nature of the complaint and the actions taken to address the complaint.

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On an annual basis, the Department should audit the log and send an audit report to the Fire Chief or the authorized designee.

1012.6 DISCIPLINARY INVESTIGATIONS

All allegations of misconduct will be investigated as follows:

1012.6.1 SUPERVISOR RESPONSIBILITIES

In general, the primary responsibility for the investigation of a complaint rests with the member's immediate supervisor, unless the supervisor is the complainant, is the ultimate decision-maker regarding disciplinary action or has any personal involvement regarding the alleged misconduct. The Fire Chief or the authorized designee may direct that another supervisor investigate any complaint.

A supervisor who becomes aware of alleged misconduct shall take reasonable steps to prevent aggravation of the situation.

Supervisors shall be responsible for the following:

- (a) Department supervisors should respond to all complaints in a courteous and professional manner.
- (b) A supervisor receiving a formal complaint involving allegations of a potentially serious nature shall ensure that the Captain, Deputy Fire Chief and Fire Chief are notified as soon as practicable.
- (c) A supervisor receiving or initiating any formal complaint shall ensure that a personnel complaint form has been completed as fully as possible. The original complaint form will then be directed to the Captain of the accused member, via the chain of command. The Captain will forward a copy of the complaint to the Deputy Fire Chief to take any appropriate action and/or assign the complaint for investigation. In circumstances where the integrity of the investigation could be jeopardized by reducing the complaint to writing or where the confidentiality of a complainant is at issue, a supervisor may orally report the matter to the Captain, Deputy Fire Chief or Fire Chief.
- (d) A supervisor investigating any complaint should:
 1. Make reasonable efforts to obtain names, addresses and telephone numbers of additional witnesses.
 2. When appropriate, provide immediate medical attention and take photographs of alleged injuries as well as accessible areas of non-injury.
- (e) When the nature of a personnel complaint relates to sexual, racial, ethnic or other forms of prohibited harassment or discrimination, the supervisor receiving the complaint shall promptly contact [the Deputy Fire Chief](#) ~~the~~ [Deputy Fire Chief](#) ~~will contact~~ Department of Human Resources, ~~the~~ ~~and~~ the Captain for direction regarding his/her role in addressing the complaint.
- (f) Supervisors who receive a citizen complaint that can be resolved immediately should do so. Follow-up contact with the person who made the complaint should be made within 24 hours of the Department receiving the complaint. If the matter is resolved

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and no further action is required, the supervisor will note the resolution on a complaint form and forward the form to the Captain.

- (g) Unresolved citizen complaints shall be forwarded to the Captain to determine whether to contact the person who made the complaint or assign the complaint for investigation.
- (h) The supervisor shall ensure that the procedural rights of the accused member are followed.
- (i) Within three days after assignment, the complainant should be informed of the investigator's name and the complaint number.
- (j) Interviews of the complainant should be conducted during reasonable hours.

1012.6.2 INVESTIGATION PROCEDURES

The following procedures should be followed with regard to any accused member subject to investigation by the Department who is covered by I.C. § 36-8-2.1-4; I.C. § 36-8-2.1-5; I.C. § 36-8-2.1-11):

- (a) Prior to any interview, the member should be informed of the nature of the investigation.
- (b) Interviews of accused members should be conducted during reasonable work hours of the member and, if the member is off-duty, the member shall be compensated if required.
- (c) No more than two interviewers should ask questions of an accused member to prevent confusion or misunderstanding.
 - 1. Questions should be specific and directly related to the performance of duties or fitness for service as a member.
- (d) All interviews shall be for a reasonable period or duration and the member's personal needs shall be accommodated.
- (e) No member shall be subjected to offensive or threatening language nor shall any promises, rewards, or other inducements be used to obtain answers. Any member refusing to answer questions directly related to the investigation may be ordered to answer questions and subject to discipline for failing to do so. Nothing administratively ordered may be provided to a criminal investigator.
- (f) The interviewer should record all interviews of members and witnesses. The member may also record the interview. If the member has been previously interviewed, a copy of that recorded interview should be provided to the member prior to any subsequent interview.
 - 1. Upon request, the member should be provided with a written transcript of the recorded interview, at no cost.
- (g) A member subjected to interviews that could result in punitive action or that address fitness for fire service shall have the right to have a representative of his/her choosing during any interrogation. However, in order to maintain the integrity of each individual member's statement, involved members shall not consult or meet with representatives or attorneys collectively or in groups prior to being interviewed.

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1. Unrepresented members shall be provided with reasonable time to obtain representation.
- (h) All members shall provide complete and truthful responses to questions posed during interviews.
- (i) No member may be compelled to submit to a polygraph examination, nor shall any refusal to submit to such examination be mentioned in any investigation.
- (j) Interviews should be conducted at the department or other reasonable and appropriate place.
- (k) The member should be informed of who will be in charge of the investigation, the identity of the interviewers, and any other person who will be present during the interview.
- (l) A statement of rights should be signed by the member and the interviewer.
- (m) A copy of the complaint, in a non-criminal case, should be provided to the member.
- (n) Members shall be informed of their rights regarding self-incrimination and immunity.
- (o) No member shall be required to disclose information about the possession of property, income, debts, or personal expenditures unless the information is obtained through legal process or indicates a conflict of interest that affects the member's official performance of duties (I.C. 36-8-2.1-11).
- (p) Notice should be provided to members before the effective date of an adverse action as provided in I.C. § 36-8-2.1-9.

1012.6.3 INVESTIGATION FORMAT

Investigations of complaints should be timely, detailed, complete and follow this format:

Introduction - Include the identity of the member, the identity of the assigned investigators, the initial date and source of the complaint.

Synopsis - Provide a very brief summary of the facts giving rise to the investigation.

Summary of allegations - List the allegations separately, including applicable policy sections, with a very brief summary of the evidence relevant to each allegation.

Evidence as to each allegation - Each allegation should be set forth with the details of the evidence applicable to each allegation and include comprehensive summaries of member and witness statements. Other evidence related to each allegation should also be detailed in this section.

Conclusion - A recommendation regarding further action or disposition should be provided.

Exhibits - A separate list of exhibits (e.g., recordings, photos, documents) should be attached to the report.

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1012.6.4 ADMINISTRATIVE LEAVE

When a complaint of misconduct is of a serious nature, or when circumstances dictate that allowing the accused to continue to work would adversely affect the mission of the Department, the Fire Chief or the authorized designee may temporarily assign an accused employee to administrative leave. The Fire Chief or the authorized designee shall notify the Department of Human Resources in writing of the employee's administrative leave and the cause for the leave.

1012.7 POST-INVESTIGATION PROCEDURES

Upon completion, the report should be forwarded to the Fire Chief through the chain of command of the involved member. Each level of command should review and include their comments in writing before forwarding the report. The Fire Chief may accept or modify the classification and recommendation for disciplinary action contained in the report.

1012.7.1 DEPUTY FIRE CHIEF RESPONSIBILITIES

Upon receipt of any completed personnel investigation, the Deputy Fire Chief of the involved member shall review the entire investigative file, the member's personnel file and any other relevant materials.

The Deputy Fire Chief may make recommendations regarding the disposition of any allegations and the amount of discipline, if any, to be imposed.

Prior to forwarding recommendations to the Fire Chief, the Deputy Fire Chief may return the entire investigation to the assigned investigator or supervisor for further investigation or action.

When forwarding any written recommendation to the Fire Chief, the Deputy Fire Chief shall include all relevant materials supporting the recommendation. Actual copies of a member's existing personnel file need not be provided and may be incorporated by reference.

1012.7.2 RESPONSIBILITIES OF THE FIRE CHIEF

Upon receipt of any written recommendation for disciplinary action, the Fire Chief shall review the recommendation and all accompanying materials. The Fire Chief may modify any recommendation and/or may return the file to the Deputy Fire Chief for further investigation or action.

Once the Fire Chief is satisfied that no further investigation or action is required by staff, the Fire Chief shall determine the amount of discipline, if any, to be imposed. In the event that disciplinary action is proposed, the Fire Chief shall provide the member with written notice and the following:

- (a) Access to all of the materials considered by the Fire Chief in recommending the proposed discipline.
- (b) An opportunity to respond orally or in writing to the Fire Chief within five days of receiving the notice.
 1. Upon a showing of good cause by the member, the Fire Chief may grant a reasonable extension of time for the member to respond.

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2. If the member elects to respond orally, the presentation shall be recorded by the Department. Upon request, the member shall be provided with a copy of the recording.

Once the member has completed his/her response, or if the member has elected to waive any such response, the Fire Chief shall consider all information received in regard to the recommended discipline. The Fire Chief shall thereafter render a timely written decision to the member and specify the grounds and reasons for discipline and the effective date of the discipline. Once the Fire Chief has issued a written decision, the discipline shall become effective.

1012.8 PRE-DISCIPLINE MEMBER RESPONSE

The pre-discipline process is intended to provide the accused member with an opportunity to present a written or oral response to the Fire Chief after having had an opportunity to review the supporting materials and prior to imposition of any recommended discipline. The member shall consider the following:

- (a) This response is not intended to be an adversarial or formal hearing.
- (b) Although the member may be represented by an uninvolved representative or legal counsel, the response is not designed to accommodate the presentation of testimony or witnesses.
- (c) The member may suggest that further investigation could be conducted or the member may offer any additional information or mitigating factors for the Fire Chief to consider.
- (d) In the event that the Fire Chief elects to cause further investigation to be conducted, the member shall be provided with the results of such subsequent investigation prior to the imposition of any discipline.
- (e) The member may thereafter have the opportunity to further respond orally or in writing to the Fire Chief on the limited issues of information raised in any subsequent materials.

1012.8.1 REVIEW AND HEARING

In the event that a member is reprimanded in writing or suspended for a period of five days or fewer, the Fire Chief shall notify the applicable merit commission in writing within 48 hours of the action and the reasons for the action. Unless the member timely seeks review, the proposed discipline becomes final (I.C. § 36-8-3.5-19).

If the member is dismissed, demoted or suspended for more than five days, the member may request a hearing as provided in I.C. § 36-8-3.5-17.

1012.8.2 RIGHTS OF FIREFIGHTERS

A firefighter has the right to be represented in any meeting when the Fire Chief notifies the firefighter of his/her termination or demotion with cause or is recommending to the safety board the firefighter's termination or demotion with cause. The firefighter has the right to be represented by either or both of the following (I.C. § 36-8-2.2-4; I.C. § 36-8-2.2-5; I.C. § 36-8-3-3.5):

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- (a) Legal counsel
- (b) Labor organization representative or other representative

A meeting may not proceed until the firefighter is provided at least 72 hours to obtain the representation (I.C. § 36-8-2.2-6; I.C. § 36-8-3-3.5).

1012.9 RESIGNATIONS/RETIREMENTS PRIOR TO DISCIPLINE

In the event that a member tenders a written retirement or resignation prior to the imposition of discipline, it shall be noted in the file. The tender of a retirement or resignation by itself shall not serve as grounds for the termination of any pending investigation or discipline.

1012.10 POST-DISCIPLINE APPEAL RIGHTS

In the event that the merit commission decides to dismiss, demote or suspend a member for a period exceeding 10 days, the member may appeal to the circuit or superior court of the county in which the unit is located as provided in I.C. § 36-8-3.5-18.

1012.11 AT-WILL AND PROBATIONARY MEMBERS

At-will and probationary members may be disciplined and/or released from employment without adherence to any of the procedures set out in this policy and without notice or any cause at any time. These members are not entitled to any rights under this policy.

Outside Employment

1013.1 PURPOSE

The purpose of this policy is to establish guidelines to be followed by any Martinsville Fire Department members considering outside employment.

1013.2 POLICY

It is the policy of the Martinsville Fire Department to allow members to engage in employment other than with the Department if the Fire Chief determines that such outside employment is not in conflict with his/her duties and the duties, functions and responsibilities of the Department.

Members shall not represent the Department while performing employment outside the Department.

1013.3 PROCEDURE

No member shall be employed or self-employed in any manner outside of City employment without prior written authorization from the Fire Chief.

Any member requesting authorization for outside employment must submit the request in writing and provide sufficient detail to enable the Fire Chief to determine whether to approve the request. At a minimum the request should include the number of hours, types of duties and the physical demands of the proposed employment.

1013.4 PROHIBITED OUTSIDE EMPLOYMENT

The Fire Chief, at his/her discretion, may deny any outside employment request submitted by a member seeking to engage in any activity that:

- (a) Involves the member's use of department time, facilities, equipment or supplies, or the use of the department badge, uniform, prestige or influence for private gain or advantage.
- (b) Involves the member's receipt or acceptance of any money or other consideration from anyone other than this department for the performance of an act which the member, if not performing such act, would be required or expected to render in the regular course of employment or as a part of the member's duties as a member of this department.
- (c) Involves the performance of an act in other than the member's capacity as a member of this department that may later be subject directly or indirectly to the control, inspection, review, audit or enforcement of any other member of this department.
- (d) Involves time demands that would render performance of the member's duties for the Department less efficient.
- (e) Involves time demands that would affect the member's regular work shift or ability to respond to emergencies or mandated overtime.
- (f) Involves employment with an individual or organization that does business with the Department.

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- (g) Would otherwise compromise the ability of the Department to conduct its business in an efficient manner.
- (h) Would give the appearance of impropriety or otherwise appear inconsistent, incompatible or in conflict with the member's employment with the Department.

1013.5 WITHDRAWAL OF APPROVAL FOR OUTSIDE EMPLOYMENT

The following circumstances may affect existing approval of outside employment:

- (a) Should a member's performance at the Department decline to a point where it is evaluated by a supervisor as needing improvement to reach an overall level of competency, the Fire Chief may, at his/her discretion, withdraw approval for any outside employment.
- (b) Withdrawal of approval of outside employment may be included as a term or condition of sustained discipline.
- (c) If, at any time, a member's conduct or outside employment conflicts with the provisions of department policy, the approval for outside employment may be withdrawn.
- (d) When a member is unable to perform at a full-duty capacity due to an injury or other condition, approval of outside employment may be withdrawn until the member has returned to full-duty status for any of the following reasons:
 1. The outside employment is medically detrimental to the total recovery of the disabled member, as indicated by the department's medical advisers.
 2. The outside employment performed requires the same or similar physical ability as would be required of an on-duty member.
 3. The member fails to make timely notice of his/her intention to continue outside employment to his/her supervisor.

1013.6 APPEALS

If a member's outside employment request is denied or withdrawn, the member should be informed of the action and reason in writing.

The member may file a written notice of appeal to the Fire Chief within 10 days of the date of the written denial or withdrawal.

~~If the member's appeal is denied, the member may file a grievance pursuant to the procedure set forth in the current collective bargaining agreement.~~

1013.7 CHANGES IN OUTSIDE EMPLOYMENT STATUS

If a member terminates his/her outside employment, the member should promptly submit written notification of such termination to the Fire Chief. Any subsequent request for renewal or continued outside employment should be processed and approved through normal procedures set forth in this policy.

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Members should also promptly submit in writing to the Fire Chief any material changes in outside employment, including any change in the number of hours, types of duties or demands of any approved outside employment. Members who are uncertain whether a change in outside employment is material should report the change.

Department members who are engaged in outside employment while on full duty and are placed on disability leave or temporary modified duty due to illness or injury should inform their immediate supervisor in writing as soon as practicable regarding whether they intend to continue to engage in outside employment while on leave or modified-duty status.

1013.8 PROHIBITED USE OF DEPARTMENT RESOURCES

Members are prohibited from using any department equipment or resources in the course of or for the benefit of any outside employment. This includes access to official records or databases of this department or other agencies through the member's position with this department.

Personal Projects On-Duty

1014.1 PURPOSE AND SCOPE

The purpose of this policy is to establish the specific conditions in which privileges may be granted to conduct some personal projects while on-duty.

1014.2 POLICY

It is the policy of the Martinsville Fire Department to consider granting privileges to members to conduct personal projects while on-duty in some circumstances. Firefighters assigned to a fire station may experience downtime during their shift and have an opportunity to engage in some personal projects. When this opportunity arises, permission may be granted, subject to the following conditions:

- (a) Personal projects shall not interfere with emergency response demands.
- (b) Personal projects shall not interfere with other assigned station duties.
- (c) At their discretion, the Lieutenant or Captain may deny or revoke permission for a personal project while on-duty.
- (d) Department equipment or resources shall not be used for personal projects.
- (e) Office supplies and office equipment (e.g., copiers, fax machines) shall not be used for personal projects.
- (f) All department policies must be followed while engaged in the personal project.

1014.3 PROHIBITED PERSONAL PROJECTS

For the purposes of this policy, the following personal projects are prohibited:

- (a) Any project for which someone other than the Department is compensating the member.
- (b) ~~Any project that has no association to the -and/or the fire service-~~
- (c) ~~Any project that has no personal, career-related or promotional value-~~
- (d) Any project that has the potential to cause injury or illness to anyone, or the potential to create risk or liability for the Department.

Personnel Records

1015.1 PURPOSE AND SCOPE

The purpose of this policy is to establish the maintenance of, retention of and access to personnel files in accordance with established law.

1015.1.1 PERSONNEL RECORDS DEFINED

Personnel records shall include any record maintained under an individual member's name relating to:

- (a) Personal data, including marital status, family members, educational and employment history or similar information.
- (b) Medical history, including medical leave-of-absence forms, fitness-for-duty examinations, worker's compensation records, medical releases and all other records that reveal a member's past, current or future medical conditions.
- (c) Election of employee benefits.
- (d) Member advancement, appraisal or discipline.
- (e) Complaints or investigations of complaints concerning an event or transaction in which the member participated that pertain to the manner in which the member performed official duties.
- (f) Any information that if disclosed would constitute an unwarranted invasion of personal privacy.

1015.1.2 EMPLOYEE RECORD LOCATIONS

Personnel records will generally be maintained in one of the following files:

Department file - Any file maintained in the office of the Department or the Department of Human Resources as a permanent record of a member's employment with the Department.

Division file - Any file maintained internally by a member's supervisor in an assigned division for the purpose of collecting information to prepare performance evaluations.

Supervisor log entries - Any written comment, excluding actual performance evaluations, made by a supervisor, concerning the performance or conduct of a member of the Department.

Training file - Any file containing the training records of a member.

Investigations file - Any file containing written comments regarding harassment or discrimination claims, misconduct claims, background investigations or reference check responses.

Medical file - Any separately maintained file that exclusively contains material relating to a member's medical history.

1015.2 POLICY

It is the policy of the Department to maintain personnel records and preserve the confidentiality of personnel records pursuant to the Constitution and the laws of Indiana.

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1015.3 REQUESTS FOR DISCLOSURE

All records kept by Indiana public agencies are considered public unless they are covered by specific disclosure statutes (I.C. § 5-14-3-1 et seq.).

Any member receiving a request for a personnel record shall promptly notify the Custodian of Records.

Upon receipt of a request for disclosure of personnel records, the member's supervisor shall be notified and shall be responsible for notifying the affected member as soon as practicable that such a request has been made.

The Custodian of Records shall ensure that an appropriate response to the request is made in a timely manner, in accordance with applicable law. In many cases, this may require assistance of the department's legal counsel.

All requests for the disclosure of personnel records that result in access to a member's file shall be logged in the corresponding file.

Nothing in this section is intended to preclude review of personnel files by the Mayor, City Attorney or attorneys or representatives of the City in connection with official business.

1015.4 RELEASE OF PERSONNEL INFORMATION

1015.4.1 PUBLIC AGENCIES

All records kept by Indiana public agencies are considered public unless they are covered by specific disclosure statutes (I.C. § 5-14-3-1 et seq.).

Except as provided by this policy or pursuant to lawful process, no information contained in any personnel file shall be disclosed to any unauthorized person without the express prior consent of the involved member or the written authorization of the Fire Chief or the authorized designee.

The Department may release any factual information concerning disciplinary action (I.C. § 5-14-3-4(b)(8)):

- (a) Relating to the status of any formal charges against the member.
- (b) In which the final action has been taken and that resulted in the member being suspended, demoted or discharged.

1015.4.2 RELEASE OF PERSONNEL INFORMATION VOLUNTEER FIRE DEPARTMENTS

Except as provided by this policy or pursuant to lawful process, no information contained in any confidential personnel file shall be disclosed to any unauthorized person without the express prior consent of the involved member or the written authorization of the Fire Chief or the authorized designee.

The Department may release any factual information concerning disciplinary action (I.C. § 36-8-12-18):

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- (a) Relating to the status of any formal charges against the member.
- (b) In which the final action has been taken and that resulted in the member being suspended, demoted or discharged.

1015.5 MEMBER ACCESS TO OWN FILE

1015.5.1 PUBLIC AGENCIES

Any member or their representative may request access to his/her own personnel file during the normal business hours of the individual responsible for maintaining such files (I.C. § 5-14-3-4(b) (8)).

Any member seeking the removal of any item from his/her personnel file shall submit a written request to the Fire Chief via the chain of command. The Department shall thereafter remove any such item, if appropriate, or as soon as practicable provide the member with a written explanation why the contested item will not be removed.

The request and the department's written response shall be retained, with the contested item, in the personnel file. Nothing herein shall require the removal of any item from the file.

Members may be restricted from accessing files containing any of the following information:

- Ongoing investigations, to the extent the Department, in its sole discretion, determines that disclosure could jeopardize or compromise the investigation, pending final disposition or notice to the member of the intent to discipline.
- Confidential portions of an investigation which have not been sustained against the member.

1015.5.2 MEMBER ACCESS TO OWN FILE [VOLUNTEER FIRE DEPARTMENTS

Any member or their representative may request access to his/her own personnel file during the normal business hours of the individual responsible for maintaining such files (I.C. § 36-8-12-18).

Any member seeking the removal of any item from his/her personnel file shall submit a written request to the [agencyHead] via the chain of command. The [Department_Agency] shall thereafter remove any such item, if appropriate, or as soon as practicable provide the member with a written explanation why the contested item will not be removed.

The request and the [department_agency]'s written response shall be retained, with the contested item, in the personnel file. Nothing herein shall require the removal of any item from the file.

Members may be restricted from accessing files containing any of the following information:

- Ongoing investigations, to the extent the [Department_Agency], in its sole discretion, determines that disclosure could jeopardize or compromise the investigation, pending final disposition or notice to the member of the intent to discipline.
- Confidential portions of an investigation which have not been sustained against the member.

Commendations and Meritorious Service

1016.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for reporting and collecting reports of exceptional public service and for the evaluation and process for department awards.

1016.2 POLICY

It is the goal of the Martinsville Fire Department to recognize members through an awards system for exceptional performance.

1016.3 PROCEDURES

Community and department members may report acts of exceptional public service through any department supervisor.

1016.3.1 TYPES OF AWARDS

The types of awards offered by the Martinsville Fire Department include:

- (a) Letter of Appreciation from a citizen or coworker
- (b) Letter of Appreciation from the Fire Chief
- (c) Company Citation
- (d) Commendation
- (e) Meritorious Service Award
- (f) Life-Saving Award

1016.3.2 SUBMITTING AWARD NOMINATIONS

Any member may report, in writing, to any supervisor, the exemplary performance of another member.

Any member of the public may submit a nomination by completing an award nomination form, available at all fire stations during normal business hours, and submitting it to the Administration Division.

1016.3.3 AWARD CRITERIA, APPROVAL AND PRESENTATION

The Fire Chief should appoint a review committee to review each report of exemplary performance or award nomination. Each report and nomination should be reviewed for merit and further investigated, if necessary, for additional factual details. In determining factual details, resources that may be used include, but are not limited to, copies of audio or video recordings, copies of incidents, or interviews with additional members or witnesses.

Each report and nomination should be evaluated on its own merit, with the following criteria as a guideline:

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- (a) If a report or nomination is determined to be for individual performance expected during the normal course of a member's assigned job duties, the review committee may elect to present the member with a copy of the report and nomination and place a copy in the member's personnel file. A Captain should approve this presentation. A supervisor should present the letter to the member in the presence of the company or station members.
- (b) If a nomination is determined to be for individual performance beyond what is expected during the normal course of a member's assigned job duties, the review committee may choose to have a Letter of Appreciation drafted to the member, for the Fire Chief's signature, detailing the specifics of the incident and how the member excelled. A Captain should approve this award before sending the letter to the Fire Chief for signature. The Captain should present the Letter of Appreciation to the member in the presence of the company or station members.
- (c) If an award nomination is determined to be for team performance beyond what is expected during the normal course of a company's assigned job duties, the review committee may elect to have a Company Citation drafted to the company, for the Fire Chief's signature, detailing the specifics of the incident and how the company excelled. A Captain should approve this award before sending the letter to the Fire Chief for signature and should present the letter to the company in the presence of other members of the battalion, if practicable.
- (d) If an award nomination is determined to be for individual or team performance well beyond what is expected during the normal course of assigned job duties, the review committee may elect to have a Commendation drafted for the Fire Chief's signature, detailing the specifics of the incident and how the individual or team excelled. The Fire Chief should approve this award. The Fire Chief should present this award, at his/her discretion, in a manner befitting the circumstances.
- (e) If an award nomination is determined to be for individual or team performance extraordinarily beyond what is expected during the normal course of assigned job duties, such as life-saving at significant risk of injury or death to the member, the review committee may elect to have a Meritorious Service Award or Life-Saving Award conferred by the Fire Chief. The Fire Chief should approve this award. This award should typically be conferred publicly, at the discretion and direction of the Fire Chief.

1016.4 REVIEW DISPOSITIONS

The review committee should review award reports and nominations at least quarterly. Each nomination should be given a disposition of:

- (a) Copy of nomination placed in the member's file
- (b) Letter of Appreciation, approved/disapproved
- (c) Company Citation, approved/disapproved

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- (d) Commendation, approved/disapproved
- (e) Meritorious Service Award, approved/disapproved
- (f) Life-Saving Award, approved/disapproved

Awards

1017.1 PURPOSE AND SCOPE

This policy is designed to give the Martinsville Fire Department a procedure to fairly recognize and reward those individual(s) who act heroically and perform exemplary service to the community or consistently perform in an exemplary manner.

1017.2 POLICY

The Martinsville Fire Department is committed to acknowledge the valor, honor, service, and dedication as exemplified by its members. The establishment of an internal awards structure will create an environment where recognition, respect, and praise are sought and encouraged by contributing to the culture of excellence.

1017.3 AWARDS AND CRITERIA

HEROISM

- A Firefighter's heroism shall be considered for any departmental award where they attempt to save or save a person's life under extraordinary conditions, such as rescuing a person from harm or by quick actions taken during a medical emergency. Firefighters who perform such act will be eligible for an award nomination by anyone in the Department so long as their actions fall within the scope of their training, operational guidelines, and safety practices.

EXEMPLARY SERVICE

- Awards for exemplary service may result from an individual's outstanding efforts in a job-related activity that is not related to emergency response. The outstanding effort may be in area of administration, fire prevention, hazardous materials, safety, and training. In general, the Department presents the following awards at the Annual Awards Ceremony.

1017.3.1 MEDAL OF VALOR

PURPOSE: Awarded to a firefighter who has conspicuously performs and act of gallantry and valor involving extreme personal risk while attempting to rescue. The deed performed shall have been one above and beyond the call of duty with self-sacrifice so conspicuous as clearly distinguish the individual's act.

SCOPE: To recognize individuals for performance above and beyond the call of duty and actions completed at extreme personal risk to individuals in the Fire Service at Martinsville Fire Department.

CRITERIA: Selection is made annually by a committee to recognize the individual Firefighter(s) who have demonstrated expertise and exceptional performance in the Fire Service, for and on behalf of Martinsville Fire Department. This committee will review recommendations/ nominations submitted by any personnel or suggested from within the committee. This award will be presented at the Annual Awards Ceremony.

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ELIGIBILITY: Any Merit employee, Part-time employee currently with Martinsville Fire Department that has died in the line of duty.

1017.3.2 MEDAL OF HONOR

PURPOSE: This award is given posthumously to recognize personnel based on exemplary performance while courageously risking his/her own life. Making the ultimate sacrifice in the line of duty while confronting a dangerous situation on the basis of attempting to save a human life.

SCOPE: To recognize personnel who have made the ultimate sacrifice in the line of duty at Martinsville Fire Department.

CRITERIA: Selection is made annually by a committee to recognize the individual Firefighter(s) who have demonstrated expertise, and exceptional performance in the Fire Service, for and on behalf of Martinsville Fire Department. The committee will review recommendations/ nominations submitted by any personnel or suggested from within the committee. This award will be presented at the Annual Awards Ceremony.

ELIGIBILITY: Any Merit employee, Part-time Employee with Martinsville Fire Department that has died in the line of duty.

1017.3.3 MEDAL OF MERIT

PURPOSE: To recognize personnel who have shown excellence, initiative, and capability on a continued basis illustrating outstanding performance service far beyond the normal requirements of fire department duty.

SCOPE: To recognize expertise and performance by individuals in the Fire Service at Martinsville Fire Department.

CRITERIA: Selection is made annually by a committee to recognize the individual Firefighter(s) who have demonstrated expertise, and exceptional performance in the Fire Service, for and on behalf of Martinsville Fire Department. The committee will review recommendations/ nominations submitted by any personnel or suggested from within the committee. This award will be presented at the Annual Awards Ceremony.

ELIGIBILITY: Any Merit employee, Part-time employee with Martinsville Fire Department that has died in the line of duty.

1017.3.4 FIRE CHIEF'S COMMENDATION

PURPOSE: To recognize individual(s) who have demonstrated dedication and exceptional commitment in supporting and accomplishing the Mission of Martinsville Fire Department.

SCOPE: To select and show the Department's appreciation to members of the Department whose contributions have made an unmeasurable value to the Department in the last year.

CRITERIA: Selection is made annually by the Chief of the Department. This award(s) will be presented at the Annual Awards Ceremony.

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ELIGIBILITY: Any person in the community who has made a significant contribution to Martinsville Fire Department.

1017.3.5 LEADERSHIP COMMENDATIONS

PURPOSE: To recognize those persons(s) who provide a strong, positive leadership role within the department and exemplify themselves through their actions on and off the fireground.

SCOPE: To show the appreciation of the Department to those individuals leading or exemplifying a leadership role within Martinsville Fire Department.

CRITERIA: Selection is made annually by a committee to recognize the individual(s) who has demonstrated exceptional leadership within the Department. This award is presented at the Annual Awards Ceremony.

ELIGIBILITY: Any Merit employee, Part-time employee with Martinsville Fire Department.

1017.3.6 UNIT COMMENDATIONS

PURPOSE: To recognize Martinsville Firefighter's, who belonging to a single unit acting as one to accomplish a task in meritorious manner. Units who have shown dedication and exceptional performance at a specific incident that illustrates their knowledge, skill, and/or desire in the Fire Service.

SCOPE: To recognize expertise and performance by individuals in the Fire Service at Martinsville Fire Department.

CRITERIA: Selection is made annually by a committee to recognize the individual Firefighter(s) who have demonstrated expertise, and exceptional performance in the Fire Service, for and on behalf of Martinsville Fire Department. The committee will review recommendations/nominations submitted by any personnel or suggested from within the committee. This award will be presented at the Annual Awards Ceremony.

ELIGIBILITY: Any Merit employee, Part-time employee currently, certified Firefighter/EMT by the State of Indiana with Martinsville Fire Department.

1017.3.7 FIREFIGHTER OF THE YEAR

PUPROSE: To recognize an individual Firefighter who has shown dedication, exceptional performance at specific incident, or on a continued basis that illustrates their knowledge, skill, and/or desire to excel in the Fire Service.

SCOPE: To recognize expertise and performance by individual Firefighter with Martinsville Fire Department.

CRITERIA: Selection is made annually by a committee to recognize the individual Firefighter, who has demonstrated expertise, and exceptional performance in the Fire Service, for and on behalf of Martinsville Fire Department. The committee will review recommendations/nominations submitted by any personnel or suggested from within the committee. The selection committee will confer closely with the Department's Staff. This award will be presented at the Annual Awards Ceremony.

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ELIGIBILITY: Any Merit employee, Part-time employee currently certified by the State of Indiana as a Firefighter with Martinsville Fire Department.

1017.3.8 EMT OF THE YEAR

PURPOSE: To recognize an individual Emergency Medical Technician who has shown dedication, exceptional performance at a specific incident, or on a continued basis that illustrates their knowledge, skill, and/or desire to excel in the Fire Service.

SCOPE: To recognize expertise and performance by an individual Emergency Medical Technician in Martinsville Fire Department.

CRITERIA: Selection is made annually by a committee to recognize the individual Emergency Medical Technician, who has demonstrated expertise, and exceptional performance in the field of EMS, for and on behalf of Martinsville Fire Department. The committee will review recommendations/nominations submitted by any personnel or suggested from within the committee. The selection committee will confer closely with the Department's Staff. This award will be presented at the Annual Awards Ceremony.

ELIGIBILITY: Any Merit employee, Part-time Employee currently certified by the State of Indiana as an EMT with Martinsville Fire Department.

1017.3.9 CITIZENSHIP COMMENDATION

PURPOSE: To show the Department's appreciation to those individuals who have demonstrated through their actions or service to the community in a manner that positively affects the safety and/or well-being of the community.

SCOPE: To select and show the Department's appreciation to persons who have assisted the community in the last year.

CRITERIA: Selection is made as needed by the Chief of the Department. The award or awards will be presented or if previously given, then recognized at the Annual Awards Ceremony.

ELIGIBILITY: Any person in the community whose actions made a positive impact to the Community as determined by Martinsville Fire Department.

1017.3.10 SPECIAL RECOGNITION COMMENDATION

(Given by an outside agency, i.e.: American Red Cross)

PURPOSE: Recognition of Martinsville Firefighter(s) from an outside agency. Firefighter(s) who perform in a meritorious manner on a specific incident.

SCOPE: To recognize expertise and performance by individuals in the Fire Service and/or EMS at Martinsville Fire Department.

CRITERIA: Selection is made by an outside agency not affiliated with Martinsville Fire Department.

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ELIGIBILITY: Any Merit employee, Part-time employee currently certified Firefighter/EMT by the state of Indiana with Martinsville Fire Department.

1017.3.11 YEARS OF SERVICE RECOGNITION

PURPOSE: Awarded to those Firefighters in acknowledgement of their long and faithful fire service.

SCOPE: To show the Departments Appreciation for the years of faithful service to the department. This award is presented to an individual for every 5 years of service with Martinsville Fire Department.

CRITERIA: Selection is made annually by a committee to recognize the Firefighter's who have demonstrated faithfulness in service for and on behalf of Martinsville Fire Department. The Committee will review recommendations/nominations submitted by any personnel or suggested from within the committee. This award will be presented at the Annual Awards Ceremony.

ELIGIBILITY: Any Merit employee, Part-time employee with Martinsville Fire Department.

1017.4 NOMINATIONS PROCEDURE

Any employee of the Department may nominate a Firefighter or any other member of the Department for recommendation or award. Nominations may be made by E-mail or Letter to the Awards Committee. The nomination should include a narrative explaining why the nominated individual(s) is worthy of recognition. If the nomination is for a specific incident rather than overall excellence of performance, the nomination should also include a copy of the run report or any pertinent documentation. At least the date, time, and address of the incident shall be included.

1017.5 AWARDS COMMITTEE APPOINTMENT

The Fire Chief of the Department will appoint the Awards Committee. The Awards committee will have one member from each of the following positions: Deputy Chief, Captain, Lieutenant, Firefighter, and a Local 4214 representative.

Grievance Procedure

1018.1 PURPOSE AND SCOPE

This policy establishes processes for resolving disputes or concerns regarding conditions of employment, unethical or wasteful conduct or other inappropriate conduct.

This policy does not apply to complaints related to alleged acts of discrimination or harassment or complaints of discrimination on the basis of other protected categories subject to the Discriminatory Harassment Policy. This policy also does not apply to complaints consisting of any alleged misconduct or improper job performance by any member that, if true, would constitute a violation of federal, state or local law, or a violation of department policy or the standards established in the Personnel Complaints Policy.

This policy does not prohibit adverse administrative action taken for legitimate nondiscriminatory or non-retaliatory reasons, including for-cause discipline.

The procedures set forth herein are intended to supplement and not limit a member's access to other applicable remedies. Nothing in this policy shall diminish the rights or remedies of a member pursuant to any applicable federal law, provision of the U.S. Constitution, state law, [or local ordinance](#) ~~or collective bargaining agreement~~.

1018.1.1 GRIEVANCE DEFINED

A grievance is any difference of opinion concerning terms or conditions of employment or a dispute involving the interpretation or application of any of the following documents:

- ~~A collective bargaining agreement~~
- This Policy Manual
- Rules and regulations covering personnel practices or working conditions of members

A grievance includes any claim of waste, abuse of authority or gross mismanagement, and any practice within the Department that may pose a threat to health, safety or security.

Grievances may be brought by an individual member or by a group representative.

1018.2 POLICY

It is the policy of this department that all grievances be handled quickly and fairly without retaliation against a member who files a grievance, whether or not there is a basis for the grievance. It is the philosophy of this department to promote free verbal communication between members and supervisors.

1018.3 RETALIATION PROHIBITED

No member may retaliate against any person for reporting or making a complaint under this policy or for opposing a practice believed to be improper, unethical, wasteful or retaliatory or participating in any investigation pursuant to this policy or any other policy in this Policy Manual (see the Anti-Retaliation Policy).

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Employees found to be in violation of this policy are subject to discipline. Supervisors who condone or ignore violations of this policy or otherwise fail to take appropriate action to enforce this policy are also subject to discipline.

1018.4 PROCEDURE

~~Except as otherwise required under a collective bargaining agreement,~~ g Grievances as defined above should be resolved using the following procedure.

1018.4.1 COMMUNICATING GRIEVANCES

Members are encouraged to communicate with supervisory personnel regarding any workplace problem or issue they feel needs immediate attention. Generally, any concern about a workplace situation should be first raised with the member's immediate supervisor unless that supervisor is part of the member's concern. It is recognized, however, that there may be occasions where the use of the normal chain of command may not be appropriate.

Any member who feels threatened in any manner or is otherwise concerned about reporting to his/her immediate supervisor may report this information directly to the Fire Chief or Department of Human Resources without first reporting the information to their immediate supervisor or following the chain of command.

This alternate process shall not be used to circumvent or avoid addressing issues through the normal chain of command.

1018.4.2 GRIEVANCE RECEIPT

Upon receipt of an oral or written grievance, the receiving supervisor will promptly document the grievance, initiate the investigative process and ensure that the appropriate supervisor and the Department of Human Resources are notified.

Investigations are generally more effective when the identity of the grieving member is known, thereby allowing investigators to obtain additional information from the reporting member. However, a grievance may be made anonymously.

All reasonable efforts should be made to protect the reporting member's identity. However, confidential information may be disclosed to the extent required by law or to the degree necessary to conduct an adequate investigation and make a determination regarding a grievance. In some situations, the investigative process may not be complete unless the source of the information and a statement by the member is produced as part of the process.

The supervisor receiving the grievance should explain to the grieving member how the matter will be handled.

1018.4.3 RESOLVING GRIEVANCES

- (a) Supervisors receiving grievances should attempt to resolve the issue through informal discussion with the member.

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- (b) If after a reasonable amount of time, generally seven days, the grievance cannot be settled by the immediate supervisor, the member may request a meeting with the Captain.
- (c) If a successful resolution is not found with the Captain, the member may request a meeting with the Fire Chief.
- (d) If the member and the Fire Chief are unable to arrive at a mutual solution, then the member shall proceed as follows:
 - 1. Submit a written statement of the grievance and deliver one copy to the Fire Chief and another copy to the immediate supervisor and include the following information:
 - (a) The basis for the grievance
 - (b) What remedy or goal is being sought by this grievance
- (e) The Fire Chief will receive the written grievance. The Fire Chief and the City executive will review and analyze the facts or allegations and respond to the member within 14 calendar days. The response shall identify any corrective measures or other remedies as appropriate. The decision of the City executive is considered final.

1018.5 RESPONSIBILITIES

1018.5.1 MEMBER RESPONSIBILITIES

This policy is intended to support efforts to identify and remediate workplace issues appropriately. Members are encouraged to identify workplace issues to bring about positive change in the Department. Members shall act in good faith and not file trivial grievances or grievances intended to harass or deflect scrutiny or blame to another member.

Members shall make reasonable efforts to verify facts before making a grievance. Members shall not report or threaten to report information or a grievance knowing it to be false, with willful or reckless regard for the truth or falsity of the information or otherwise made in bad faith.

When making a grievance, members should provide as much information as possible and should cooperate fully with all investigations. Members shall maintain the confidentiality of any statements made in conjunction with an active grievance pursuant to this policy. This provision is not intended to diminish a member's rights or remedies afforded by applicable federal law, [or](#) constitutional provision ~~or collective bargaining agreement~~.

Any employee who believes that he/she has been subjected to reprisal or retaliation should immediately report the matter to a supervisor in the member's chain of command or to the Department of Human Resources.

1018.5.2 SUPERVISOR RESPONSIBILITIES

Supervisors should make reasonable efforts to identify and remediate workplace issues and bring about positive change in the Department before issues escalate to the grievance level. Once a

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member has made the decision to file a grievance, supervisors shall not attempt to discourage the member, shall accept grievances and shall ensure that reasonable efforts are made to reach a prompt and fair resolution.

Supervisory personnel will:

- (a) Document all grievances received and all steps taken to resolve the issue.
- (b) Forward the documentation to the Administration Deputy Fire Chief through the chain of command.
- (c) Monitor the work environment to ensure that any member making a grievance is treated with respect and no differently than non-complaining employees.
- (d) Communicate to all members the obligation not to engage in retaliation and follow-up periodically with the grieving member to ensure that retaliation is not occurring.

1018.5.3 COMMAND STAFF RESPONSIBILITIES

Command staff should ensure prompt resolution of all grievances, including the following:

- (a) Timely grievance recognition and acceptance
- (b) Appropriate documentation of the process and investigation
- (c) Remediation of any inappropriate conduct or condition and the implementation of measures to minimize the likelihood of reoccurrence
- (d) Timely communication of the outcome to the grieving member

1018.6 MEMBER REPRESENTATION

Members are entitled to have representation during the grievance process and may seek advice, counsel or the assistance of other employees or representatives in their presentation of a grievance.

1018.7 GRIEVANCE RECORDS

At the conclusion of the grievance process, all documents pertaining to the process shall be forwarded to the Administration Deputy Fire Chief.

1018.8 GRIEVANCE AUDITS

The Administration Deputy Fire Chief or the authorized designee should perform an annual audit of all grievances filed the previous calendar year to evaluate whether any policy, procedure or training changes may be appropriate. The Administration Deputy Fire Chief shall record these findings in a confidential memorandum to the Fire Chief without including any identifying information from any individual grievance.

Wellness Program

1019.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance on establishing and maintaining a proactive wellness program for department members.

The wellness program is intended to be a holistic approach to a member's well-being and encompasses aspects such as mental health and overall wellness.

Additional information on member wellness is provided in the:

- Critical Incident Stress Debriefing Policy.
- Chaplains Policy.
- Drug- and Alcohol-Free Workplace Policy.
- Physical Fitness Policy.

1019.1.1 DEFINITIONS

Definitions related to this policy include (I.C. § 36-8-2.5-1):

Communications – Oral or written statements, notes, records, recordings, reports, or documents made during or arising from a member's receipt of critical incident stress management (CISM) services or peer support team services.

Peer support services – Services provided by a member who works for the same agency as the recipient of such services acting as a peer support services team member within the agencies peer support guidelines. Services may include active listening, assessment, mentoring, crisis intervention, or other support services provided to a member experiencing personal or professional difficulties that may or may not result in their exposure to critical incidents.

Peer support services team member – A member who successfully completed peer support training and is designated as a peer support team member by the agency ~~or the members'~~ **bargaining unit president**.

1019.2 POLICY

It is the policy of the Martinsville Fire Department to prioritize member wellness to foster fitness for duty and support a healthy quality of life for department members. The Department will maintain a wellness program that supports its members with proactive wellness resources, critical incident response, and follow-up support.

1019.3 WELLNESS COORDINATOR

The Health and Safety Officer (HSO) is the designated department wellness coordinator. The coordinator should report directly to the Fire Chief or the authorized designee and should collaborate with advisers (e.g., Department of Human Resources, legal counsel, licensed

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psychotherapist, qualified health professional) as appropriate to fulfill the responsibilities of the position, including but not limited to:

- (a) Identifying wellness support providers (e.g., licensed psychotherapists, external peer support providers, physical therapists, dietitians, physical fitness trainers holding accredited certifications).
 - 1. As appropriate, selected providers should be trained and experienced in providing mental wellness support and counseling to public safety personnel.
 - 2. When practicable, the Department should not use the same licensed psychotherapist for both member wellness support and fitness-for-duty evaluations.
- (b) Developing management and operational procedures for department peer support team members, such as:
 - 1. Peer support team member selection and retention.
 - 2. Training and applicable certification requirements.
 - 3. Deployment.
 - 4. Managing potential conflicts between peer support members and those seeking service.
 - 5. Monitoring and mitigating peer support team member emotional fatigue (i.e., compassion fatigue) associated with providing peer support services.
 - 6. Using qualified peer support personnel from other public safety agencies or outside organizations for department peer support as appropriate.
- (c) Verifying members have reasonable access to peer support service or licensed psychotherapist support.
- (d) Facilitating the delivery of wellness information, training, and support through various methods appropriate for the situation (e.g., phone hotlines, electronic applications).
- (e) Verifying a confidential, appropriate, and timely Employee Assistance Program (EAP) is available for members. This also includes:
 - 1. Obtaining a written description of the program services.
 - 2. Providing for the methods to obtain program services.
 - 3. Providing referrals to the EAP for appropriate diagnosis, treatment, and follow-up resources.
 - 4. Obtaining written procedures and guidelines for referrals to, or mandatory participation in, the program.
 - 5. Obtaining training for supervisors in their role and responsibilities, and identification of member behaviors that would indicate the existence of member concerns, problems, or issues that could impact member job performance.
- (f) Making annual medical examinations available to members. Medical examination specifics should be established by a qualified health professional.

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- (g) Coordinating with qualified health care professionals to develop a fitness assessment questionnaire to be administered to members annually. The questionnaire should evaluate both immunization and disease screening as well as physical fitness and conditioning.
- (h) Establishing an annual immunization and disease screening schedule for members. Specific vaccinations and diseases should be identified by a qualified health care professional.
- (i) Maintaining familiarity with the guidelines published by the following and incorporating procedures and practices, as appropriate, into the department wellness program:
 - 1. International Association of Fire Fighters
 - 2. International Association of Fire Chiefs
 - 3. Fire Service Joint Labor Management Wellness-Fitness Initiative
 - 4. NFPA 1500, Standard on Fire Department Occupational Safety, Health, and Wellness Program
 - 5. National Fallen Firefighters Foundation Initiative 13
 - 6. NFPA 1582, Standard on Comprehensive Occupational Medical Program for Fire Departments

1019.4 DEPARTMENT PEER SUPPORT

1019.4.1 PEER SUPPORT TEAM MEMBER SELECTION CRITERIA

The selection of a department peer support team member will be at the discretion of the Fire Chief ~~or the member's bargaining unit president~~ (I.C. § 36-8-2.5-1). Selection should be based on the member's:

- Desire to be a peer support team member.
- Experience or tenure.
- Demonstrated ability as a positive role model.
- Ability to communicate and interact effectively.
- Evaluation by supervisors and any current peer support team members.
- Ability to maintain confidentiality.
- Ability to learn about the psycho-social process.

1019.4.2 PEER SUPPORT TEAM MEMBER RESPONSIBILITIES

The responsibilities of department peer support members include:

- (a) Providing pre- and post-critical incident support (see the Critical Incident Stress Debriefing Policy).
- (b) Presenting department members with periodic training on wellness topics including but not limited to:

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1. Stress management.
 2. Suicide prevention.
 3. How to access support resources.
- (c) Providing referrals to licensed psychotherapists and other resources, where appropriate.
1. Referrals should be made to department-designated resources in situations that are beyond the scope of the peer support member's training.

1019.4.3 PEER SUPPORT MEMBER TRAINING

A department_peer support team member should successfully complete department-approved peer support training prior to being assigned (I.C. § 36-8-2.5-1). Training should include initial training and continuing education in Critical Incident Stress Debriefing (CISD) principles and procedures.

1019.5 PEER SUPPORT COMMUNICATIONS

Communications between a member and peer support team members while the member is receiving peer support services, and the records of those communications, are generally confidential and may not be disclosed to a third party or in a criminal, civil, or administrative proceeding unless authorized by I.C. § 36-8-2.5-2. Communications are confidential and not considered a public record subject to disclosure (I.C. § 36-8-2.5-2).

For additional policy guidance regarding the confidentiality of communications with peer support team members during a CISD, see the Critical Incident Stress Debriefing Policy.

1019.6 WELLNESS PROGRAM AUDIT

At least annually, the coordinator or the authorized designee should audit the effectiveness of the department's wellness program and prepare a report summarizing the findings. The report shall not contain the names of members participating in the wellness program, and should include the following information:

- Data on the types of support services provided
- Wait times for support services
- Participant feedback, if available
- Program improvement recommendations
- Policy revision recommendations

The coordinator should present the completed audit to the Fire Chief for review and consideration of updates to improve program effectiveness.

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1019.7 TRAINING

The coordinator or the authorized designee should collaborate with the Training Officer to provide all members with regular education and training on topics related to member wellness, including but not limited to:

- The availability and range of department wellness support systems.
- Suicide prevention.
- Recognizing and managing mental distress, emotional fatigue, post-traumatic stress, and other possible reactions to trauma.
- Alcohol and substance use disorder awareness.
- Countering sleep deprivation and physical fatigue.
- Anger management.
- Marriage and family wellness.
- Benefits of exercise and proper nutrition.
- Effective time and personal financial management skills.

Training materials, curriculum, and attendance records should be forwarded to the Training Officer as appropriate for inclusion in training records.

1019.8 STATE-SPECIFIC TRAINING REQUIREMENTS

Full-time firefighters and certified or licensed EMS personnel shall complete training on topics relating to the mental health and wellness of first responders as required by I.C. § 16-31-3-10, I.C. § 36-8-10.5-7, and I.C. 36-8-10.5-13, as applicable.

The [Fire Chief](#) ~~{ [trainingManager](#) }~~, [or their designee](#), shall submit an annual report to the Department of Homeland Security certifying completion of training (I.C. § 36-8-10.5-13).

Physical Fitness

1020.1 PURPOSE AND SCOPE

The purpose of this policy is to provide firefighters with on-duty physical fitness guidelines. The Department provides on-duty time for firefighter physical fitness to assist personnel in achieving and maintaining optimal health and physical fitness.

1020.2 POLICY

It is the policy of the Martinsville Fire Department to establish guidelines for physical fitness activities that are designed to prevent injuries while maintaining fitness. The ultimate goals of this policy are to:

- Meet the physical demands required on emergency responses.
- Reduce the risk of member injury or illness.
- Enhance the overall health, fitness, and safety of members.

Physical fitness activities should not interfere with primary job duties (e.g., emergency responses, public education, training activities, other legal responsibilities), nor should physical fitness activities delay an emergency response in any way.

The Department retains the right to prohibit any physical fitness activity that, in its sole discretion, presents greater risks than benefits.

1020.3 PROCEDURE

The time, location, and duration of company physical fitness activities are at the discretion of the on-duty Captain and the Lieutenant. In all cases, the location for physical fitness must be within the company's first-in response area or approved arrangements for coverage, be consistent with this policy, and not result in a response delay.

All Operations members should be allowed to participate in physical fitness activities during the course of their shift. Members who choose not to participate in physical fitness activities shall conduct duties as assigned by the Lieutenant during the designated physical fitness period. Members who have provided the Department with written physical restrictions from a qualified health care provider shall not participate in any physical activity that conflicts with the restriction.

At the discretion of the Department, one or more of the following may apply:

- (a) Station physical fitness equipment
 1. Physical fitness equipment is available for the use of members at fire stations with adequate space. Members assigned to these stations should utilize the fitness equipment for their on-duty physical fitness activities.
- (b) Fitness club membership

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1. Members assigned to fire stations that are not equipped with physical fitness equipment may be provided, at the department's discretion, with fitness club memberships for on-duty physical fitness activities.

1020.4 PHYSICAL FITNESS GUIDELINES

Physical fitness and conditioning activities should be designed to maintain or improve flexibility, muscular strength, endurance, and anaerobic and aerobic capacity. They should also correspond to the physical movement patterns required in the performance of firefighter duties.

The Health and Safety Officer (HSO) is the designated fitness coordinator and is responsible for establishing guidelines for any on-duty physical fitness program, including:

- (a) Voluntary participation by members.
- (b) Allowable physical fitness activities, including:
 1. Stretching.
 2. Running, jogging, walking, or rowing.
 3. Weight training (with spotter present).
 4. Stationary aerobic training (e.g., stair-climber, treadmill, stationary bicycle).
 5. Core strengthening.
 6. Firefighter-specific activities (e.g., hose drag, simulated ventilation, dummy drag).
- (c) Physical fitness activities as recommended by the Department peer fitness trainers (PFTs).
- (d) Acceptable use of department-approved physical fitness facilities and equipment.
- (e) Individual education (e.g., nutrition, sleep habits, proper exercise, injury prevention) and goal-setting.
- (f) Standards for fitness incentive programs. The fitness coordinator should collaborate with the appropriate entities (e.g., human resources, legal counsel) to verify that any standards are nondiscriminatory.
- (g) Maintenance of physical wellness logs (e.g., attendance, goals, standards, progress).
- (h) Ongoing support and evaluation.

The physical fitness program should be developed in coordination with a certified fitness and conditioning trainer and the department HSO and be consistent with the department's overall wellness program.

Member participation in competitive or contact sports is not recommended while on-duty.

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1020.5 INJURY PREVENTION

- (a) When participating in approved on-duty physical fitness activities, reasonable precautions should be taken to avoid injury. Common reasons for injuries sustained during physical activity include but are not limited to:
1. Insufficient warm-up.
 2. Poor core stabilization.
 3. Exceeding physical capabilities.
 4. Improper equipment use.
 5. Defective equipment.
 6. Lack of proper instruction.
- (b) Members who are participating in physical fitness activities are expected to:
1. Allow sufficient time to warm up muscles prior to engaging in exercise for optimum performance and to reduce the risk of injury.
 2. Develop sufficient trunk muscle strength to keep the spine and body stable in order to remain strong and balanced.
 3. Maintain realistic goals and limits for physical fitness routines.
 4. Develop an understanding of how to use fitness equipment properly and safely.
 5. Check equipment prior to use to ensure safe operation, report defective or broken equipment to the safety officer as soon as practicable, and disable equipment to prevent others from using it, if necessary.
 6. Develop and maintain sufficient fitness training knowledge, accounting for fitness level, age, and previous injuries or limitations, to avoid fitness-related injuries.

1020.6 PEER FITNESS TRAINERS (PFTS)

Volunteers should be solicited to serve as PFTs. Selected PFTs shall receive specialized fitness and conditioning training and education sufficient to pass certification requirements determined by the Department. PFTs will assist in the promotion of the physical fitness program and be capable of assisting firefighters on a one-to-one basis to increase fitness levels.

Critical Incident Stress Debriefing

1021.1 PURPOSE AND SCOPE

The purpose of this policy is to establish a Critical Incident Stress Debriefing (CISD) program. The Martinsville Fire Department recognizes that during the course of performing job duties, members may become involved in or be exposed to incidents that have the potential to cause various forms of short- or long-term emotional trauma.

1021.1.1 DEFINITIONS

Definitions related to this policy include (I.C. § 36-8-2.5-1):

Communications - Oral or written statements, notes, records, recordings, reports, or documents made during or arising from a member's receipt of critical incident stress management (CISM) services or peer support services.

Critical incident - An actual or perceived event or situation that involves crisis, disaster, trauma, or emergency.

Critical incident stress - The acute or cumulative psychological stress or trauma that a member may experience in providing emergency services in response to a critical incident. The stress or trauma is an unusually strong emotional, cognitive, behavioral, or physical reaction that may interfere with normal life function. The stress or trauma may cause physical and emotional injury or illness; failure of usual coping mechanisms; loss of interest in work or normal life activities; loss of ability to function; or psychological disruption of personal life including relationships with others.

Critical Incident Stress Debriefing (CISD) - A standardized approach using a group format to provide education, an atmosphere and opportunity for emotional release through discussion, and support for members who are involved in emergency incidents under conditions of extreme stress. CISD is not a diagnostic or treatment process like that provided in counseling sessions by a mental health professional. Instead, it is a service that provides education and support.

CISM services - Critical incident stress management services including programs and services related to education, prevention, and mitigation of the effects from exposure to highly stressful critical incidents. These include services provided by an individual certified to provide group or individual crisis intervention, peer support, or a related service.

CISM services provider - An individual certified to provide CISM services who is acting as part of a CISM team or in another official capacity.

CISM team - An organized community or local crisis response team trained and certified under standards substantially similar to the training and certification standards of the Indiana Emergency Medical Services Commission under I.C. § 16-31-2.

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Critical Incident Stress Debriefing

1021.2 POLICY

It is the policy of the Martinsville Fire Department to implement a CISD program to provide support and professional intervention to members of this department following exposure to situations that are likely to create unusually strong emotional reactions.

1021.3 CISD PROGRAM

The Department should establish a committee responsible for implementing and managing the CISD program. The Fire Chief or the authorized designee is responsible for appointing members to the committee who represent all levels of department personnel. The department's Health and Safety Officer serves as the committee chairperson.

Functions of the committee include but are not limited to:

- Providing input and assistance to the development and implementation of the CISD program.
- Recommending the type and content of critical incident-related programs, workshops, and seminars.
- Distributing CISD-related information to members.
- Providing the administrative and technical support needed to implement CISD activities.
- Coordinating and following up on requests for CISD.
- Identifying state and local peer CISD organizations and teams.

1021.4 CISD COMPONENTS

The CISD program should include pre-incident, on-scene, and post-incident activities, including education, diffusion of emotional reactions, and debriefing. The purpose of the program is to minimize the impact of stress on members following major incidents.

Ideally, CISD should incorporate the services of peer support team members, CISM services providers, and trained professionals, such as physicians, psychologists, or counselors (I.C. § 36-8-2.5-1).

The program is intended to be consistent with the recommendations of the National Fire Protection Association (NFPA) and the Fire Service Joint Labor Management Wellness-Fitness Initiative developed by the International Association of Fire Fighters (IAFF) and the International Association of Fire Chiefs (IAFC).

1021.4.1 ACTIVATION

The following are examples of incidents that may initiate a CISD response:

- Major disaster or mass casualty incidents

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- Serious injury, death, or suicide of a firefighter, police officer, or other emergency service provider
- Serious injury or death of a civilian resulting from emergency service operations
- Death of a child or similar incident involving a profound emotional response
- Any incident that attracts significant media attention
- Loss of life following an unusual or extremely prolonged expenditure of emotional and physical energy by emergency services personnel
- Any unusual incident that produces an extreme, immediate, or delayed emotional response
- Cumulative trauma from multiple incidents

Any time it has been determined that a critical incident has occurred and intervention may be needed, a CISD should be requested. The request may be made either directly to peer support members or through the CISD committee. Depending on the type and magnitude of the incident and services that may be needed, the CISD may be activated either during or after a critical incident.

All members are responsible for recognizing incidents that may need a CISD. Once an incident has been identified as a critical incident, a CISD should be initiated as soon as practicable.

Debriefing may be conducted anywhere there is ample space, privacy, and freedom from distractions. Consideration should be given to including responders from other agencies who were involved in the incident, including but not limited to communications personnel, law enforcement officers, and paramedics or ambulance personnel.

For additional guidance on members requesting peer support or professional help on an individual basis, see the Wellness Program Policy.

1021.4.2 CISD PROVIDERS

CISD providers should include mental health professionals, CISM services providers, and peer support team members.

- (a) The duties and responsibilities of mental health professionals include the following:
 1. Supervise and advise on all clinical aspects of the program
 2. Ensure the quality of CISD services
 3. Offer clinical support and program guidance to the CISD committee.
 4. Provide guidance to CISM service providers and peer support team members
 5. Assist in training CISM service providers and peer support team members and with continuing education
 6. Advise on the development of policy and written operational CISD protocols
- (b) Mental health professionals involved in the CISD program should have the following qualifications:

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1. Be a licensed mental health professional
 2. Be trained and experienced in a recognized CISD model
 3. Demonstrate experience in counseling emergency services personnel
- (c) The duties and responsibilities of CISM service providers and peer team support members related to CISD services include the following:
1. Assist and support the CISD mental health professionals as necessary
 2. Provide referrals to mental health professionals, where appropriate
 3. Provide support and basic education to members and their families
 4. Serve as a CISD provider with mental health professionals

1021.5 DEBRIEFING

The CISD format used should depend on the nature of the incident and how early the intervention is activated. The use of one format does not preclude the use of others for the same critical incident.

Common CISD formats include:

- (a) On-scene debriefing: Peer support members or mental health professionals respond to the scene as observers and advisers to watch for the development of acute reactions. They may offer encouragement and support, check on the well-being of personnel, and allow for individual discussion of feelings and reactions.
- (b) Initial defusing: This usually takes place within a few hours of the incident and is generally facilitated by peer support members. It is an informal process encouraging open and free expression of feelings without a critique of the incident. The purpose is to stabilize involved members so they can go home or return to service.
- (c) Formal debriefing: Debriefing led by a CISD program mental health professional and peer support members that usually takes place 24 to 48 hours after the conclusion of the incident. Members involved in the critical incident are given the opportunity for free expression of feelings. This expression should be met with acceptance, support, and understanding.
- (d) Follow-up debriefing: If deemed necessary, follow-up may be facilitated by the CISD mental health professional and peer support members several weeks or months after a critical incident. The main purpose is to resolve any issues or problems that were not initially resolved. The follow-up debriefing may include the entire group or a portion of those originally involved.

Regardless of the type of debriefing, a CISD is not a critique of department operations at the incident. The CISD provides a setting in which members can discuss their feelings and reactions as a means to reduce the stress resulting from exposure to critical incidents. Performance issues should not be discussed during the debriefing.

No one has rank during the debriefing process. Everyone is equal.

Following any intervention, members who need additional assistance should contact peer support members or the wellness coordinator to obtain information.

Critical Incident Stress Debriefing

1021.6 ATTENDANCE

Only those involved in the incident and CISD team members should be present. Members directly exposed to the traumatic aspects of an incident are strongly encouraged to participate in a CISD.

Under special circumstances, the supervising officer may make attendance mandatory. Even if attendance is mandatory, members should not be obligated to speak or express their feelings during the CISD.

During debriefings, involved members should be out of service with radios, personal communications devices, or other distractions turned off.

1021.7 ROTATION OF PERSONNEL

Incident Commanders should minimize members' exposure at critical incidents by rotating or removing initial responding personnel from the immediate scene and reassigning them to less stressful operations as soon as possible. Members directly involved in critical incidents should be considered a high priority for immediate reassignment or removal from the scene. Relief from duty may also be considered.

Peer support members may make a request to their Lieutenant or Captain for relief or reassignment during a shift to participate in CISD activities. The peer support members should provide on-scene services, including on-site evaluation, encouragement, and consultation. They should also be considered an available resource for assignment to rehab, medical, or other areas as needed.

Circumstances of a critical incident may result in a recommendation that individuals or companies be taken out of service. The Captain is responsible for making the appropriate arrangements.

Under no circumstances is being taken out of service to be construed as critical or negative. Personnel taken out of service are to be viewed as deserving of the same consideration as an injured firefighter.

1021.8 CONFIDENTIALITY

The Department considers all CISD, regardless of type, as strictly confidential. Notes, other than those specifically identified in this policy, are prohibited. No audio or video recording may be made without the express consent of all participants (I.C. § 36-8-2.5-2).

Exceptions to confidentiality include when:

- (a) There is reasonable evidence to assume a risk of harm to the member or to others. If the risk is to another person, that person is identifiable and there are means to contact the person.
- (b) Participants divulge information that falls under any applicable state mandatory reporting duties.

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1021.9 RECORD-KEEPING

Following a CISD, the committee chairperson should prepare a summary report and forward it to the CISD program committee for statistical record-keeping. The report should be limited to the following information:

- (a) Incident date and time
- (b) Brief description of incident facts
- (c) Intervention date and location
- (d) Names of CISD team members conducting the intervention
- (e) Numbers of participants from each agency involved

Names of participants should not be recorded.

Workplace Violence

1022.1 PURPOSE AND SCOPE

The purpose of this policy is to make clear that the Department does not tolerate any direct or implied threats of violence or violent behavior in the workplace or any act or behavior that is or can be perceived as threatening, hostile, and/or violent.

1022.2 POLICY

It is the policy of the Martinsville Fire Department to provide and maintain a safe work environment for its employees, volunteers, and members of the public.

In responding to any violent behavior in the workplace, the Department is committed to providing protection to all involved parties, including protection from future physical and/or mental harm and the protection of the legal rights of victims, witnesses, and those instigating the harm.

1022.3 PROHIBITED BEHAVIOR

No member shall engage in, encourage, or promote violent behavior toward any person while conducting department business or on department property.

No member engaged in department business shall carry or possess weapons or explosives unless either:

- (a) Permitted by department policy
- (b) State or local law prohibits the Department from restricting the possession of the weapon or explosive

1022.4 REPORTING AND INVESTIGATING

1022.4.1 MEMBER RESPONSIBILITY

Department members who experience, observe, or have knowledge of prohibited behaviors and actions in the workplace have a responsibility to report the situation as soon as practicable to a supervisor, a manager, or a human resources representative and to the local police department, if a threat has been made or a crime has occurred.

Members should render aid to anyone who may be in need and be prepared to assist emergency responders, as requested, following any incident of violence in the workplace.

1022.4.2 SUPERVISOR, MANAGER, CAPTAIN, AND DEPUTY FIRE CHIEF RESPONSIBILITIES

Upon receipt of a report of potential or actual workplace violence, supervisors shall gather as much information as possible to assess and determine the severity and potential of the situation. If the report is found to be credible, the next immediate supervisor shall be notified as soon as practicable and appropriate action taken.

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Local law enforcement personnel shall be notified immediately of all threatening or violent behavior.

1022.4.3 INVESTIGATION

The Administration Division will promptly, impartially, and with as much confidentiality as practicable coordinate the investigation of all reports of violent behavior.

Department members are required to cooperate in any investigation. A timely resolution of each report should be reached and communicated to all parties involved as quickly as possible.

1022.4.4 REPORTING NON-WORK-RELATED THREATENING OR VIOLENT BEHAVIOR

Department members who are victims of domestic violence or other threatening behavior outside of the workplace, or who believe they are potential victims of such behavior and fear it may enter the workplace, are encouraged to report the situation as soon as possible to their supervisors.

Supervisors receiving any such report shall contact the Administration Division as soon as practicable so that any appropriate safety measures or plans may be developed.

1022.5 RETALIATION PROHIBITED

Any form of retaliation against a member for making a report concerning violent behavior in the workplace is prohibited.

Any member who becomes aware of any retaliation or threatened retaliation shall immediately notify his/her supervisor.

1022.6 RESTRAINING ORDERS

Members who obtain a restraining order listing their workplace, person, or the Department as a protected area must provide a copy of the restraining order to their immediate supervisor or the Director of Human Resources. The Department needs this information in order to provide a safe workplace.

1022.7 FOLLOW-UP ACTION

Any employee reported to have exhibited violent or potentially violent behavior will be afforded all rights provided by law and the applicable collective bargaining agreement before the Department takes any disciplinary action.

Actions that may be taken when an employee has been found to have violated this policy include but are not limited to the following:

- Mandatory participation in counseling
- Placing the employee on paid administrative leave pending investigation into an alleged threat or act
- Corrective/disciplinary action up to and including termination
- Criminal arrest and prosecution

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- Special procedures, such as job relocation or initiation of a court order

If, upon investigation, it is determined that an allegation is false or was made maliciously, the employee who provided the false information will be subject to disciplinary action, up to and including termination, as well as possible criminal arrest and prosecution.

1022.8 LEGAL ACTION

The department's legal counsel will determine if a temporary restraining order or injunction should be sought on behalf of the Department to reduce future or threatened violent behavior in the workplace (I.C. § 34-26-6-6).

1022.9 CORRECTIVE ACTIONS

At the completion of the investigation and a review of the incident, or in the case of a threat of violence, non-disciplinary corrective actions should be implemented or requested to ensure overall workplace safety. These actions may include but are not limited to:

- Placing the involved member on administrative leave pending further review and determination of permanent action. Administrative leave would be unpaid in the case of a volunteer.
- Reassigning the member to a different work location.
- Referring the member to conflict resolution training sessions.
- Referring the member to the Employee Assistance Program (EAP).
- Modifying workstation designs and office traffic flow patterns.
- Requiring the member to attend a fitness-for-duty evaluation.
- Developing specific workplace violence procedures for incident response, prevention, and corrective actions.

1022.10 WORKPLACE VIOLENCE PREVENTION

All department members are responsible for assisting in the prevention of violence in the workplace.

The Department will provide appropriate training to members regarding workplace violence.

In the event a violent incident occurs in the workplace, the Fire Chief is responsible for ensuring that all responsibilities have been met and actions carried out, as detailed in this policy, and shall review the results of any investigation and ensure appropriate action is taken. Information gathered during an investigation should be used for the continuous improvement of policies and procedures to prevent workplace violence.

Lactation Breaks

1023.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance regarding reasonable accommodations for lactating members.

1023.2 POLICY

It is the policy of the Martinsville Fire Department to provide, in compliance with federal and state law, reasonable accommodations for lactating members. This includes break time and appropriate facilities to accommodate any member desiring to express breast milk for a nursing child for up to one year after the child's birth (29 USC § 218d; 42 USC § 2000gg-1; 29 CFR 1636.3; I.C. § 5-10-6-2).

1023.3 LACTATION BREAK TIME

A rest period should be permitted each time the member requires a lactation break (29 USC § 218d; 42 USC § 2000gg-1; 29 CFR 1636.3; I.C. § 5-10-6-2). In general, lactation breaks that cumulatively total 30 minutes or less during any four-hour work period or major portion of a four-hour work period would be considered reasonable. However, individual circumstances may require more or less time.

Lactation breaks, if feasible, should be taken at the same time as the member's regularly scheduled rest or meal periods. While a reasonable effort will be made to provide additional time beyond authorized breaks, any such time exceeding regularly scheduled and paid break time will be unpaid.

Members desiring to take a lactation break shall notify the Dispatch Center or a supervisor prior to taking such a break. Such breaks may be reasonably delayed if they would seriously disrupt department operations.

Once a lactation break has been approved, the break should not be interrupted except for emergency or exigent circumstances.

1023.4 PRIVATE LOCATION

The Department will make reasonable efforts to accommodate members with the use of an appropriate room or other location to express milk in private. Such room or place should be in close proximity to the member's work area and shall be other than a bathroom or toilet stall. The location must be shielded from view, free from intrusion from coworkers and the public, and otherwise satisfy the requirements of federal and state law (29 USC § 218d; 42 USC § 2000gg-1; 29 CFR 1636.3; I.C. § 5-10-6-2).

Members occupying such private areas shall either secure the door or otherwise make it clear to others that the area is occupied with a need for privacy. All other members should avoid

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interrupting a member during an authorized break, except to announce an emergency or other urgent circumstance.

Authorized lactation breaks for members assigned to the field may be taken at the nearest appropriate private area.

1023.5 STORAGE OF EXPRESSED MILK

The Department should provide access to a refrigerator, or other suitable cold storage space for the temporary storage of breast milk (I.C. § 5-10-6-2). Any member storing expressed milk in any authorized refrigerated area within the Department shall clearly label it as such and shall remove it at the end of their shift.

Smoking and Tobacco Use

1024.1 PURPOSE AND SCOPE

This policy establishes limitations on smoking and the use of tobacco products by members and others while on-duty or while in Martinsville Fire Department facilities or vehicles.

For the purposes of this policy, smoking and tobacco use includes, but is not limited to, any tobacco product, such as cigarettes, cigars, pipe tobacco, snuff, tobacco pouches and chewing tobacco, as well as any device intended to simulate smoking, such as an electronic cigarette or personal vaporizer.

1024.2 POLICY

The Martinsville Fire Department recognizes that tobacco use is a health risk and can be offensive to others. Smoking and tobacco use also presents an unprofessional image for the Department and its members. Therefore smoking and tobacco use is prohibited by members and visitors in all department facilities, buildings and vehicles, and as further outlined in this policy.

1024.3 SMOKING AND TOBACCO USE

Smoking and tobacco use by members is prohibited any time members are in public view representing the Martinsville Fire Department.

It shall be the responsibility of each member to ensure that no person under his/her supervision smokes or uses any tobacco product inside City facilities and vehicles.

1024.4 ADDITIONAL PROHIBITIONS

No employee shall smoke tobacco products within 8 feet of a public entrance of any City facility (I.C. § 7.1-5-12-4).

Drug- and Alcohol-Free Workplace

1025.1 PURPOSE AND SCOPE

The Martinsville Fire Department prohibits the use of drugs and alcohol in the workplace in order to provide a safer work environment for members and to protect the public's safety and welfare. This policy applies to all members when they are on department property or when performing department-related business elsewhere (41 USC § 8103; I.C. § 22-9-5-24).

1025.2 POLICY

It is the policy of the Martinsville Fire Department to provide a drug- and alcohol-free workplace for all members.

1025.3 GENERAL GUIDELINES

Alcohol and drug use in the workplace or on department time can endanger the health and safety of department members and the public.

Members who have consumed an amount of an alcoholic beverage or taken any medication, or a combination thereof, that would tend to adversely affect their mental or physical abilities shall not report for duty. Affected members shall notify the Fire Chief or the appropriate supervisor as soon as they are aware that they will not be able to report to work. If a member is unable to make the notification, every effort should be made to have a representative contact the supervisor in a timely manner. If the member is adversely affected while on-duty, the member shall be immediately removed and released from work (see the Work Restrictions section in this policy).

1025.3.1 USE OF MEDICATIONS

Members should not use any medications that will impair their ability to safely and completely perform their duties. Members who are medically required or need to take any such medication shall report that need to their immediate supervisor prior to commencing any on-duty status.

1025.3.2 MEDICAL CANNABIS

Possession, use, or being under the influence of medical cannabis on-duty is prohibited and may lead to disciplinary action.

1025.4 MEMBER RESPONSIBILITIES

Members shall come to work in an appropriate mental and physical condition. Members are prohibited from purchasing, manufacturing, distributing, dispensing, possessing, or using controlled substances or alcohol on department premises or on department time (41 USC § 8103). The lawful possession or use of prescribed medications or over-the-counter remedies is excluded from this prohibition.

Members shall notify a supervisor immediately if they observe behavior or other evidence they believe demonstrates that a fellow member poses a risk to the health and safety of the member or others due to drug or alcohol use.

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Members are required to notify their immediate supervisors of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such conviction (41 USC § 8103).

1025.5 EMPLOYEE ASSISTANCE PROGRAM

A voluntary employee assistance program may be available to assist those who wish to seek help for alcohol and drug problems (41 USC § 8103). Insurance coverage that provides treatment for drug and alcohol abuse also may be available. Employees should contact the Department of Human Resources, their insurance providers, or the employee assistance program for additional information. It is the responsibility of each employee to seek assistance before alcohol or drug problems lead to performance problems.

1025.6 WORK RESTRICTIONS

If a member informs a supervisor that the member has consumed any alcohol, drug, or medication that could interfere with a safe and efficient job performance, the member may be required to obtain clearance from a physician before continuing to work.

If the supervisor reasonably believes, based on objective facts, that a member is impaired by the consumption of alcohol or other drugs, the supervisor shall prevent the member from continuing work and request that a Captain respond to the location of the impaired member. The Captain shall ensure the member is transported to a safe location and that the continuity of department operations is maintained.

1025.7 REQUESTING SCREENING TESTS

A supervisor or Captain may request that an employee submit to a screening test under any of the following circumstances:

- (a) The supervisor or Captain reasonably believes, based upon objective facts, that the employee is under the influence of alcohol or drugs that are impairing the employee's ability to perform duties safely and efficiently.
- (b) During the performance of duties, the employee drives a motor vehicle and becomes involved in an incident that results in bodily injury to the employee or another person or substantial damage to property.
- (c) The employee discharges a firearm in the performance of their duties, excluding training.
- (d) The employee discharges a firearm issued by the Department while off-duty, resulting in injury, death, or substantial property damage.

1025.7.1 CAPTAIN RESPONSIBILITY

The Captain shall ensure written records are prepared documenting the specific facts that led to the decision to request the test, and shall inform the employee in writing of the following:

- (a) The test will be given to detect either alcohol or drugs, or both.

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- (b) The result of the test is not admissible in any criminal proceeding against the employee.
- (c) The employee may refuse the test, but refusal may result in dismissal or other disciplinary action.

1025.7.2 SCREENING TEST DISPOSITION

Employees may be subject to disciplinary action if they:

- (a) Fail or refuse to submit to a screening test as requested.
- (b) After taking a screening test that indicates the presence of a controlled substance, fail to provide proof, within 72 hours after being requested, that they took the controlled substance as directed, pursuant to a current and lawful prescription issued in their name.
- (c) Violate any provisions of this policy.

1025.8 COMPLIANCE WITH THE DRUG-FREE WORKPLACE ACT

No later than 30 days following notice of any drug statute conviction for a violation occurring in the workplace involving a member, the Department will take appropriate disciplinary action, up to and including dismissal, and/or requiring the member to satisfactorily participate in a drug abuse assistance or rehabilitation program (41 USC § 8104).

1025.9 CONFIDENTIALITY

The Department recognizes the confidentiality and privacy due to its members. Disclosure of any information relating to substance abuse treatment, except on a need-to-know basis, shall only be with the express written consent of the member involved or pursuant to lawful process.

The written results of any screening tests and all documents generated by the employee assistance program are considered confidential medical records and shall be maintained separately from the employee's other personnel files.

Personal Appearance Standards

1026.1 PURPOSE AND SCOPE

In order to project uniformity and neutrality, members shall maintain their personal hygiene and appearance to ensure a professional image appropriate for this department and for their assignment.

The procedures contained herein are intended to promote uniformity of the members of the Department by addressing specific grooming items. However, nothing herein shall limit the department's ability to address any other grooming or personal appearance issues that may be deemed improper for members of the Department.

1026.2 POLICY

It is the policy of the Martinsville Fire Department that all members meet required personal hygiene and grooming standards while on-duty or conducting official business.

1026.3 GROOMING STANDARDS

The following appearance standards shall apply to all members except those whose current assignment would deem them not appropriate or where the Fire Chief or the authorized designee has granted an exception.

1026.3.1 PERSONAL HYGIENE

All members must maintain proper personal hygiene. Examples of improper personal hygiene include but are not limited to dirty fingernails, bad breath, body odor, and dirty or unkempt hair. Any member who has a condition due to a protected category (e.g., race, physical disability) which affects any aspect of personal hygiene covered by this policy may qualify for an accommodation and should report any need for an accommodation to a supervisor or the Department of Human Resources.

1026.3.2 HAIR

The hairstyle of all members shall be neat in appearance. Hair must be no longer than the horizontal level of the bottom of the uniform patch when the member is standing erect. Hairstyles that extend below the top edge of the uniform collar should be secured in a tightly wrapped braid or ponytail.

1026.3.3 MUSTACHES

A short and neatly trimmed mustache may be worn. Mustaches shall not extend below the corners of the mouth or beyond the natural hairline of the upper lip.

1026.3.4 SIDEBURNS

Sideburns shall not extend below the bottom of the ear and shall be trimmed and neat.

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1026.3.5 BEARDS AND GOATEES

Beards, goatees, or any hair on the chin or near the bottom lip is prohibited.

1026.3.6 FACIAL HAIR

Facial hair other than sideburns, mustaches, and eyebrows shall not be worn, unless authorized by the Fire Chief or the authorized designee.

1026.3.7 COSMETICS

Members are permitted to wear cosmetics of conservative color and amount.

1026.3.8 FINGERNAILS

Fingernails extending beyond the tip of the finger can pose a safety hazard to members working in the field. For this reason, fingernails shall be trimmed so that no point of the nail extends beyond the tip of the finger.

1026.3.9 JEWELRY AND ACCESSORIES

No jewelry or personal ornaments shall be worn by members on-duty on any part of the uniform or equipment, except those authorized within this manual. Members should be mindful of wearing jewelry that can become snagged or caught during performance of fire suppression duties.

- Necklaces or jewelry worn around the neck shall not be visible above the shirt collar.
- It is recommended that members refrain from wearing rings while assigned to suppression.

1026.4 TATTOOS

~~At no time will tattoos on the arms below the elbow be visible while on-duty. Any tattoo, brand, or mutilation on the head, neck, scalp, face, or hand must be covered by way of a uniform, business attire, or neutral-colored skin patch while on-duty.~~ Tattoos, brands, or mutilations that are inappropriate, as determined at the sole discretion of the Fire Chief, must also be covered. Inappropriate marks may include but are not limited to marks that exhibit or advocate discrimination; marks that promote or express gang, supremacist, or extremist group affiliation; and marks that depict or promote drug use, sexually explicit acts, or other obscene material.

1026.5 BODY PIERCING OR ALTERATION

Except for a single-stud pierced earring worn in the lobe of each ear, no body piercing shall be visible while any member is on-duty or representing the Department in any official capacity.

Alteration to any area of the body visible in any authorized uniform or attire that is a deviation from normal anatomical features and which is not medically required is prohibited. Such body alteration includes but is not limited to:

- (a) Tongue splitting or piercing.
- (b) The complete or trans-dermal implantation of any material other than hair replacement.

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- (c) Abnormal shaping of the ears, eyes, nose, or teeth.
- (d) Branding or scarification.

1026.6 RELIGIOUS ACCOMMODATION

The religious beliefs and needs of department members should be reasonably accommodated. Requests for religious accommodation should generally be granted unless there is a compelling security or safety reason and denying the request is the least restrictive means available to ensure security or safety. The Fire Chief should be advised any time a request for religious accommodation is denied.

Those who request to wear headscarves, simple head coverings, certain hairstyles, or facial hair for religious reasons should generally be accommodated absent unusual circumstances.

Uniforms

1027.1 PURPOSE AND SCOPE

[The purpose of this policy is to establish uniform regulations for members in order to enhance the department's overall professional and positive image.](#)

1027.2 POLICY

[It is the policy of the Martinsville Fire Department that members shall wear the proper uniform at all times when on-duty or engaged in department-related activities off-duty. Members shall maintain an adequate supply of uniforms to meet the needs of their assignment and maintain the uniforms in an acceptable condition. Uniforms will be issued through the Quatermaster system. This policy does not supersede department regulations regarding the use of any personal protective equipment \(PPE\).](#)

1027.3 CLASS C WORK UNIFORM

The uniform shirt shall be navy blue T-shirt or Dark Gray T-shirt, of either cotton or a combination of cotton and polyester for all fire department personnel. The T-shirt shall have the FD Emblem on the left breast and have Martinsville Fire on the back of the T-shirt.

Shift Officers uniform shirt shall be navy blue T-shirt or dark gray, with Officer under FD emblem and Martinsville Fire on the back of either cotton or a combination cotton and polyester t-shirt.

Shift Officers and Firefighters can also wear Heather Grey Polo shirts while on duty. Uniform Polo shirts shall have FD emblem on the left breast of shirt.

Uniform pants shall be navy blue of either traditional straight leg or BDU type military pants.

Pullovers shall be navy blue combination of cotton and polyester. Pullovers shall have a department FD emblem on the left breast.

Jackets shall be navy blue jacket and shall have department patch on left breast, name on right breast is optional.

Belt buckles can be supplied with belt or may have design that is recognized symbol of the fire service or the initials of the wearer.

Shoes or boots shall be black while on duty and must be kept in good condition.

Socks shall be black or white.

Hats will be navy blue with the Martinsville Fire Department logo.

Firefighters can wear navy blue Pants, Sweatpants, or shorts during the day while on station. These should have the FD Emblem on the left leg.

Anytime an employee leaves the fire station to do business outside of the station the employee shall wear one of the following Uniform Shirts, T-Shirt, Polo, Pullover or Jacket, Class B Shirt, Navy Blue Duty Pants or Duty Shorts.

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- **EXCEPTION:** When responding to an emergency, doing work outside the fire station, cleaning the hose, etc. the officer in charge has the authority to make exceptions to this rule.

1027.4 CLASS B WORK UNIFORM

Class B Uniform shirts shall be light blue button up cotton or combination cotton and polyester for all department personnel.

Chief Officers shall wear white, navy, or light blue cotton or cotton polyester uniform shirts.

- Uniform pants shall be navy blue cotton or cotton/ polyester combination.
- Belt buckles can be supplied with belts or may have a design that is recognized as a symbol of the fire service or the initials of the wearer.
- Shoes or boots shall be black while on duty and must be kept in good condition.
- Socks shall be black or white.

Anytime an employee leaves the fire station to do business outside of the station, the employee shall wear their uniform shirt.

- **EXCEPTION:** when responding to an emergency, doing work outside the fire station, cleaning hose, etc. The officer in charge has the authority to make exceptions to this rule.

All employees shall wear their complete uniform on scheduled workdays or to special events.

Badge shall be a shield with eagle on top and shall display the name of the city and the rank of the officer.

Badge centers shall be as follows:

- Firefighters M.F.D. scramble
- Lieutenant Center (1) one single bugle
- Captain Center (2) two vertical bugles
- Division Chief center (3) three crossed bugles
- Deputy Chief (4) four crossed bugles
- Chief (5) Five crossed bugles

Nameplates shall be worn on the right shirt pocket flap, centered on the top seam.

Collar insignia shall be worn as follows;

- Firefighters shall wear fire department scramble on both collars at the extreme end inside the seam line.
- Lieutenants shall wear gold insignia with single bugle on each collar located at the extreme end and inside the seam line of the collar.

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- Captains shall wear gold insignia with double upright bugles on a red background located at the extreme end of the collar, inside the seam line of the collar.
- Division Chiefs shall wear gold insignia with three crossed bugles on a red background located at the extreme end of the collar, inside the seam line of the collar.
- Deputy Chief shall wear gold insignia with four crossed bugles on a red background located at the extreme end of the collar, inside the seam line of the collar.
- The Fire Chief shall wear gold insignia with five crossed bugles on a white or red background located at the extreme end of the collar, inside the seam line of the collar.

Patches are required on all class B uniforms. They are to be placed on left shoulder ½ inch from the top shoulder seam.

Buttons shall correspond to the appropriate rank silver or gold FD.

1027.5 CLASS A WORK UNIFORM

- Jacket shall be double-breasted cotton, or a combination of cotton and polyester dark navy blue.
- Buttons shall be silver for all Firefighters and gold for Lieutenants for Captains, Deputy Chief and Fire Chief.
- The jacket shall be dark blue.
- Pants shall be dark blue in color and of the same material as the jacket.
- Hat shall be the Train conductor cap design with the appropriate silver or gold band and hat badge.
- Shirt shall be white short or long sleeve as per season.
- Tie shall be plain black.
- Any clasp or tie tack shall be gold or silver corresponding to rank and may contain FD insignias or design or be plain.
- Shoes shall be black plain highly polished.
- Badge shall be worn on jacket in appropriate badge holder.
- Name tags shall be worn on dress shirt along with badge and collar insignia.

The dress uniform may be worn at any time but must be treated with the utmost respect because it is a distinguishing symbol of our organization and deserves our allegiance.

Badges

1028.1 PURPOSE AND SCOPE

The name of the Martinsville Fire Department and the department badge and uniform patches are property of the Department. This policy establishes the rules associated with Martinsville Fire Department badges and any likeness of the badge.

1028.2 POLICY

The Martinsville Fire Department may issue members of the Department a curved uniform badge for use or display in compliance with this policy.

Only authorized badges issued or formally authorized by this department shall be displayed, carried or worn by members while on-duty or otherwise acting in an official or authorized capacity.

1028.3 BADGE TYPES

1028.3.1 APPOINTED MEMBER FLAT BADGES

Appointed members may, at their own expense and with the written approval of the Fire Chief, purchase a flat badge that can be carried in a wallet.

An appointed member may sell, exchange or transfer a flat badge only to another appointed member of the Martinsville Fire Department and only with the written approval of the Fire Chief.

1028.3.2 RETIREE BADGES

Upon honorable retirement, a member may purchase his/her assigned curved uniform badge for memorabilia purposes. Other uses of the badge may be unlawful. The badge will remain the property of the Martinsville Fire Department and may be revoked in the event of misuse or abuse.

An honorably retired member of the Department may keep his/her flat badge upon retirement.

1028.3.3 MOURNING BADGE

Uniformed members shall wear a black mourning band across the uniform badge whenever a firefighter is killed in the line of duty. The following mourning periods will be observed:

- (a) A firefighter of this department: From the time of death until midnight on the 14th day after the death.
- (b) A firefighter from this or an adjacent county: From the time of death until midnight on the day of the funeral.
- (c) Funeral attendee: While attending the funeral of an out-of-region firefighter.
- (d) As directed by the Fire Chief.

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1028.4 LOSS OF BADGE

Any member who loses any badge must immediately report the loss to his/her supervisor. A badge should be considered lost whenever it is not in the direct control of the member.

1028.5 UNAUTHORIZED USE OF BADGES

No badge shall be issued to anyone other than a current or honorably retired member of the Department. Department badges are for official use only.

The department badge, uniform patch or any likeness thereof shall not be used for personal or private reasons including, but not limited to, letters, memoranda or electronic communications, such as email, websites or Web pages.

Members may not use the department badge, uniform patch or department name in any material (printed matter, products or other items) without approval of the Fire Chief.

Members shall not loan their department badge to others and shall not permit the badge to be reproduced or duplicated.

1028.6 PERMITTED BADGE USE BY MEMBER GROUPS

The likeness of the department badge shall not be used by any member group without the express prior authorization of the Fire Chief and shall be subject to the following:

- (a) The member associations may use the likeness of the department badge for merchandise and official association business provided the merchandise is used in a clear representation of the association and not the Martinsville Fire Department. The following modifications shall be included:
 1. Any text referring to the Martinsville Fire Department shall be replaced with the name of the member association.
 2. The badge number portion of the image shall display the name or acronym of the member association.

Identification Cards

1029.1 PURPOSE AND SCOPE

The purpose of this policy is to establish the guidelines for issuing and possessing Martinsville Fire Department identification cards. Any image or likeness of the identification card and the name of the Martinsville Fire Department are the property of the Department and their use shall be restricted as specified in this policy.

1029.2 POLICY

It is the policy of the Martinsville Fire Department that identification cards shall be issued to all department members. All members shall be in possession of their department-issued identification card at all times while on-duty or otherwise acting in an official or authorized capacity. The use and display of department identification cards shall be in compliance with this policy.

1029.3 IDENTIFICATION CARD CONTENT

Department-issued identification cards shall include the following information:

- The department name
- An image of the department [patch badge](#)
- A photograph of the member
- The full name of the member
- The rank of the member
- The member's employee identification number
- ~~The member's signature~~
- ~~The date of appointment to the member's current rank or position~~
- [City Hall](#) ~~The~~'s mailing address
- ~~A statement indicating that the identification card is the property of the and that if found, the card must be returned to the~~

1029.4 RETIREE IDENTIFICATION CARD

Upon honorable retirement members may be issued a retiree identification card. The card shall clearly indicate that the holder is a "Retired" member of the Department.

1029.5 UNAUTHORIZED USE

Department identification cards may not be displayed for any purpose other than official use.

Members may not use an image or likeness of the department identification card in any material (printed matter, products or other items) without prior written approval from the Fire Chief.

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Members shall not loan department identification cards to others and shall not permit the identification card to be reproduced or duplicated.

1029.6 LOSS OF DEPARTMENT IDENTIFICATION CARD

The loss of the department identification card must be immediately reported to the Department. An identification card should be considered lost whenever it is not in the direct control of the member.

1029.7 REPLACING IDENTIFICATION CARDS

Identification cards should be replaced whenever they become damaged, faded or otherwise difficult to read, whenever a member changes rank or when the member's photograph becomes outdated or no longer presents an accurate depiction of the member.

Work-Related Illness and Injury Reporting

1030.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance regarding the timely reporting of work-related injuries and occupational illnesses.

1030.1.1 DEFINITIONS

Definitions related to this policy include (I.C. § 22-3-6-1; I.C. § 22-3-7-10):

Work-related illness or injury - is a disease or injury arising from and in the course of employment when there is a direct causal connection between the conditions under which the work is performed and the injury or illness.

1030.2 POLICY

The Martinsville Fire Department will address work-related illnesses and injuries appropriately, and will comply with applicable state worker's compensation rules and pension fund requirements.

[All injuries occurring while on duty for the Martinsville Fire Department, no matter how trivial, are to be reported immediately to the shift officer and they shall cause a Worker's Compensation report to be prepared. The completed form must be turned into the office no later than the end of the shift that the injury occurred. A chief officer shall immediately be notified of any injury that requires hospitalization or loss of work time.](#)

1030.3 RESPONSIBILITIES

1030.3.1 MEMBER RESPONSIBILITIES

A member sustaining any work-related illness or injury shall report such event to a supervisor as soon as practicable, but within 24 hours, but not more than 30 days and shall seek medical care when appropriate (I.C. § 22-3-3-1).

[See attachment: IPEP Injury Report Forms Example.pdf](#)

[See attachment: IPEP First Report of Injury.pdf](#)

[See attachment: IPEP Authorization For Release of Medical.pdf](#)

1030.3.2 SUPERVISOR RESPONSIBILITIES

A supervisor learning of any work-related illness or injury should ensure the member receives medical care as appropriate and should notify the Captain of the reported illness or injury.

Supervisors shall ensure that required worker's compensation documents regarding the illness or injury are completed and forwarded to the Captain promptly. Any related Citywide illness- or injury-reporting protocol shall also be followed.

[IPEP Reporting](#)

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Work-Related Illness and Injury Reporting

[See attachment: IPEP Supervisors Incident Investigation Report.pdf](#)

[See attachment: IPEP Injury Report Forms Example.pdf](#)

1030.3.3 CAPTAIN RESPONSIBILITIES

The Captain who receives a report of a work-related illness or injury should review the report for accuracy and determine what additional action should be taken. The report shall then be forwarded to the Fire Chief, the City's risk management entity and the Administration Deputy Fire Chief to ensure any required Indiana Occupational Safety and Health Administration reporting is completed as required in the illness and injury prevention plan identified in the Illness and Injury Prevention Program Policy.

1030.3.4 FIRE CHIEF RESPONSIBILITIES

The Fire Chief shall review and forward copies of the report to the Department of Human Resources. Copies of the report and related documents retained by the Department shall be filed in the member's confidential medical file.

1030.4 OTHER ILLNESS OR INJURY

Illnesses and injuries caused or occurring on-duty that do not qualify for worker's compensation reporting shall be documented on the designated report of injury form, which shall be signed by a supervisor. A copy of the completed form shall be forwarded to the appropriate Deputy Fire Chief through the chain of command and a copy sent to the Administration Deputy Fire Chief.

Unless the injury is extremely minor, this report shall be signed by the affected member, indicating that he/she desired no medical attention at the time of the report. By signing, the member does not preclude his/her ability to later seek medical attention.

1030.5 SETTLEMENT OFFERS

When a member sustains a work-related illness or injury that is caused by another person and is subsequently contacted by that person, his/her agent, insurance company or attorney and offered a settlement, the member shall take no action other than to submit a written report of this contact to his/her supervisor as soon as possible.

1030.5.1 NO SETTLEMENT WITHOUT PRIOR APPROVAL

No less than 10 days prior to accepting and finalizing the settlement of any third-party claim arising out of or related to a work-related illness or injury, the member shall provide the Fire Chief with written notice of the proposed terms of such settlement. In no case shall the member accept a settlement without first providing written notice to the Fire Chief. The purpose of such notice is to permit the City to determine whether the offered settlement will affect any claim the City may have regarding payment for damage to equipment or reimbursement for wages against the person who caused the accident or injury, and to protect the City's right of subrogation, while ensuring that the member's right to receive compensation for injuries is not affected.

Light-Duty Assignments

1031.1 PURPOSE AND SCOPE

This policy establishes procedures for providing [light temporary](#) ~~modified~~-duty assignments. This policy is not intended to affect the rights or benefits of employees under federal or state law, City rules, or current collective bargaining agreements. For example, nothing in this policy affects the obligation of the Department to engage in a good faith, interactive process to consider reasonable accommodations for any employee with a temporary or permanent disability or limitation that is protected under federal or state law.

1031.2 POLICY

Subject to operational considerations, the Martinsville Fire Department may identify [light temporary](#) ~~modified~~-duty assignments for employees who have an injury or medical condition resulting in temporary work limitations or restrictions. A temporary assignment allows the employee to work, while providing the Department with a productive employee during the temporary period.

1031.3 GENERAL CONSIDERATIONS

Priority consideration for [light temporary](#) ~~modified~~-duty assignments will be given to employees with work-related injuries or illnesses that are temporary in nature. Employees having disabilities covered under the Americans with Disabilities Act (ADA) or Indiana Civil Rights Law shall be treated equally, without regard to any preference for a work-related injury.

No position in the Martinsville Fire Department shall be created or maintained as a [light temporary](#) ~~modified~~-duty assignment.

[Light Temporary](#) ~~modified~~-duty assignments are a management prerogative and not an employee right. The availability of [light temporary](#) ~~modified~~-duty assignments will be determined on a case-by-case basis, consistent with the operational needs of the Department. [Light Temporary](#) ~~modified~~-duty assignments are subject to continuous reassessment, with consideration given to operational needs and the employee's ability to perform in a [light modified](#)-duty assignment.

[Light Temporary](#) ~~modified~~-duty assignments shall generally not exceed a cumulative total of 1,040 hours in any one-year period.

1031.4 PROCEDURE

Employees may request a [light temporary](#) ~~modified~~-duty assignment for short-term injuries or illnesses.

Employees seeking a [light temporary](#) ~~modified~~-duty assignment should submit a written request to their Deputy Fire Chief or the authorized designee. The request should, as applicable, include a certification from the treating medical professional containing:

- (a) An assessment of the nature and probable duration of the illness or injury.

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- (b) The prognosis for recovery.
- (c) The nature and scope of limitations and/or work restrictions.
- (d) A statement regarding any required workplace accommodations, mobility aids, or medical devices.
- (e) A statement that the employee can safely perform the duties of the temporary modified-duty assignment.

The Deputy Fire Chief will make a recommendation through the chain of command to the Fire Chief regarding **light temporary -modified**-duty assignments that may be available based on the needs of the Department and the limitations of the employee. The Fire Chief or the authorized designee shall confer with the Department of Human Resources or the City Attorney as appropriate.

1031.5 ACCOUNTABILITY

Written notification of assignments, work schedules, and any restrictions should be provided to employees assigned to **light temporary -modified**-duty assignments and their supervisors. Those assignments and schedules may be adjusted to accommodate department operations and the employee's medical appointments, as mutually agreed upon with the Deputy Fire Chief.

1031.5.1 EMPLOYEE RESPONSIBILITIES

The responsibilities of employees assigned to **light temporary -modified** duty shall include but are not limited to:

- (a) Communicating and coordinating any required medical and physical therapy appointments in advance with their supervisors.
- (b) Promptly notifying their supervisors of any change in restrictions or limitations after each appointment with their treating medical professionals.
- (c) Communicating a status update to their supervisors no less than once every 30 days while assigned to **light temporary -modified** duty.
- (d) Submitting a written status report to the Deputy Fire Chief that contains a status update and anticipated date of return to full duty when a temporary modified-duty assignment extends beyond 60 days.

1031.5.2 SUPERVISOR RESPONSIBILITIES

The employee's immediate supervisor shall monitor and manage the work schedule of an employee assigned to **light temporary -modified** duty.

The responsibilities of supervisors shall include but are not limited to:

- (a) Periodically apprising the Deputy Fire Chief of the status and performance of employees assigned to **light temporary -modified** duty.
- (b) Notifying the Deputy Fire Chief and ensuring that the required documentation facilitating a return to full duty is received from the employee.
- (c) Ensuring that employees returning to full duty have completed any required training and certification.

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1031.6 MEDICAL EXAMINATIONS

Prior to returning to full-duty status, employees shall be required to provide certification from their treating medical professionals stating that they are medically cleared to perform the essential functions of their jobs without restrictions or limitations.

The Department may require a fitness-for-duty examination prior to returning an employee to full-duty status.

1031.7 PREGNANCY

If an employee is temporarily unable to perform regular duties due to a pregnancy, childbirth, or a related medical condition, the employee will be treated the same as any other temporarily disabled employee (42 USC § 2000e(k)). A pregnant employee shall not be involuntarily transferred to a **light temporary -modified**-duty assignment.

If notified by an employee or the employee's representative regarding limitations related to pregnancy, childbirth, or related medical conditions, the Department should make reasonable efforts to provide an accommodation for the employee in accordance with federal law. The accommodation should be provided without unnecessary delay, as appropriate (42 USC § 2000gg-1; 29 CFR 1636.3; 29 CFR 1636.4).

1031.7.1 NOTIFICATION

Pregnant employees should notify their immediate supervisors as soon as practicable and provide a statement from their medical providers identifying any pregnancy-related job restrictions or limitations. If at any point during the pregnancy it becomes necessary for the employee to take a leave of absence, such leave shall be granted in accordance with the City's personnel rules and regulations regarding family and medical care leave.

1031.8 MAINTENANCE OF CERTIFICATION AND TRAINING

Employees assigned to **light temporary -modified** duty shall maintain all certification, training, and qualifications appropriate to both their regular and temporary duties, provided that the certification, training, or qualifications are not in conflict with any medical limitations or restrictions. Employees who are assigned to **light temporary -modified** duty shall inform their supervisors of any inability to maintain any certification, training, or qualifications.

Release of HIPAA-Protected Information

1032.1 PURPOSE AND SCOPE

The purpose of this policy is to establish a pre-authorization process for the release of a member's protected health information (PHI), which is protected by Health Insurance Portability and Accountability Act (HIPAA) regulations, in the event of an on-duty injury or illness.

1032.2 POLICY

It is the policy of the Martinsville Fire Department to allow members to complete a pre-authorization for the release of their PHI to a family member or other specific individuals in the event the member becomes injured or ill on-duty.

1032.3 GUIDELINES

The Fire Chief or the authorized designee should ensure procedures are in place to address:

- (a) The right of members to voluntarily complete a pre-authorization for the release of PHI to a family member or other specific individuals.
- (b) Storage and security of completed pre-authorization forms.
- (c) Supervisor access to completed forms during both business and non-business hours.
- (d) Expiration and renewal requirements for the pre-authorization form.
- (e) Situations or circumstances in which members can expect the Department to release their PHI to the pre-authorized family member or other specific individual.

Return to Work

1033.1 PURPOSE AND SCOPE

The purpose of this policy is to establish the process through which an employee who has been off work for an extended period of time due to an injury or illness may return to work.

1033.1.1 DEFINITIONS

Definitions related to this policy include:

Interactive process - An informal meeting between employer and employee, designed to identify the precise limitations resulting from a disability and any potential reasonable accommodations that could overcome those limitations and allow the employee to return to work, either in his/her usual and customary position or some other type of work.

1033.2 POLICY

It is the policy of the Martinsville Fire Department to assist injured employees, to the extent reasonably practicable, in returning to work as soon as they are medically able to perform meaningful work for the Department.

1033.3 EMPLOYEE RESPONSIBILITIES

It is the employee's responsibility to inform the Department of his/her absence and to immediately advise the Department when the employee believes that he/she will be medically released to return to work, with or without restrictions. If practicable, the employee shall provide advance notice of his/her potential return to work and shall provide written medical verification of the clearance and any restrictions.

If an employee has restrictions prescribed by a qualified health care professional, it is the responsibility of the employee to ensure he/she is not performing work that violates any restriction. If the employee believes he/she has been requested or directed to perform work that violates the restrictions, the employee should make a prompt report to the Department of Human Resources.

1033.4 DEPARTMENT RESPONSIBILITIES

The Department will evaluate the employee's request to return to work and the written medical verification, and will consult with the Department of Human Resources to make a determination whether:

- (a) The employee may return to full duty based on the medical verification provided by the employee.
- (b) The employee may return to work to a temporary modified-duty assignment and whether the Department has a need that fits with the employee's restrictions.
- (c) The employee should have a fitness-for-duty evaluation.
- (d) The employee has reached a permanent and stationary rating and it is necessary to engage in an interactive process to determine a reasonable accommodation.

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The Department of Human Resources, in consultation with the department representative, should make a recommendation to the Fire Chief or the authorized designee regarding the status of the employee. The Department of Human Resources should communicate with the employee about plans for the employee to return to work, after consulting with the Fire Chief or the authorized designee.

Line-of-Duty Death

1034.1 PURPOSE AND SCOPE

The purpose of this policy is to provide the necessary guidelines and protocol for a line-of-duty death.

The death of any department member while on-duty, while traveling in connection with such duty, or while engaged in firefighting or Emergency Medical Services (EMS) activities off-duty is considered a line-of-duty death. The death of any department member while undergoing medical treatment for any injury or disease potentially resulting from a job duty may be medically determined to be a line-of-duty death and for purposes of this policy may be handled as a line-of-duty death.

This policy defines and describes the guidelines and responsibilities to be followed in the event of a line-of-duty death and can be escalated in the event of multiple deaths or when a number of department members are seriously injured.

1034.2 POLICY

It is the policy of the Martinsville Fire Department to assist and support the family members and coworkers of fallen members to the extent reasonably practicable, while also investigating the cause of death, making appropriate notifications, and fielding press inquiries.

1034.3 RESPONSIBILITIES

1034.3.1 FIRE CHIEF

In the event of being notified of a line-of-duty death, the Fire Chief or the authorized designee should:

- (a) Conduct briefings in order to communicate activities to the assigned officers.
- (b) Make an announcement to the Department at the appropriate time. Immediately after the announcement, all flags at fire stations and other department facilities should be lowered to half-staff and all badges should be shrouded. Flags should remain at half-staff and badges shrouded for a specified time, but in no event should that be for longer than 14 days.
- (c) Request that the Administration Division assemble personal data, such as date of birth, file photograph, marital status, dependents, and names of next of kin to facilitate the application for state and federal line-of-duty death benefits.
- (d) Assign a chief officer to act as the auditing officer to secure the personal effects of the deceased and deliver them to the Administration Division.
- (e) Assign a Family Support Liaison to facilitate communication between the deceased member's family and the Department.
- (f) Document all actions, contacts, requests, and other pertinent data.

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- (g) Provide briefing to labor representatives regarding the incident and the deceased member only as is necessary to initiate labor organization benefits and honors.
- (h) Preserve any equipment, turnouts, and breathing apparatus used by the deceased firefighter for the investigation.

The Fire Chief should determine if it is necessary to request outside resources to assist in the staffing or investigation of the incident, as needed.

1034.3.2 CAPTAIN

In the event of a line-of-duty death, the Captain or the authorized designee shall:

- (a) Secure the scene of the incident with the assistance of the Incident Commander, fire prevention personnel, and local law enforcement.
- (b) Immediately notify the Deputy Fire Chief and the Fire Chief.
- (c) Preserve any equipment, turnouts, and breathing apparatus used by the deceased firefighter for the investigation.
- (d) Preserve all tactical worksheets, video, and/or audiotapes for the investigation.
- (e) Gather all available information concerning the incident and circumstances leading to the death.
- (f) Consider the need for members at the incident to have access to Critical Incident Stress Debriefing (CISD) services.

1034.3.3 PUBLIC INFORMATION OFFICER

In the event of a line-of-duty death, the Public Information Officer shall:

- (a) Collect facts of the incident from the Captain or the authorized designee and keep in contact to maintain available current information and direction on what information should be released.
- (b) Withhold any release of personal information relating to the member's death pending notification of next of kin and until approval is given by the Fire Chief or the authorized designee.
- (c) Instruct the involved incident crews that they shall not release any statements to the media or anyone else and should direct any inquiries to the Public Information Officer.
- (d) Prepare a written press release.
- (e) Ensure that the release of any member medical information complies with the Health Insurance Portability and Accountability Act (HIPAA) and the Patient Medical Record Security and Privacy Policy in this manual.

1034.3.3 AUDITING OFFICER

The auditing officer is responsible for ensuring the security and proper disposition of a member's personal effects in the event of a line-of-duty death. Personal effects include all property owned by the deceased member that is kept on department property, as well as personal items carried by

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the member once those items have been released by investigators, in accordance with the Line-of-Duty Death and Serious Injury Investigations Policy.

In the event of a member's line-of-duty death, the following steps shall be followed in gathering and disposing of personal effects:

- (a) All personal effects at the station shall be taken to the Administration Division to be kept in a secure location.
- (b) The deceased member's vehicle will be secured at the work site and the keys forwarded to the Administration Division and secured.
- (c) A designee from the Administration Division should conduct an inventory of all personal items received and make a written report.
- (d) The next of kin will be given priority consideration to receive the member's property. Care should be exercised in selecting a tactful time for the delivery of personal effects to the next of kin. Documentation is required indicating the date, time, and location of the disposition of the property. The name and the relationship of the individual accepting the property will also be noted. The documentation will be forwarded to the Administration Division for placement in the deceased member's personnel file.

1034.3.4 ADMINISTRATION DIVISION

The Administration Division will have the following responsibilities:

- (a) Receive, inventory, and secure the deceased member's personal belongings and hold them until such time as the investigation team approves their release.
- (b) Establish the deceased member's survivor benefits (e.g., workers' compensation, life insurance, unused medical leave, retirement benefits, other salary pay, vacation pay).
- (c) Review the Public Safety Officers' Benefit Program to determine benefits and the process for securing benefits for surviving next of kin.
- (d) Assist and coordinate with the next of kin in the process of securing all the benefits to which the survivor is entitled.

1034.4 FAMILY SUPPORT LIAISON

The appointed Family Support Liaison should conduct all duties in accordance with the Family Support Liaison Policy.

1034.5 FUNERAL ARRANGEMENTS

Funeral arrangements should be made in accordance with the Funerals Policy.

1034.6 LINE-OF-DUTY DEATH INVESTIGATIONS

For line-of-duty death investigation procedures, see the Line-of-Duty Death and Serious Injury Investigations Policy.

Line-of-Duty Death and Serious Injury Notification

1035.1 PURPOSE AND SCOPE

The purpose of this policy is to describe the communication activities that should occur in the event a member is seriously injured or killed in the line of duty. The policy establishes a priority for notifications, outlines steps for conducting each set of notifications, and identifies roles and responsibilities.

1035.2 POLICY

It is the policy of the Martinsville Fire Department to ensure, to the extent reasonably practicable, that immediate and compassionate notification is made to the family of members who are seriously injured, hospitalized, or killed in the line of duty. The Department shall make it a priority to offer assistance and support to the member's family.

1035.3 PROCEDURE

- (a) For the purposes of this policy, a serious injury or hospitalization is defined as a medical condition that is life-threatening or has the potential to disable the member for a substantial period of time.
- (b) The Incident Commander (IC) or Captain at the scene of the serious injury or death will immediately notify the Deputy Fire Chief and provide the necessary information.
- (c) The Deputy Fire Chief will be the point of contact for making assignments and will coordinate actions with the Fire Chief and others.
- (d) All inquiries related to the incident should be referred to the IC, the Public Information Officer (PIO) or the Captain, as appropriate.
- (e) In the event of the death of a member, the Captain must immediately initiate the procedures in the Line-of-Duty Death and Serious Injury Investigations Policy.

1035.4 DEATH NOTIFICATIONS

The Deputy Fire Chief, in coordination with the Fire Chief or the authorized designee, will ~~assign a two-person notification team consisting of either a -and- chaplain or two- s to~~ locate and inform the member's family. If more than one member has been seriously injured or killed in an incident, separate teams will be assigned to each affected family. The team should:

- (a) Contact the Administration Division to obtain information regarding the member's next of kin.
- (b) Call back operations staff, if necessary.

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Line-of-Duty Death and Serious Injury Notification

1035.4.1 NOTIFICATION TEAM RESPONSE

The notification team shall make the necessary family notification as quickly as practicable, with the goal of making the notification within two hours of the Captain learning of the serious injury or death. The notification team should:

- (a) Gather and validate as much information about the incident as possible.
- (b) Wear the dress uniform, if possible.
- (c) Plan the appropriate timing and schedule when it is necessary to make the notification to more than one person or family group (e.g., spouse and parent).
- (d) Meet prior to making the notification to establish roles of the team members and allow the exchange of known facts.
- (e) Determine if the Captain, Deputy Fire Chief, or Fire Chief is aware of a special relationship between the deceased member's family and another member. If so, it may be appropriate to have that member accompany the notification team. Prior to arrival, the team should clarify the member's role in the notification process.

1035.4.2 NOTIFYING THE FAMILY

The team members should adhere to the following notification guidelines:

- (a) The team should not park directly in front of the family's home or workplace. The person who will make the notification should make introductions at the door and ask to be invited in.
- (b) In most cases, if a chaplain is part of the notification team, the chaplain should make the notification.
- (c) Notification should be made briefly and directly.
- (d) Information regarding precipitating factors or information that is not verified should not be provided until an investigation has been completed.
- (e) Team members should communicate the support and sympathy of the Fire Chief and all members of the Department.
- (f) Team members should ask family members whether they would like the team to notify other parties, such as clergy or grief counselors.

1035.4.3 NOTIFICATION OF FAMILY OUT OF THE AREA

If the immediate next of kin of the deceased employee lives more than two hours away, the Captain may make arrangements to have someone in the family's area make the notification. The following should be considered:

- (a) Whether the notification should be made by the local clergy or another person in the area who has a relationship with the family, or with the assistance of the local fire department/law enforcement.
- (b) Whether the fire department in the family's city of residence may be the most appropriate entity to make the notification or whether that department can assist in obtaining information about the family.

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- (c) Whoever is selected to make the notification should be provided with the information contained in this policy.
- (d) The notification plan must include a coordinated telephone call with the family and the Deputy Fire Chief.

1035.4.4 INTERNAL DEPARTMENT NOTIFICATIONS

The following internal notifications should be made in advance of any media release:

- (a) All on-duty Captains should be notified.
- (b) All members should be notified as soon as possible after the family notification is made.

1035.4.5 GOVERNING BODY AND LABOR NOTIFICATIONS

The Captain will ensure that additional notifications are made as required, after the next-of-kin notification. Notifications that are required as soon as practicable after a confirmed line-of-duty death or serious injury include the following:

- (a) Department Health and Safety Officer, who will make the necessary notifications in coordination with the Captain
- (b) Elected officials or board of directors
- (c) Mayor
- (d) Employee labor representatives
- (e) Other notifications as determined by the Fire Chief

1035.4.6 EXTERNAL NOTIFICATIONS

The following external notifications will be made:

- (a) Notification to the Indiana State Fire Marshal's Office should be made for a line-of-duty death.
- (b) Notification to the Indiana Department of Labor, Occupational Safety and Health Administration (610 I.A.C. 9-3-1)
- (c) Notification to the National Institute for Occupational Safety and Health (NIOSH)
- (d) Notification to the U.S. Department of Justice Public Safety Officers' Benefit Program
- (e) Notification to the United States Fire Administration (USFA)
- (f) Notification to the National Fallen Firefighters Foundation (NFFF)
- (g) Notification to other agencies as mandated by federal and state law and local ordinance

1035.5 FAMILY SUPPORT

The Captain should appoint a Family Support Liaison, who should refer to the Family Support Liaison Policy for duties and responsibilities.

In the event of a line-of-duty death, the Fire Chief or the authorized designee should appoint a funeral detail officer to administer the Funerals Policy.

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1035.6 NEWS MEDIA AND COMMUNITY RELATIONS

It is the policy of the Martinsville Fire Department to follow the News Media and Community Relations Policy when communicating with the media. In the case of a line-of-duty death, additional considerations include but are not limited to:

- (a) The employee's family must have received proper notification prior to any information regarding the identity of the deceased being released to the media.
- (b) All information must be validated prior to its release to the media.

The Public Information Officer or the authorized designee shall be the spokesperson on most aspects of these events. However, the announcement or confirmation of a line-of-duty death and/or the release of the employee's name should be made by the Fire Chief or the authorized designee.

Prior to confirmation that the employee's family has been notified, no details will be released concerning the death. If the news media are on-scene aware of the death, the Public Information Officer will simply confirm that a death has occurred and communicate the department's compassion and concern for the employee's family and colleagues. The Public Information Officer will advise the media that the full details will be provided as soon as they are known and after proper notification of next of kin has been made.

If an employee death occurs in the midst of ongoing news coverage of a fire or other emergency, the Public Information Officer will focus on handling the details concerning the death. Another trained spokesperson will be assigned to handle the media relations for the incident.

1035.7 SERIOUSLY INJURED OR HOSPITALIZED EMPLOYEE

Some of the notification and support procedures described in this policy for a line-of-duty death may be applied to any instance of an employee who has been seriously injured in the line of duty, except as noted below:

- (a) If the seriously injured employee has been taken to a hospital, a Deputy Fire Chief should assign a Captain who is not involved in the incident to go to the hospital and become the hospital liaison.
- (b) The Captain should establish communications with the hospital and report regularly to the Deputy Fire Chief on the employee's condition.
- (c) A representative of the employee's labor organization will also be sent to the hospital, if possible.

The hospital liaison and labor representative should work cooperatively for the benefit of the employee and the employee's family. In addition, the Deputy Fire Chief should ensure close coordination with the treating medical facility.

Family Support Liaison

1036.1 PURPOSE AND SCOPE

The purpose of this policy is to establish the position, role and responsibilities of the Family Support Liaison. The procedure describes the conditions under which the position is activated and identifies the department personnel responsible for the activation.

1036.2 POLICY

It is the policy of the Martinsville Fire Department to assign a member to act as a Family Support Liaison, as soon as practicable, to the family of any member who has been seriously injured or has died in the line of duty. The member assigned should be the most appropriate person for the circumstances, without regard for rank.

1036.3 PROCEDURE

1036.3.1 LIAISON ACTIVATION CRITERIA

The Department will assign a member to the Family Support Liaison position whenever any department member has been seriously injured or has died in the line of duty. At the discretion of the Fire Chief, the position may be activated and filled in the event of an off-the-job serious injury or death or in the event of a member's catastrophic loss.

1036.3.2 LIAISON ROLE AND RESPONSIBILITIES

The Family Support Liaison will coordinate the needs and wishes of an employee's family with the responsibilities and needs of the Department and will represent the Department in helping meet the needs of the employee's family by communicating directly with the Fire Chief or the authorized designee. Responsibilities shall include, but are not limited to:

- (a) Establish ongoing communication with the member's Captain and obtain a briefing regarding circumstances of the event, family contacts up to the present and other relevant information.
- (b) Establish contact with family members. Identify immediate needs and questions and provide appropriate solutions or responses. Relay any unfilled needs and unanswered questions to the Fire Chief.
- (c) Coordinate or provide transportation to hospitals, places of worship and/or other appropriate locations.
- (d) Within 24 hours of an employee's line-of-duty death, arrange for the Fire Chief to visit the family.
- (e) Establish contact with the department Public Information Officer and coordinate media information needs, while considering the privacy wishes of the family.
- (f) Coordinate with local law enforcement to provide for the physical security of the family.

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- (g) Establish communications with other support personnel or groups, including department chaplains, employee associations, human resources representatives and appropriate labor organizations.
- (h) If appropriate, coordinate with the department-appointed funeral detail officer.
- (i) Ensure the family knows how to reach him/her and establish a time to contact the family in the future.

1036.3.3 SELECTION AND REPORTING REQUIREMENTS

The affected member's Captain will select the Family Support Liaison. The following guidelines should be used for selection:

- (a) The liaison should be an individual the family knows and with whom they are comfortable working.
- (b) If the family has no preference, the selection may be made from names recommended by the affected member's supervisor and/or coworkers.
- (c) The liaison should report directly to the affected member's Captain.
- (d) If the selected liaison does not already have an assigned department pager or cellular telephone, one or both should be assigned to facilitate the necessary communications.

Funerals

1037.1 PURPOSE AND SCOPE

It is the intent of this policy to ensure that every member of the Department, both active and retired, who passes away may be offered the option of a funeral or assistance from the Department. These guidelines will ensure proper support and care of the family and the posthumous honoring of a member of the Department.

1037.1.1 DEFINITIONS

Definitions related to this policy include:

Level I, Line-of-Duty Death - Considered for all firefighters (career, reserve and volunteer) of the Department who die as a direct result of injuries suffered at the scene of any emergency incident or while responding to or returning from the scene of an emergency incident. This includes medical conditions (e.g., heart attack) that result in the death at the scene of an emergency.

Level II, On-Duty Death - Pertains to all firefighters of the Department who die while on-duty, but not due to injuries sustained while performing emergency activities. This includes firefighters whose death is a direct result of medical treatment or complications arising from a previous on-duty injury.

Level III, Active Employee Off-Duty - The death of an active firefighter that occurs while the firefighter is off-duty and the death is not related to any emergency activity.

Level IV, Retired Employee or Staff Professional - The death of a retiree or professional staff employee of the Department. Level IV may also include a dignitary closely associated with the Department, as designated by the Fire Chief, and upon whom the Department wishes to bestow funeral honors. The death of a retired Fire Chief may be considered as a higher level, at the department's discretion.

Level V, Death of a Family Member - The death of a family member of an active firefighter, retiree or staff professional of the Department. Level V may also include a family member of a dignitary closely associated with the Department as designated by the Fire Chief, and upon whom the Department wishes to bestow funeral honors.

1037.2 POLICY

It is the policy of the Martinsville Fire Department for the Fire Chief or the authorized designee to make the necessary assignments and coordinate actions with other department representatives any time the Department learns that an active or retired employee has passed away. Activities should be in accordance with the Line-of-Duty Death, Line-of-Duty Death and Serious Injury Notification and Family Support Liaison policies.

If a responsible family member requests department assistance, the Fire Chief or the authorized designee should appoint, with the approval of the family member, an employee to act as a funeral detail officer and oversee all of the arrangements. The Fire Chief may deny the option

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of department participation if the circumstances of the member's death may reasonably bring discredit to the Department.

The Fire Chief or the authorized designee should determine the highest level of participation the Department can provide, based on the cause of death.

1037.3 LEVEL OF PARTICIPATION

The desires of the family are paramount and shall be given fullest consideration; however, the department's funeral participation will be conducted according to the following guidelines:

- (a) A Level I funeral may include Level II criteria and any of the following:
 - 1. Crossed ladders
 - 2. Supreme Sacrifice Medal
 - 3. Helicopter fly-over
- (b) A Level II funeral may include Level III criteria and any of the following:
 - 1. Fire engine or caisson with casket
 - 2. Cordon of fire apparatus of both the Department and visiting agencies
- (c) Level III funeral may include Level IV criteria and any of the following:
 - 1. Casket draped with the U.S. flag
 - 2. Honor Guard as pallbearers
 - 3. Procession with department apparatus from the firefighter's current battalion
 - 4. Bugler
 - 5. Bell ceremony
- (d) Level IV funeral may include:
 - 1. Hearse with casket
 - 2. Apparatus from last assignment (if appropriate)
 - 3. Honor Guard
 - 4. Pipe and drum band
 - 5. Administration and logistic support as needed
 - 6. Uniformed personnel
 - 7. Flag folding (if appropriate)
- (e) Level V funeral honors may include (with the approval of the Fire Chief):
 - 1. One piece of apparatus to be used as a static display (not to be included in a procession)
 - 2. Honor Guard (if appropriate)
 - 3. Uniformed personnel

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1037.4 ROLES AND RESPONSIBILITIES

The Fire Chief or the authorized designee may appoint one or more of the following positions to provide assistance with the funeral arrangements:

- **Family Support Liaison** - Any department member who is a close friend of the family and will make reasonable efforts to address the needs and desires of the family, communicate between the Department and the family and coordinate details with the Officer in Charge.
- **Funeral detail officer** - An employee who is appointed by the Fire Chief to oversee all arrangements for a funeral.
- **Head usher** - The head usher is responsible for seating and parking arrangements at the funeral services, both at the church and at the grave site.
- **Honor Guard Commander/Officer in Charge of the Honor Guard and pipe and drum band** - This position will be filled by a member of the Honor Guard and will be responsible for the coordination of the Honor Guard, Color Guard and the pipe and drum band.
- **Honorary pallbearers** - Honorary pallbearers are those selected by the family. They will follow the casket from the location of the services to the grave site.
- **Logistics officer** - The logistics officer is charged with preparing the apparatus, vehicles, equipment and facilities for the funeral services.
- **Officer in Charge/detail officer** - Selected by the Fire Chief or the authorized designee, the detail officer is the person in charge of the overall department participation and is responsible for the coordination between the funeral director, the chaplain and the Family Support Liaison.
- **Public agency liaison (as needed)** - The public agency liaison will coordinate any interaction with other public agencies that wish to participate in the services.
- **Public Information Officer (as needed)** - The Public Information Officer will coordinate all media and public relations issues.
- **Pallbearers** - The pallbearers in a Line of Duty funeral will be members of the Honor Guard, unless otherwise requested by the family.
- **Protocol liaison** - Appointed by the Fire Chief or the authorized designee, the protocol liaison will provide direction, advice and clarification to the family regarding proper funeral procedures.
- **Transportation officer** - The transportation officer is responsible for all transportation of family members, pallbearers and escort detail from a pre-determined location to the location of the services, from the service to the grave site and back to a pre-determined location (e.g., the family home, place of worship).

Family and Medical Leave

1038.1 PURPOSE AND SCOPE

The purpose of this policy is to provide general guidance for managing unpaid leave for eligible employees for qualified medical and family reasons, including (29 USC § 2612):

- The birth, adoption, or foster care placement of a child.
- To care for an immediate family member (spouse, child, or parent) with a serious health condition.
- When an employee is unable to work because of his/her own serious health condition.
- To care for a spouse, son, daughter, parent, or next of kin who is a service member of the United States Armed Forces and who has a serious injury or illness incurred in the line of duty.

This policy does not address all possible situations and circumstances that may arise when an employee requests leave for family or medical reasons. As these leave situations arise, supervisors should consult with the Department of Human Resources or legal counsel to obtain specific guidance regarding leave rights and obligations.

Nothing in this policy supersedes any provision of any collective bargaining agreement, civil service or other local rule, or any law that provides greater family or medical leave rights.

1038.1.1 DEFINITIONS

Definitions related to this policy include:

Child - A child under 18 years of age, or 18 years of age or older who is incapable of self-care because of a mental or physical disability (29 USC § 2611; 29 CFR 825.102; 29 CFR 825.122). An employee's child is one for whom the employee has actual day-to-day responsibility for care and includes a biological, adopted, or foster child; stepchild; or a child for whom the employee is standing in loco parentis (in place of a parent).

FMLA - The federal Family and Medical Leave Act (29 USC § 2601 et seq.).

Qualified health care professional - A physician, surgeon, doctor of osteopathy, podiatrist, dentist, psychologist, optometrist, nurse practitioner, nurse midwife, clinical social worker, or physician assistant duly licensed and authorized to practice medicine; chiropractors for some purposes; any health care provider from whom the department benefits plan will accept certification of the existence of a serious health condition to substantiate a claim for benefits (29 CFR 825.125).

Spouse - The person with whom an employee has entered into a marriage defined or recognized by the location in which the marriage was entered into (29 USC § 2611(13); 29 CFR 825.102; 29 CFR 825.122).

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Family and Medical Leave

1038.2 POLICY

It is the policy of the Martinsville Fire Department to manage unpaid leave for eligible employees for qualified medical and family reasons in compliance with federal and state law and any applicable collective bargaining agreement.

1038.3 ELIGIBLE EMPLOYEES

Employees are eligible for FMLA after working for the Martinsville Fire Department for at least one year and completing 1,250 hours over the 12 months prior to the commencement of the leave (29 USC § 2611; 29 CFR 825.110). Employees may not be eligible for leave if there are less than 50 other employees within 75 miles of the employee's work site.

1038.4 TYPE AND DURATION OF LEAVE

Generally, eligible employees are entitled under FMLA to 12 work weeks of unpaid leave during a 12-month period (29 USC § 2612; 29 CFR 825.100). Up to 26 weeks of unpaid leave during a single 12-month period may be available to care for certain injured military service members. The 12-month period is measured backward from the date leave is taken and continuously with each additional leave day taken.

1038.4.1 SERIOUS HEALTH CONDITIONS

Eligible employees may take up to 12 weeks of leave to care for a spouse, child, or parent with a serious health condition or when the employee is unable to work because of his/her own serious health condition (29 USC § 2612(a)(1); 29 CFR 825.200).

If both spouses are employed by the Martinsville Fire Department, the combined number of work weeks to care for a sick parent is limited to 12 work weeks during any 12-month period (29 USC § 2612(f); 29 CFR 825.201).

Generally, a serious health condition is an illness, injury, impairment, or physical or mental condition that involves (29 USC § 2611; 29 CFR 825.113):

- An overnight stay in a hospital, hospice, or residential medical care facility (29 CFR 825.114).
- Continuing treatment by a qualified health care professional due to a serious health condition of more than three full consecutive calendar days (29 CFR 825.115(a)).
- Any period of incapacity due to pregnancy complications or prenatal care (29 CFR 825.115(b)).
- A chronic condition which requires treatment (29 CFR 825.115(c)).
- A permanent condition for which treatment may not be effective (such as Alzheimer's or the terminal stages of a disease) (29 CFR 825.115(d)).
- Any period of absence to receive multiple treatments, including any recovery period, either for restorative surgery after an accident or other injury, or for a condition that would likely result in a period of incapacity of more than three consecutive calendar

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days without medical intervention or treatment (such as cancer chemotherapy or physical therapy for arthritis) (29 CFR 825.115(e)).

1038.4.2 BIRTH OR PLACEMENT OF A CHILD

Eligible employees may take up to 12 weeks of leave for the birth, adoption, or foster care placement of a child of the employee (29 USC § 2612; 29 CFR 825.200). The leave must be concluded within one year of the birth or placement of the child (29 CFR 825.120; 29 CFR 825.121).

If both parents are employed by the Martinsville Fire Department, the combined number of work weeks of leave is limited to 12 work weeks during any 12-month period (29 USC § 2612(f); 29 CFR 825.120; 29 CFR 825.121).

1038.4.3 MILITARY EXIGENCY LEAVE

Eligible employees may take service member leave of up to 12 weeks for qualifying exigencies occurring because a spouse, child, or parent is on covered active duty or has been notified of an impending order to active duty (29 USC § 2612(a)(1)(E); 29 CFR 825.200). This type of leave is available to a family member of a person in the National Guard, Reserves, or members of the regular Armed Forces deployed to a foreign country. Qualifying exigencies include (29 CFR 825.126):

- Addressing issues that arise from a short notice (seven or less days) deployment.
- Attending military events related to the active duty or call to duty.
- Attending family support or assistance programs.
- Making child care or educational arrangements or attending school activities arising from active duty or a call to active duty.
- Making financial and legal arrangements.
- Spending time with a military member who is on short-term rest-and-recuperation leave during a period of deployment.
- Attending post-deployment activities.
- Addressing issues that arise from the death of a military member, such as making funeral arrangements.
- Caring for a military employee's parent who is incapable of self-care, such as providing care on an immediate need basis or arranging for alternative care.

1038.4.4 MILITARY CAREGIVER LEAVE

Eligible employees may take up to 26 weeks of leave in a single 12-month period to care for a spouse, son, daughter, parent, or next of kin who has incurred an injury or illness in the line of duty while on active duty in the Armed Forces, provided that such injury or illness may render the family member medically unfit to perform work (29 USC § 2612; 29 CFR 825.200).

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Military caregiver leave is also available to family members of covered veterans who were members of the Armed Forces, including the National Guard or Reserves, at any point in the five years preceding the date on which the veteran undergoes medical treatment, recuperation, or therapy (29 USC § 2612; 29 CFR 825.127).

During the single 12-month period, employees are entitled to no more than a combined total of 26 weeks of FMLA leave. In any case in which both spouses are employed by the Martinsville Fire Department, the combined number of work weeks of leave is limited to 26 work weeks during any 12-month period (29 USC § 2612(f); 29 CFR 825.127).

Service member FMLA leave runs concurrent with other leave entitlements provided under federal, state, and local law. Where FMLA leave qualifies as both military caregiver leave and care for a family member with a serious health condition, the leave will be designated as military caregiver leave first.

1038.4.5 FAMILY MILITARY LEAVE

Eligible employees may take 10 days of leave per year for military family leave as follows (I.C. § 22-2-13-11):

- (a) During the 30 days before a family member's active duty orders go into effect.
- (b) While a family member is on leave during active duty.
- (c) During the 30 days after a family member's active duty orders are terminated.

For purposes of military family leave, a family member includes a spouse, parent, grandparent, child, or sibling who is ordered to active duty in the U.S. Armed Forces or the Indiana National Guard for over 89 consecutive days (I.C. § 22-2-13-7).

Employees seeking family military leave shall provide written notice of the date leave will begin at least 30 days in advance, unless active duty orders are issued less than 30 days before the requested date of leave, in which case written notice shall be provided as soon as practicable. If requested, employees shall provide verification of eligibility (I.C. § 22-2-13-12).

1038.4.6 INTERMITTENT LEAVE

An employee may take leave for the employee's own serious health condition, for the serious health condition of the employee's spouse, child, or parent, or to care for a covered service member with a serious injury or illness, intermittently or on a reduced schedule if medically necessary, and if that medical need can best be accommodated by an intermittent schedule as defined in federal law (29 USC § 2612(b); 29 CFR 825.202; 29 CFR 825.124).

Leave due to a military exigency may be taken on an intermittent or reduced-leave schedule (29 CFR 825.202).

Intermittent leave for the birth, adoption, or foster care placement of a child is only available if granted at the discretion of the Fire Chief, unless the employee has a serious health condition in connection with the birth or if the newborn child has a serious health condition (29 CFR 825.120; 29 CFR 825.121).

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Intermittent leave for any employee shall be tracked and calculated.

1038.4.7 PREGNANCY DISABILITY LEAVE

Pregnant employees who are disabled by pregnancy may be entitled to a disability leave in addition to any FMLA leave. The duration of leave is dependent on the circumstances. The Department shall defer to a pregnant member's qualified health care professional in assessing the member's ability to work.

1038.5 EMPLOYEE BENEFITS WHILE ON LEAVE

While on leave, employees will continue to be covered by any group health insurance to the same extent that coverage is provided while the employee is on the job (29 USC § 2614(c); 29 CFR 825.209). However, employees will not continue to be covered under non-health benefit plans.

Employees are responsible for any health plan employee contributions while on leave (29 CFR 825.210). Employee contribution rates are subject to any change in rates that occurs while the employee is on leave. If an employee fails to return to work after his/her leave entitlement has been exhausted or expires, the Department may recover its share of health plan premiums for the entire leave period unless the employee does not return because of the continuation, recurrence, or onset of a serious health condition of the employee or his/her family member that would entitle the employee to leave, or because of circumstances beyond the employee's control (29 CFR 825.213). The Department may recover premiums through deduction from any sums (e.g., unpaid wages, vacation pay).

Employees may not earn additional time off while on unpaid leave.

1038.6 SUBSTITUTION OF PAID ACCRUED LEAVES

Subject to applicable collective bargaining agreements and civil service rules, employees are required to exhaust all applicable paid leave before taking unpaid leave. Paid accrued leave includes vacation leave, sick leave, personal leave, and compensatory time earned in lieu of overtime, pursuant to the Fair Labor Standards Act, during FMLA leave. Employees may not use paid accrued leave to extend FMLA leave beyond 12 work weeks per year.

1038.7 USE OF FMLA LEAVE

If an employee takes a leave of absence for any reason that is FMLA qualifying, the Department may designate that non-FMLA leave as running concurrently with the employee's 12-week FMLA leave entitlement.

1038.8 PROCEDURES

The following procedures will apply for all employees requesting leave under FMLA:

- (a) When a leave is requested for a medical or other FMLA-related treatment appointment, the employee must make a reasonable effort to schedule the appointment at a time that minimizes disruption to the department's operations (29 USC § 2612; 29 CFR 825.302).

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- (b) An employee who wishes to take FMLA must provide his/her supervisor with 30 days' advanced notice when the leave is foreseeable or as soon as practicable if the need for leave is not foreseeable (29 USC § 2612; 29 CFR 825.302; 29 CFR 825.303).
- (c) At the time of the request, the employee must complete a FMLA request form.

Requests for medical leave shall be accompanied by a qualified health care professional statement, including the date on which the serious health condition began and the estimated date of return to work (29 USC § 2613; 29 CFR 825.302).

Once the leave is requested or designated by the Department, the supervisor should forward the request and any medical certifications to the Department of Human Resources and ensure the employee is provided the necessary forms and FMLA information within five days (29 CFR 825.300).

Employees are required to provide medical certification of a qualified health care professional or military documentation, if requested (29 CFR 825.305; 29 CFR 825.308; 29 CFR 825.309; 29 CFR 825.310).

Employees shall be required to periodically report on their status and intent to return to work (29 USC § 2614; 29 CFR 825.311). This may assist in avoiding a delay in reinstatement when the employee is ready to return to work.

Employees returning from a medical leave from the employee's own serious health condition will be required to present medical verification from a qualified health care professional of the employee's ability to return to work and a list of any restrictions that need to be accommodated (29 USC § 2614; 29 CFR 825.100; 29 CFR 825.312).

1038.9 REINSTATEMENT FOLLOWING LEAVE

Generally, employees returning from FMLA leave within the qualified period will be restored to their original job or to an equivalent job with equivalent pay and benefits (but not seniority), unless the employee would not otherwise have been employed at the time reinstatement is requested (e.g., in the case of a layoff) (29 USC § 2614; 29 CFR 825.214; 29 CFR 825.216).

If the same position is no longer available, such as in a layoff, the employee will be entitled to a position that is comparable in pay, job content, and promotional opportunities and geographic location, if such a comparable position exists.

If upon return from leave an employee is unable to perform the essential functions of the job because of a physical or mental disability, the supervisor should work with the Department of Human Resources or legal counsel to engage in an interactive process with the employee to identify a potential reasonable accommodation.

After exhausting paid FMLA leave, non-paid leave will continue until the conclusion of the protected 12- or 26-week time limit. Following the protected leave, the Fire Chief, in consultation with the legal counsel or the Department of Human Resources, will determine whether non-FMLA leave should apply.

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1038.10 RESPONSIBILITY

Supervisors should work with the Department of Human Resources or legal counsel regarding questions relating to leave or reinstatement from leave under this policy. The Department of Human Resources should advise the supervisor and inform members of their rights and responsibilities.

1038.11 RECORDS

The Department will maintain leave-related records as required by 29 CFR 825.500 for at least three years and in compliance with the department's established records retention schedule.

Records and documents related to doctor certifications and other medical information created for purposes of complying with FMLA and this policy shall be maintained as confidential medical records in separate files from employee personnel files.

1038.12 NOTICE TO EMPLOYEES

The Director of Human Resources should ensure that a notice explaining the FMLA's provisions and procedures is prominently posted in conspicuous places in the Department where it can be readily seen by all employees and applicants for employment. Electronic posting is sufficient as long as the other posting requirements have been met as provided by 29 CFR 825.300 (29 CFR 825.300).

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1039.1 PURPOSE AND SCOPE

This policy provides general guidance regarding leave to perform military service as a member of the Reserves or National Guard, or for active duty in the U.S. Armed Forces in accordance with the Uniformed Services Employment and Reemployment Rights Act (USERRA) (38 USC § 4301 et seq.).

This policy does not address every situation or circumstance that may arise when an employee is performing military service or ordered to active duty. As military leave situations arise, supervisors should consult with the Department of Human Resources or legal counsel to obtain specific guidance regarding military leave rights.

1039.2 POLICY

The Martinsville Fire Department supports employees who may be called or who volunteer to serve in the military. The Department will comply with USERRA and state laws relating to military leave.

1039.3 MILITARY LEAVE

Generally, employees on military leave are entitled to the same rights and benefits that are provided to employees having similar seniority, status, and pay who are on furlough or leave of absence (38 USC § 4316).

1039.3.1 LENGTH OF LEAVE

Employees are entitled to military leave of absence for up to a maximum of five years. Military leave is available for both voluntary and mandatory service (38 USC § 4303; 38 USC § 4312).

There are exceptions to the five-year cumulative total, including inactive duty training (drills), annual training, involuntary recall or retention in support of war, national emergency, certain operational missions, or training or retraining requirements (38 USC § 4312).

1039.3.2 TEMPORARY MILITARY DUTY LEAVE OF ABSENCE

An eligible employee who is a member of the Indiana National Guard, a reserve component of the armed forces of the United States military or a member of the retired personnel of the U.S. Armed Forces is entitled to temporary military leave not to exceed 15 days per year for training or reserve duties without loss of time or pay as provided in I.C. § 10-16-7-5.

1039.4 PROCEDURES AND RESPONSIBILITIES

Employees who require military leave shall provide as much advance written or verbal notice of the pending service as reasonably possible (38 USC § 4312).

Additionally, the employee should:

- (a) Provide copies of official orders or other official documentation, if available.
- (b) Select the benefit options desired during absence, if applicable.

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- (c) Retain copies of all submitted documents.

1039.5 COORDINATION WITH CONTRACTS, PRACTICES, AND OTHER RULES

Wherever USERRA has more generous protections and benefits than state or local law, any applicable collective bargaining agreement, or local policy or practice, the Department will apply the more beneficial right or benefit (38 USC § 4302).

1039.6 LEAVE ACCRUALS

Employees are not required to use accrued leave while on military leave. However, employees may choose to use accrued annual leave or earned compensatory time at their discretion (38 USC § 4316).

Employees will not accrue sick days or paid time-off days during any period of military leave without pay. However, upon return, military leave time will be included in determining leave accruals. For example, if vacation accrual increases from two weeks to three weeks upon completion of five years of service, then a person who works for two years, serves two years on active duty, and then returns would be entitled to three weeks of vacation one year after reemployment.

1039.7 HEALTH CARE BENEFITS

Employees on military leave may elect to purchase continuing health care coverage for a period of time that is the lesser of:

- (a) The 24-month period beginning on the first day of the employee's absence for military leave.
- (b) The period beginning on the first day of the employee's absence for military leave and ending on the date that they fail to return from service or apply for reemployment.

If the duration of an employee's approved military service is less than 31 days, the employee may purchase continuing health care coverage under the department's health plan for no more than the regular employee share. If the approved military service is 31 days or more, the Department will charge the employee for no more than 102 percent of the full premium of the health care plan (38 USC § 4317).

1039.8 RETURN FROM DUTY

Employees returning from approved military leave of absence must report to work as follows (38 USC § 4312; 20 CFR 1002.118):

- (a) For periods of service less than 31 days, employees must report back to work no later than the beginning of the first shift that begins on the first full day that follows the end of the employee's service period, plus a reasonable time to travel to the employee's residence, plus eight hours. If reporting within this period is impossible or unreasonable through no fault of the employee, the employee must return as soon as possible after expiration of the eight-hour period.

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- (b) For periods of service of more than 30 days but less than 181 days, employees must apply for reemployment verbally or in writing no later than 14 days after completing service, or, if impossible or unreasonable to do so through no fault of the employee, no later than the next first full calendar day when it is possible to do so.
- (c) For periods of service of more than 180 days, employees must apply for reemployment verbally or in writing no later than 90 days after completion of service.

Employees who are recovering from an illness or injury incurred in or aggravated during military service must report to the Department or apply for reemployment as provided in this policy at the end of the period necessary to recover from such illness or injury. The recovery period may not exceed two years, except when circumstances beyond the employee's control exist.

An employee who fails to report or apply for reemployment in a timely manner will be subject to the department's rules of conduct and established policies covering absence from scheduled work.

1039.9 REEMPLOYMENT RIGHTS

An employee returning from an approved temporary military duty leave of absence is generally entitled to reinstatement to the position and benefits they would have attained if not absent for military duty or, in some cases, a comparable job (38 USC § 4312).

1039.9.1 FORMER POSITION

An employee returning from approved regular active military leave is entitled to reinstatement in the position that they would have attained had the employee not taken leave. If the leave exceeded 90 days, the employee is also entitled to a position of like seniority, status, and pay (38 USC § 4313).

If an employee returning from approved military leave is not able to perform the essential duties of the position the employee would have attained, the Department will make reasonable efforts to help the employee become qualified (20 CFR 1002.198). If the employee remains unable to perform the essential duties of the position after the department's reasonable efforts, the employee is entitled to their previously held position at the time of departure or, in the case the leave exceeded 90 days, a position of like seniority, status, and pay. Where an employee remains unqualified for both of these positions after reasonable efforts by the Department, the employee is entitled to the nearest approximation to these positions (38 USC § 4313).

When a returning employee cannot become qualified because of a disability incurred in or aggravated during uniformed service, the Department, after making reasonable accommodations, must find a position of equivalent seniority, status, and pay for which the employee is qualified, or the nearest equivalent (38 USC § 4313; 20 CFR 1002.198).

1039.9.2 COMPENSATION AND BENEFITS

Upon return from regular active military duty, an employee is entitled to seniority and seniority-based rights and benefits, including but not limited to:

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- (a) Receiving credit for the time spent in uniformed service under honorable conditions for purposes of seniority, retirement, promotion, and merit salary increases (20 CFR 1002.210).
- (b) Receiving credit for time spent on approved military leave for purposes of calculating eligibility for leave under the Family and Medical Leave Act (20 CFR 1002.210).
- (c) Returning to the level in the salary range that the employee would have attained had they not left on approved military leave (20 CFR 1002.236).
- (d) Receiving the same contribution to retirement benefits upon reemployment that the Department would have contributed had they not taken leave (20 CFR 1002.261).
- (e) Being treated as not having a break in service for purposes of participation, vesting, and accrual of pension benefits (38 USC § 4316; 38 USC § 4318).
- (f) Reenrolling in department health benefits without any waiting period.
- (g) Restoring benefits that were elected by the employee and their dependents at the time military service began, as well as to any other benefits that began during the leave for which the employee would reasonably have become eligible.

1039.9.3 EMPLOYEE REEMPLOYMENT RESPONSIBILITIES

An employee returning from approved regular active military leave is entitled to reinstatement rights only if the employee (38 USC § 4312):

- (a) Has given advance written or verbal notice of such service, unless precluded by military necessity.
- (b) Has served in the uniformed service for no more than five years cumulatively while employed at the Martinsville Fire Department, except as provided in 38 USC § 4312(c).
- (c) Has been issued a discharge under honorable conditions.
- (d) Reports to the Martinsville Fire Department or applies for reemployment in a timely manner as provided in this policy.
 - 1. In the case that the military leave exceeds 30 days, submits documentation showing (20 CFR 1002.121; 20 CFR 1002.123):
 - (a) The application for reemployment is timely.
 - (b) The employee has not exceeded the cumulative five-year limit of service in the uniformed services, except as provided in 38 USC § 4312(c).
 - (c) The employee's separation or dismissal from service was not disqualifying.

1039.9.4 DEPARTMENT REEMPLOYMENT RESPONSIBILITIES

The Department shall promptly reinstate employees entitled to reinstatement but no later than 14 days after a request for reinstatement. In the case of unusual circumstances, the Department shall reinstate employees as soon as practicable (20 CFR 1002.181).

The Department is not required to reemploy a person after approved military leave if any of the following conditions exist (38 USC § 4312):

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- (a) The department's circumstances have so changed as to make such reemployment impossible or unreasonable.
- (b) Such reemployment would impose an undue hardship upon the Department.
- (c) The person held a nonrecurrent job for a brief period of time and had no reasonable expectation that such employment would continue.

Supervisors should consult with the Department of Human Resources or legal counsel before determining whether any of these conditions exist.

1039.10 RETENTION

An employee who is reinstated after returning from approved military leave may not be discharged, except for cause (38 USC § 4316; 20 CFR 1002.247):

- (a) For 180 days after the date of reemployment if the most recent period of military service was more than 30 days and less than 181 days.
- (b) For one year after the date of reemployment if the most recent period of military service was more than 180 days.

1039.11 DISCRIMINATION AND RETALIATION PROHIBITED

Discrimination or retaliation against any employee for participation in military service is prohibited, whether the employee volunteers or is ordered to active military service (38 USC § 4311).

Driver's License Requirements

1040.1 PURPOSE AND SCOPE

The purpose of this policy is to establish procedures to ensure that all Martinsville Fire Department members who drive as a part of their duties have and maintain required driver's licenses.

1040.2 POLICY

In order to promote driver safety, it is the policy of the Martinsville Fire Department that any member who is assigned duties that require him/her to drive department vehicles or equipment, or drive a privately owned vehicle while conducting department business, has and maintains driving privileges and licenses consistent with his/her duties.

1040.3 REQUIREMENTS

Any member who is assigned duties that require him/her to drive department vehicles, equipment or private vehicles shall be required to obtain and maintain a valid driver's license.

1040.3.1 REVIEW OF RECORDS

The Fire Chief shall appoint an officer to monitor the driving records of all members who are assigned duties that require driving while conducting department business, to confirm each driver has a valid driver's license and to monitor driving records for potential problem behavior.

The officer appointed to monitor driving records shall be responsible for reviewing the driver's license reports as part of the hiring process and any time an incident occurs that affects a member's eligibility to drive.

Whenever the officer appointed to monitor driving records becomes aware of changes that could affect a member's eligibility to drive, the officer should notify the affected member, the member's immediate supervisor and the Health and Safety Officer.

1040.3.2 NEW EMPLOYEES

Prospective member driving records shall be evaluated to confirm that the applicant has a valid driver's license and to review the type and number of traffic violations and accidents on the record.

At the time of hire, a new member whose duties require driving a vehicle while conducting department business shall be required to present a valid driver's license.

1040.3.3 CURRENT EMPLOYEES

Driving records of existing members shall be evaluated to confirm that the member has a valid driver's license and to review any traffic violations and accidents.

Any member who drives a vehicle while conducting department business must immediately notify his/her supervisor of any suspension, revocation or other change in the status of his/her driver's license. Any violation of this procedure may result in disciplinary action, up to and including termination.

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Any member who does not possess a valid license shall not drive any vehicle while conducting department business.

If a member's driver's license is suspended, revoked or becomes invalid, the Department may, at its discretion, take any combination of the following actions:

- (a) Assign a member to duties which do not require driving, for up to 60 calendar days from the date of the Indiana Bureau of Motor Vehicles (BMV) report, to allow the member an opportunity to seek the reinstatement of his/her driver's license, provided:
 - 1. The member can still perform the majority of his/her job duties.
 - 2. There is minimal impact on the Department work output.
- (b) Place a member on leave without pay for up to a maximum of six months from the date of the BMV report pending license reinstatement, or up to a maximum of four months if the member has already been assigned to non-driving duties for 60 calendar days.

Any member who is unable to obtain reinstatement of his/her driver's license may be subject to disciplinary action, up to and including termination.

Nepotism and Conflicting Relationships

1041.1 PURPOSE AND SCOPE

The purpose of this policy is to ensure equal opportunity and effective employment practices by avoiding actual or perceived favoritism, discrimination or actual or potential conflicts of interest by or between members of this department. These employment practices include: recruiting, testing, hiring, compensation, assignment, promotion, use of facilities, access to training opportunities, supervision, performance appraisal, discipline and workplace safety and security.

1041.1.1 DEFINITIONS

Definitions related to this policy include:

Business relationship - Serving as an employee, independent contractor, compensated consultant, owner, board member, shareholder or investor in an outside business, company, partnership, corporation, venture or other transaction, where the employee's annual interest, compensation, investment or obligation is greater than \$250.

Conflict of interest - Any actual, perceived or potential conflict of interest in which it reasonably appears that an employee's action, inaction or decisions are or may be influenced by the employee's personal or business relationship.

Nepotism - The practice of showing favoritism to relatives over others in appointment, employment, promotion or advancement by any public official in a position to influence these personnel decisions.

Personal relationship - Includes marriage, cohabitation, dating or any other intimate relationship beyond mere friendship.

Public official - A supervisor, officer or employee vested with authority by law, rule or regulation or to whom authority has been delegated.

Relative - An employee's parent, stepparent, spouse, domestic partner, significant other, child (natural, adopted or step), sibling (natural, half or step), aunt or uncle, niece or nephew, daughter-in-law, son-in-law or grandparent (I.C. § 36-1-20.2-8).

Subordinate - An employee who is subject to the temporary or ongoing direct or indirect authority of a supervisor.

Supervisor - An employee who has temporary or ongoing direct or indirect authority over the actions, decisions, evaluation and/or performance of a subordinate employee.

1041.2 POLICY

The Martinsville Fire Department is committed to fair and equitable treatment of all members and to creating a work atmosphere that is free of both actual and apparent conflicts of interest that could compromise this principle.

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1041.3 RESTRICTED DUTIES AND ASSIGNMENTS

The Department will not prohibit all personal or business relationships between employees. However, in order to avoid nepotism or other inappropriate conflicts, the following reasonable restrictions should apply:

- (a) Employees are prohibited from directly supervising, occupying a position in the line of supervision or being directly supervised by any other employee who is a relative or with whom they are involved in a personal or business relationship (I.C. § 36-1-20.2-10).
 - 1. If circumstances require that such a supervisor/subordinate relationship exist temporarily, the supervisor should make every reasonable effort to defer matters pertaining to the involved employee to an uninvolved supervisor.
 - 2. When personnel and circumstances permit, the Department will attempt to make every reasonable effort to avoid placing such employees in supervisor/subordinate situations. The Department, however, reserves the right to transfer or reassign any employee to another position within the same classification in order to avoid conflicts with any provision of this policy.
- (b) Employees are prohibited from participating in, contributing to or recommending promotions, assignments, performance evaluations, transfers or other personnel decisions affecting an employee who is a relative or with whom they are involved in a personal or business relationship.
- (c) Whenever possible, trainers should not be assigned to train relatives. Trainers are prohibited from entering into or maintaining personal or business relationships with any member they are assigned to train until such time as the training has been successfully completed and, if an employee, off probation.
- (d) To avoid actual or perceived conflicts of interest, members of this department should refrain from developing or maintaining personal or financial relationships with victims, witnesses or other individuals during the course of or as a direct result of any official contact.
- (e) Except as required in the performance of official duties, or in the case of immediate relatives, employees should not develop or maintain personal or financial relationships with any individual they know or reasonably should know is under criminal investigation, is a convicted felon, parolee, fugitive, registered sex or arson offender, or who engages in serious violations of state or federal laws.

1041.3.1 ADDITIONAL PROHIBITIONS

Employees shall not enter into any contract or purchase agreement with the City that is prohibited by I.C. § 35-44.1-1-4.

1041.3.2 EMPLOYEE RESPONSIBILITY

Employees shall avoid situations that create a conflict of interest. Employees should take reasonable steps to address a perception of a conflict of interest when such a perception is reasonably foreseeable and avoidable (e.g., deferring a decision to an uninvolved member).

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Whenever any employee is placed in circumstances that would require the employee to take enforcement action or provide official information or services to any relative or individual with whom the employee is involved in a personal or business relationship, the employee should promptly notify his/her uninvolved, immediate supervisor. In the event that no uninvolved supervisor is immediately available, the employee should promptly notify dispatch to have another uninvolved employee either relieve the involved employee or, minimally, remain present to witness the action.

1041.3.3 SUPERVISOR'S RESPONSIBILITY

Upon being notified of, or otherwise becoming aware of any circumstance that could result in or constitute an actual or potential violation of this policy, a supervisor should take all reasonable steps to promptly mitigate or avoid such violations whenever possible.

Supervisors should also promptly notify the Fire Chief of such actual or potential violations through the chain of command.

Member Speech, Expression, and Social Networking

1042.1 PURPOSE AND SCOPE

This policy is intended to address issues associated with member use of social networking sites and to provide guidelines for the regulation and balancing of member speech and expression with the needs of the Department.

Nothing in this policy is intended to prohibit or infringe upon any communication, speech, or expression that is protected or privileged under law. This includes speech and expression protected under state or federal constitutions as well as labor or other applicable laws. For example, this policy does not limit an employee from speaking as a private citizen, including acting as an authorized member of a recognized bargaining unit, about matters of public concern, such as misconduct or corruption.

Members are encouraged to consult with their supervisor regarding any questions arising from the application or potential application of this policy.

1042.1.1 APPLICABILITY

This policy applies to all forms of communication, including but not limited to film, video, print media, public or private speech, and use of all internet services, including the web, email, file transfer, remote computer access, news services, social networking, social media, instant messaging, blogs, forums, video, and other file-sharing sites.

1042.2 POLICY

Public employees occupy a trusted position in the community, and thus, their statements have the potential to contravene the policies and performance of this department. Due to the nature of the work and influence associated with the fire profession, it is necessary that members of this department be subject to certain reasonable limitations on their speech and expression. To achieve its mission and efficiently provide service to the public, the Martinsville Fire Department will carefully balance the individual member's rights against the department's needs and interests when exercising a reasonable degree of control over its members' speech and expression.

1042.3 SAFETY

Members should consider carefully the implications of their speech or any other form of expression when using the internet. Speech and expression that may negatively affect the safety of the Martinsville Fire Department members, such as posting personal information in a public forum, can result in compromising a member's home address or family ties. Members should therefore not disseminate or post any information on any forum or medium that could reasonably be anticipated to compromise the safety of any member, a member's family, or associates. Examples of the type of information that could reasonably be expected to compromise safety include:

- Disclosing the address of a fellow firefighter.

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Member Speech, Expression, and Social Networking

- Otherwise disclosing where another firefighter can be located off-duty.

1042.4 PROHIBITED SPEECH, EXPRESSION, AND CONDUCT

To meet the department's safety, performance, and public-trust needs, the following is prohibited unless the speech is otherwise protected (for example, an employee speaking as a private citizen, including acting as an authorized member of a recognized bargaining unit, on a matter of public concern):

- (a) Speech or expression made pursuant to an official duty that tends to compromise or damage the mission, function, reputation, or professionalism of the Martinsville Fire Department or its members.
- (b) Speech or expression that, while not made pursuant to an official duty, is significantly linked to or related to the Martinsville Fire Department and tends to compromise or damage the mission, function, reputation, or professionalism of the Martinsville Fire Department or its members. Examples may include:
 1. Statements that indicate disregard for the law of the state or U.S. Constitution.
 2. Expression that demonstrates support for criminal activity.
 3. Participating in sexually explicit photographs or videos for compensation or distribution.
- (c) Speech or expression that could reasonably be foreseen as having a negative impact on the credibility of the member as a witness. For example, posting statements or expressions to a website that glorify or endorse dishonesty, unlawful discrimination, or illegal behavior.
- (d) Speech or expression of any form that could reasonably be foreseen as having a negative impact on the safety of the members of the Department.
- (e) Speech or expression that is contrary to the canons of the Firefighters' Code of Ethics as adopted by the Martinsville Fire Department.
- (f) Use or disclosure, through whatever means, of any information, photograph, video, or other recording obtained or accessible as a result of employment with the Department for financial or personal gain, or any disclosure of such materials without the express authorization of the Fire Chief or the authorized designee.
- (g) Posting, transmitting, or disseminating any photographs, video or audio recordings, likenesses, or images of department logos, emblems, uniforms, badges, patches, marked vehicles, equipment, or other material that specifically identifies the Martinsville Fire Department on any personal or social networking or other website or web page without the express authorization of the Fire Chief.
- (h) Accessing websites for non-authorized purposes, or use of any personal communication device, game device, or media device, whether personally or department-owned, for personal purposes while on-duty, except in the following circumstances:
 1. When brief personal communication may be warranted by the circumstances (e.g., inform family of extended hours).

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2. During authorized breaks; however, such usage should be limited as much as practicable to areas out of sight and sound of the public and shall not be disruptive to the work environment.

Members must take reasonable and prompt action to remove any content, including content posted by others, that is in violation of this policy from any web page or website maintained by the member (e.g., social or personal website).

1042.4.1 UNAUTHORIZED ENDORSEMENTS AND ADVERTISEMENTS

Although members are not restricted from engaging in the following activities as private citizens or as authorized members of a recognized bargaining unit, members may not represent the Martinsville Fire Department or identify themselves in any way that could be reasonably perceived as representing the Martinsville Fire Department in order to do any of the following, unless specifically authorized by the Fire Chief:

- (a) Endorse, support, oppose, or contradict any political campaign or initiative (I.C. § 3-14-1-6).
- (b) Endorse, support, oppose, or contradict any social issue, cause, or religion
- (c) Endorse, support, or oppose any product, service, company, or other commercial entity
- (d) Appear in any commercial, social, or nonprofit publication or any motion picture, film, video, public broadcast, or on any website

Additionally, when it can reasonably be construed that a member, acting in an individual capacity or through an outside group or organization (e.g., bargaining group), is affiliated with this department, the member shall give a specific disclaiming statement that any such speech or expression is not representative of the Martinsville Fire Department.

Members retain their right to vote as they choose, to support candidates of their choice, and to express their opinions as private citizens, including as authorized members of a recognized bargaining unit, on political subjects and candidates at all times while off-duty. However, members may not use their official authority or influence to interfere with or affect the result of an election or a nomination for office. Members are also prohibited from directly or indirectly using their official authority to coerce, command, or advise another member to pay, lend, or contribute anything of value to a party, committee, organization, agency, or person for political purposes (5 USC § 1502).

1042.4.2 POLITICAL ACTIVITY

No member shall be prohibited from engaging in political activity, unless otherwise prohibited by law, in violation of department policy, or any time a member is on-duty or in uniform (I.C. § 3-14-1-6).

Members shall not be coerced or required to engage in political activity.

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Member Speech, Expression, and Social Networking

1042.5 PRIVACY EXPECTATION

Members forfeit any expectation of privacy with regard to emails, texts, or anything published, shared, transmitted, or maintained through file-sharing software or any internet site that is accessed, transmitted, received, or reviewed on any department technology system (see the Information Technology Use Policy for additional guidance).

1042.6 CONSIDERATIONS

In determining whether to grant authorization of any speech or conduct that is prohibited under this policy, the factors that the Fire Chief or the authorized designee should consider include:

- (a) Whether the speech or conduct would negatively affect the efficiency of delivering public services.
- (b) Whether the speech or conduct would be contrary to the good order of the Department or the efficiency or morale of its members.
- (c) Whether the speech or conduct would reflect unfavorably upon the Department.
- (d) Whether the speech or conduct would negatively affect the member's appearance of impartiality in the performance of duties.
- (e) Whether similar speech or conduct has been previously authorized.
- (f) Whether the speech or conduct may be protected and outweighs any interest of the Department.

1042.7 TRAINING

Subject to available resources, the Department should provide training regarding member speech and the use of social networking to firefighters and supervisors.

Anti-Retaliation

1043.1 PURPOSE AND SCOPE

This policy prohibits retaliation against members who identify workplace issues, such as fraud, waste, abuse of authority, gross mismanagement or any inappropriate conduct or practices, including violations that may pose a threat to the health, safety or well-being of members.

This policy does not prohibit actions taken for nondiscriminatory or non-retaliatory reasons, such as discipline for cause.

These guidelines are intended to supplement and not limit members' access to other applicable remedies. Nothing in this policy shall diminish the rights or remedies of a member pursuant to any applicable federal law, provision of the U.S. Constitution, law, [or ordinance](#) ~~or collective bargaining agreement~~.

1043.2 POLICY

The Martinsville Fire Department has a zero tolerance for retaliation and is committed to taking reasonable steps to protect from retaliation members who, in good faith, engage in permitted behavior or who report or participate in the reporting or investigation of workplace issues. All complaints of retaliation will be taken seriously and will be promptly and appropriately investigated.

1043.3 RETALIATION PROHIBITED

No member may retaliate against any person for engaging in lawful or otherwise permitted behavior; for opposing a practice believed to be unlawful, unethical, discriminatory or retaliatory; for reporting or making a complaint under this policy; or for participating in any investigation related to a complaint under this or any other policy.

Retaliation includes any adverse action or conduct, including, but not limited to:

- Refusing to hire or denying a promotion.
- Extending the probationary period.
- Unjustified reassignment of duties or change of work schedule.
- Real or implied threats or other forms of intimidation to dissuade the reporting of wrongdoing or filing of a complaint, or as a consequence of having reported or participated in protected activity.
- Taking unwarranted disciplinary action.
- Spreading rumors about the person filing the complaint or about the alleged wrongdoing.
- Shunning or unreasonably avoiding a person because he/she has engaged in protected activity.

Anti-Retaliation

1043.4 COMPLAINTS OF RETALIATION

Any member who feels he/she has been retaliated against in violation of this policy should promptly report the matter to any supervisor, a command staff member, the Fire Chief or the City Director of Human Resources.

Members shall act in good faith, not engage in unwarranted reporting of trivial or minor deviations or transgressions, and make reasonable efforts to verify facts before making any complaint in order to avoid baseless allegations. Members shall not report or state an intention to report information or an allegation knowing it to be false or with willful or reckless disregard for the truth or falsity of the information, or otherwise act in bad faith.

Investigations are generally more effective when the identity of the reporting member is known, thereby allowing investigators to obtain additional information from the reporting member. However, complaints may be made anonymously. All reasonable efforts shall be made to protect the reporting member's identity. However, confidential information may be disclosed to the extent required by law or to the degree necessary to conduct an adequate investigation and make a determination regarding a complaint. In some situations, the investigative process may not be complete unless the source of the information and a statement by the member is part of the investigative process.

1043.5 SUPERVISOR RESPONSIBILITIES

Supervisors are expected to remain familiar with this policy and ensure that members under their command are aware of its provisions.

The responsibilities of supervisors include, but are not limited to:

- (a) Ensuring complaints of retaliation are investigated as provided in the Personnel Complaints Policy.
- (b) Receiving all complaints in a fair and impartial manner.
- (c) Documenting the complaint and any steps taken to resolve the problem.
- (d) Acknowledging receipt of the complaint, notifying the Fire Chief via the chain of command and explaining to the member how the complaint will be handled.
- (e) Taking appropriate and reasonable steps to mitigate any further violations of this policy.
- (f) Monitoring the work environment to ensure that any member making a complaint is not subjected to further retaliation.
- (g) Periodically following up with the complainant to ensure that retaliation is not continuing.
- (h) Not interfering with or denying the right of a member to make any complaint.
- (i) Taking reasonable steps to accommodate requests for assignment or schedule changes made by a member who may be the target of retaliation if it would likely mitigate the potential for further violations of this policy.

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Anti-Retaliation

1043.6 COMMAND STAFF RESPONSIBILITIES

The Fire Chief should communicate to all supervisors the prohibition against retaliation.

Command staff shall treat all complaints as serious matters and shall ensure that prompt actions take place, including, but not limited to:

- (a) Communicating to all members the prohibition against retaliation.
- (b) Reviewing complaint investigations in a timely manner.
- (c) Taking steps toward remediation of any inappropriate conduct or condition and instituting measures to eliminate or minimize the likelihood of recurrence.
- (d) Communicating the outcome to the complainant in a timely manner.

1043.7 WHISTLE-BLOWING

Indiana law protects from retaliation local government employees who report violations of federal, state and local laws and regulations or the misuse of public resources (I.C. § 36-1-8-8). Members who believe they have been the subject of retaliation for engaging in such protected behaviors should promptly report it to a supervisor. Supervisors should refer the complaint to the Fire Chief or the authorized designee through the appropriate supervisory chain of command for investigation pursuant to the Personnel Complaints Policy.

1043.8 RECORDS RETENTION AND RELEASE

The Custodian of Records shall ensure that documentation of investigations is maintained in accordance with the established records retention schedules.

1043.9 TRAINING

This policy should be reviewed with each new member.

All members should receive periodic refresher training on the requirements of this policy.

Sick Leave

1044.1 PURPOSE AND SCOPE

This policy provides general guidance regarding the use and processing of sick leave. Additional terms for the use of sick leave for eligible employees may be covered in the City personnel manual, employee handbook, ~~or applicable collective bargaining agreement.~~

This policy is not intended to cover all types of sick or other leaves. For example, employees may be entitled to additional paid or unpaid leave for certain family and medical reasons as addressed in the Family and Medical Leave Policy.

1044.1.1 DEFINITIONS

Immediate family - For purposes of sick leave, immediate family is defined as:

- Spouse
- Children
- Stepchildren
- Mother
- Father
- Brother
- Sister
- Grandchild

1044.2 POLICY

It is the policy of the Martinsville Fire Department to provide eligible employees with a sick-leave benefit.

The City provides paid sick leave benefits to all regular full-time employees for periods of temporary absence due to non-job-related illness or injury.

The City provides banked sick leave as defined in the City of Martinsville personnel policies handbook and long-term disability through The Standard Insurance Company.

To utilize the banked sick leave, employee must notify supervisor and be approved by the [Fire Chief](#). ~~Mayor~~ -

To apply for Long-term disability employee must fill out the forms at standard.com. There are sections that will need to be filled out from the employer, employee, and physician.

1044.3 SICK LEAVE ACCUMULATION

All employees shall receive nine (9) paid regular sick days a year. Compensation for said days may require proof of illness or injury, i.e., physician's statement or hospital receipt indicating treatment

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Sick Leave

was rendered. Sick days may be used in one-half (1/2) day increments. Employees must report his/her illness to the employer one (1) hour prior to the time he/she is scheduled to work.

All Firefighters hired on or before June 22, 2004, will receive 55 banked sick days. All Firefighters hired after June 22, 2004, will receive fifteen (15) days in their sick bank at the end of their probationary year. Firefighters shall receive 9 sick days a year. Whatever sick days are left at the end of the year will go into the sick bank until they accrue a total of fifty-five (55) banked sick days. Anytime bank sick days are used for major illness/injury or catastrophic events the employee's sick days at the end of the year will be placed back into their sick bank until the sick bank reaches fifty-five (55) Banked Days. Bank sick days will be utilized only for major or catastrophic injury/illness.

Administration Staff (Fire Chief, Deputy Chief, Fire Marshal) bank sick days shall convert to One Hundred-Ten (110) banked sick days upon appointment of administrative staff. Once administrative staff leaves said office and goes back to firefighter shifts the bank sick days will convert back to 55 days.

1044.4 USE OF SICK LEAVE

Sick leave is intended to be used for qualified absences. Sick leave is not considered vacation. Abuse of sick leave may result in discipline, denial of sick-leave benefits, or both.

Employees on sick leave shall not engage in other employment or self-employment or participate in any sport, hobby, recreational activity, or other activity that may impede recovery from the injury or illness (see the Outside Employment Policy).

Qualified appointments should be scheduled during a member's non-working hours when it is reasonable to do so.

1044.4.1 NOTIFICATION

All members should notify the Deputy Fire Chief or appropriate supervisor as soon as they are aware that they will not be able to report to work and no less than one hour before the start of their scheduled shifts. If, due to an emergency, a member is unable to contact the supervisor, every effort should be made to have a representative for the member contact the supervisor.

When the necessity to be absent from work is foreseeable, such as planned medical appointments or treatments, the member shall, whenever possible and practicable, provide the Department with no less than 30 days' notice of the impending absence.

Upon return to work, members are responsible for ensuring their time off was appropriately accounted for, and for completing and submitting the required documentation describing the type of time off used and the specific amount of time taken.

1044.4.2 SICK LEAVE WITH ZERO (0) SICK LEAVE AVAILABLE

An employee that calls in sick, that has zero (0) sick time remaining will result in a written reprimand and zero (0) pay for said day.

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Sick Leave

The second time an employee calls in sick with zero (0) sick time remaining the employee will be suspended up to 5 days without pay for said sick day.

The third time an employee calls in sick with zero (0) sick time remaining the employee will face discipline up to termination of employment.

1044.5 EXTENDED ABSENCE

Members absent from duty for more than three consecutive days may be required to furnish a statement from a health care provider or verification supporting the need to be absent and/or the ability to return to work. Members on an extended absence shall, if possible, contact their supervisor at specified intervals to provide an update on their absence and expected date of return.

Nothing in this section precludes a supervisor from requiring, with cause, a health care provider's statement or verification for an absence of three or fewer days.

1044.6 SUPERVISOR RESPONSIBILITIES

The responsibilities of supervisors include but are not limited to:

- (a) Monitoring and regularly reviewing the attendance of those under their command to ensure that the use of sick leave and absences is consistent with this policy.
- (b) Attempting to determine whether an absence of four or more days may qualify as family medical leave and consulting with legal counsel or the [Personnel Department] as appropriate.
- (c) Addressing absences and sick leave use in the member's performance evaluation when excessive or unusual use has:
 1. Negatively affected the member's performance or ability to complete assigned duties.
 2. Negatively affected department operations.
- (d) When appropriate, counseling members regarding excessive absences and/or inappropriate use of sick leave.
- (e) Referring eligible members to an available employee assistance program when appropriate.

1044.7 SEVERANCE

Upon retirement or voluntary termination, all unused sick days shall be forfeited.

Temporary Physical/Mental Incapacity

1045.1 PURPOSE AND SCOPE

1045.2 POLICY

Temporary physical/mental incapacity is a slight impairment of an employee, that in the opinion of the Fire Chief or his designee may render or does render the employee temporarily incapacitated and briefly prevents or may prevent the employee from performing their primary work assignments adequately and/or safely or creates an undue hardship or poses a safety threat or concern to others.

Temporary incapacity may include but is not limited to prescription medicines that induce sleep, drowsiness, or that recommends non-operation of machinery or vehicles, highly contagious diseases or infections, continual nausea, vomiting, diarrhea, dizziness or weakness, high temperature or chills, minor sprains or strains, or lacerations, emotional distress.

If determined to be in the best interest of the employee, their fellow employees, or the public welfare, the Fire Chief or his designee may send an employee home from duty status for temporary incapacity. Employees sent home for rest and recuperation will have their time away from regular duty deducted from sick leave and shall abide by all regulations and policies governing sick leave. If no sick leave or accrued time is available, time shall be deducted from employee leave-time.

Bereavement Leave

1046.1 PURPOSE AND SCOPE

1046.2 POLICY

In the event of a death in the family, personnel shall have the following time off. Shift Personnel Three (3) days off and administrative personnel Five (5) off for death of spouse, domestic partner, child, mother, father, grandparents, grandchildren, brother, sister, mother-in-law, father-in-law, son-in-law, daughter-in-law, or other family member living in the same household as the employee.

Shift Staff One (1) day off, Administration Staff Three (3) days off: for the death of a niece, nephew, aunt, uncle, brother-in-law, sister-in-law, or grandparent-in-law., cousin, Pall Bearer Request

Stand-ins and Shift Trades

1047.1 PURPOSE AND SCOPE

1047.2 POLICY

For actual trade time, you must submit the trade on paper. The trade will be documented in the daily logbook. The trade will become the recipient's responsibility. Trade time is time for time meaning the recipients will not be able to take time off on the agreed trade time.

Compensatory Time

1048.1 PURPOSE AND SCOPE

1048.2 POLICY

All Firefighter schedules of duty time will be based on a twenty-eight (28)-day work period as prescribed by the FLSA 7(k) exemption. Firefighters shall receive ninety-six (96) hours of compensatory time on January 1st each calendar year.

The use of compensatory time shall be approved in advance by the Fire Chief. The Fire Chief has sole discretion and may schedule use of employee compensatory time.

Compensatory Time shall be paid according to FLSA.

1048.3 COMPENSATORY TIME ACCRUALS

Firefighters shall receive ninety-six (96) hours of compensatory time on January 1st each calendar year.

These ninety-six (96) hours compensatory time each year are in lieu of overtime pay. [Note 2005-167] Upon termination of employment, Firefighters shall be compensated for all accrued compensatory time through the last month of employment.

The Fire Chief is entitled to compensatory time off at the rate of minute for minute off for time worked in excess to the actual workweek.

Firefighters may accrue (480) compensatory time hours.

Personal Days

1049.1 PURPOSE AND SCOPE

1049.2 POLICY

Each firefighter is granted 6 Personal Days per calendar year in addition to birthday and anniversary date of hire which totals 8 personal days. Martinsville Fire Department administration will receive 18 Personal Days per Calendar year in addition to birthday and anniversary date of hire which totals 20 personal days. Personal days must be used within that calendar year or shall be forfeited.

If a firefighter requests a personal day off it must be requested, in advance of the day that the employee wants to take off. The Shift Captain shall approve personal days. Shift Captains requesting a personal day off shall have this day approved by the Deputy Chief or Fire Chief in advance of the day the Shift Captain wants to take off. In the absence of your Shift Captain, the Lieutenant may grant a personal day.

Personal days can be taken in half day increments

Vacations

1050.1 PURPOSE AND SCOPE

1050.2 POLICY

Vacations shall be posted by seniority. Seniority will be based on years of service with Martinsville Fire Department. Firefighters that transferred to MFD will receive the number of vacation days for the years of service in 1977 Police and Fire PERF, however their seniority is based on years of service employed with Martinsville Fire Department. Seniority and the senior members have from December 15th-20th to put down their VACATION TIME ONLY. After December 20th, the next member has 5 days to put down their Vacation Time etc., after each member's 5-day window, if after the 5-day window seniority shall not prevail. Two employees may be on vacation at one time. Administration employees do not affect a shift employee's vacations. Vacation days must be taken in full days.

The length of your vacation starts at 0700 hours on the first day and ends at 0700 after your last day.

Probationary firefighters will have their vacations pro-rated until their first complete year of service, (refer to Resolution 2005-167).

1050.3 PROCEDURE

Vacation leave is disbursed on January 1st of each calendar year and is determined by years of service, Firefighters that transferred to the fire department will receive the vacation amount based on years of service in the 1977 Police and Firefighter PERF. Vacation Days may not be rolled over to the following calendar year. Vacation leave is provided as follows: Administration Staff (Fire Chief, Deputy Chief, Fire Marshal) to receive 21 vacation days to reflect working 8- hour days instead of 24-hour days.

YEARS OF SERVICE	VACATION TIME OFF
1st year	3 working days
2nd year	7 working days
3-4 years	8 working days
5-6 years	9 working days
7-8 years	10 working days
9-10 years	11 working days
11-12 years	12 working days
13 years	13 working days
14 years	14 working days
15 years	15 working days

Holidays

1051.1 PURPOSE AND SCOPE

1051.2 POLICY

Holidays are to be paid at a Rate of \$10.50 per hour worked. (See Ordinance No. 2014-1696, Appendix B) The City will adhere to the same Holiday Schedule as the State of Indiana.

Martinsville Fire Department Administration Staff will be off on Primary Election Day and General Election Day.

1051.3 THANKSGIVING AND CHRISTMAS

On Thanksgiving Day and Christmas day Time Off is to be worked out with the Shift working.

Work Hours Defined

1052.1 PURPOSE AND SCOPE

1052.2 POLICY

Platoon system:

- Length per cycle is 28 days
- Each firefighter shall work one (1) 24-hr. shift and forty-eight (48) hours off.
- There shall be three shifts
- Each employee will work 9 days per cycle
- Every third cycle a shift will work 10 days per cycle.

Merit Commission

1053.1 PURPOSE AND SCOPE

The purpose of the Merit Commission is to establish the processes for selection, promotion, performance review, serious discipline, demotion, and/or dismissal of sworn firefighters and to provide review and oversight of those processes.

1053.2 POLICY

The Fire Chief assigns administrative staff as appropriate to provide liaison between the Martinsville Fire Department, City Council and the Merit Commission. The Merit Commission does not create policy or develop standards relating to the standard operating procedures for the Martinsville Fire Department. The Merit Commission does establish eligibility lists for probationary firefighter and officer ranks resulting from selection and promotion processes that have been administered by the Department according to Commission rules and statutory requirements. The Commission is responsible for making offers of employment to probationary firefighters, from the eligibility lists. The Commission is responsible for recommending firefighters to the Fire Chief for promotion from the eligibility lists. The Commission also reviews and rules on cases of lesser discipline (up to 5 days suspension total of 40 hours) upon request, and makes ultimate determinations of serious discipline (more than 5 days suspension, demotion, or dismissal) when such discipline is recommended by the Fire Chief.

Pursuant to IC 36-8-3.5-9 and 10, rules governing the Commission's transaction of business, selection and appointment of firefighters, promotion and demotion of firefighters, and disciplinary action or dismissal of firefighters are established for the Merit Commission for the Martinsville Fire Department.

1053.3 MERIT COMMISSION ATTACHMENT

See attachment: [Merit_Commission Rules and Regulations revised 2024.pdf](#)

Attachments

IPEP First Report of Injury.pdf

INSTRUCTIONS

General Instructions:

1. Please enter information into all of the areas of the First Report form, except the boxes at the top right corner of the form which is for office use only.
2. Enter all dates in MM/DD/YY format.
3. Please return completed form electronically by an approved EDI process.
4. For answers to questions, please call (317) 232-3808.

Definitions:

AGENT NAME AND CODE NUMBER: Enter the name of your insurance agent and his / her code number if known. This information can be found on your insurance policy.

ALL EQUIPMENT, MATERIALS OR CHEMICALS EMPLOYEE WAS USING WHEN ACCIDENT OR EXPOSURE OCCURRED: List anything the employee was using, applying, handling or operating when the injury or exposure occurred. If the injury involves a fall, indicate any surfaces and / or objects the claimant fell on and where they fell from. Enter "NA" if no equipment, materials or chemicals were being used (e.g. *Acetylene cutting torch, metal plate, etc.*).

AVG WG/WK: Claimant's average weekly wage, calculated by totaling the latest 52 weeks of wages (*including overtime, tips, etc.*) and dividing by 52.

CLAIMS ADMINISTRATOR: Enter the name of the carrier, third-party administrator, state fund, or self-insured responsible for administering the claim.

CONTACT NAME / TELEPHONE NUMBER: Enter the name of the individual at the employer's premises to be contacted for additional information (*i.e. Supervisor, HR Person, Nurse, etc.*)

DATE DISABILITY BEGAN: The first day on which the claimant originally lost time from work due to the occupational injury or disease or as otherwise deigned by statute.

DEPARTMENT OR LOCATION WHERE ACCIDENT OR EXPOSURE OCCURRED: If the accident or exposure did not occur on the employer's premises, enter address or location. Be specific (*e.g. Maintenance, Client's Office, Cafeteria, etc.*).

EMPLOYEE STATUS: indicate the employee's work status from the following choices: Full-time, Part-time, Apprentice Full-time, Apprentice Part-time, Volunteer, Seasonal Worker, Piece Worker, On-Strike, Disabled, Retired, Not Employed or Unknown (you may also abbreviate the above as: *(FT, PT, AFT, APT, VO, SW, PW, OS, DI, RE, NE, or UK)*).

HOW INJURY / ILLNESS OCCURRED: Describe the sequence of events leading to the injury or exposure (*e.g. Worker stepped back to inspect work and slipped on some scrap metal. As worker fell, he brushed against the hot metal; Worker stepped to the edge of the scaffolding, lost balance and fell six feet to the concrete floor. The worker's right wrist was broken in the fall.*)

NCCI CLASS CODE: A four-digit code classifying the occupation of the claimant.

OCCUPATION / JOB TITLE: Enter the primary occupation of the claimant at the time of the accident or exposure.

PART OF BODY AFFECTED: Indicate the part of body affected by the injury / illness (*e.g. Right forearm, Low Back, etc.*)

REPORT PURPOSE CODE: 00 = Original First Report of Injury; 02 = Updated or Amended First Report.

RTW DATE (*Return to Work Date*): Enter the date following the most recent disability period on which the employee returned to work.

SIC CODE: This is the code which represents the nature of the employer's business which is contained in the Standard Industrial Classification Manual published by the Federal Office of Management and Budget.

SPECIFIC ACTIVITY EMPLOYEE ENGAGED IN DURING ACCIDENT / EXPOSURE: Describe the specific activity the employee was engaged in during the accident or exposure (*e.g. Cutting metal plate for flooring, sanding ceiling woodwork in preparation for painting.*)

TYPE OF INJURY / ILLNESS: Briefly describe the nature of the injury or illness (*e.g. Contusion, Laceration, Fracture, etc.*)

WORK PROCESS THE EMPLOYEE WAS ENGAGED IN DURING ACCIDENT / EXPOSURE: Enter "NA" if employee was not engaged in a work process, such as if walking down the hallway (*e.g. Building maintenance*).

IPEP Injury Report Forms Example.pdf



Please return to:
 IPEP
 P. O. Box 690
 Kokomo, IN 46903-0690
 1-800-382-8837
 1-765-868-3310 FAX

PLEASE TYPE or PRINT IN INK

NOTE: Your Social Security Number is being requested by this state agency in order to pursue its statutory responsibilities. Disclosure is voluntary and you will not be penalized for refusal.

EMPLOYEE INFORMATION						
SOCIAL SECURITY NUMBER 123-45-6789	DATE OF BIRTH 1-5-1990	SEX <input checked="" type="checkbox"/> MALE <input type="checkbox"/> FEMALE <input type="checkbox"/> UNKNOWN	OCCUPATIONAL TITLE Firefighter/EMT		NCCI CLASS CODE	
LAST NAME Doe	FIRST John	MIDDLE Wayne	MARITAL STATUS <input type="checkbox"/> SINGLE <input checked="" type="checkbox"/> MARRIED <input type="checkbox"/> SEPARATED	DATE HIRED 3/4/2000	STATE OF HIRE IN	EMPLOYEE STATUS Active
ADDRESS (INCL ZIP) 123 W. Hometown St Martinsville, IN 46151			# OF DEPENDENTS 5	HRS/DAY 56	PAID DAY OF INJ <input type="checkbox"/>	SALARY CONT'D <input type="checkbox"/>
PHONE 765-342-2343			WAGE PER <input type="checkbox"/> HR <input type="checkbox"/> DAY <input type="checkbox"/> WK <input type="checkbox"/> MO <input checked="" type="checkbox"/> YR	OTHER		

EMPLOYER INFORMATION			
EMPLOYER (NAME, ADDRESS, CITY, STATE, ZIP) Martinsville Fire Department 160 W Morgan St Martinsville, IN 46151	EMPLOYER FEDERAL ID# 35-6001104	SIC CODE	INSURED REPORT NUMBER
LOC #	EMPLOYER'S LOCATION ADDRESS (IF DIFFERENT)		
PHONE # 765-342-2343			
CARRIER/ADMINISTRATOR CLAIM NUMBER	REPORT PURPOSE CODE		
Actual Location of Accident/Exposure (if not on employer's premises); Incident Address			

CARRIER/CLAIMS ADMINISTRATOR INFORMATION		
CLAIMS ADMINISTRATOR (NAME, ADDRESS, PHONE NO) IPEP P. O. Box 690 Kokomo, IN 46903-0690 PHONE: 800-382-8837	CARRIER FEDERAL ID#	CHECK IF APPROPRIATE <input type="checkbox"/> SELF INSURANCE
AGENT NAME	INSURANCE CARRIER <input type="checkbox"/> THIRD PARTY ADMIN	POLICY/SELF-INSURED NUMBER
CODE NUMBER		POLICY PERIOD FROM TO

OCCURRENCE/TREATMENT INFORMATION						
DATE OF INJ/EXP 2/3/2000	TIME OF OCCURRENCE 7:00pm	DATE EMPLOYER NOTIFIED 2/3/2000	TYPE OF INJURY/EXPOSURE Inhalation		TYPE CODE	
LAST WORK DATE 2/3/2000	TIME WORKDAY BEGAN 7:00am	DATE DISABILITY BEGAN ?	PART OF BODY Lungs		PART CODE	
RTW DATE ?	DATE OF DEATH ?	INJURY/EXPOSURE OCCURRED ON EMPLOYER'S PREMISES? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	CONTACT NAME Current Chief		PHONE NUMBER 765-342-2343	
DEPARTMENT OR LOCATION WHERE ACCIDENT/EXPOSURE OCCURRED 911 S Ohshit Ave			ALL EQUIPMENT, MATERIALS, OR CHEMICALS INVOLVED IN ACCIDENT Chlorine			
SPECIFIC ACTIVITY ENGAGED IN DURING ACCIDENT/EXPOSURE Leak Control			WORK PROCESS EMPLOYEE ENGAGED IN DURING ACCIDENT/EXPOSURE Plugging a chlorine leak			
HOW INJURY/EXPOSURE OCCURRED. DESCRIBE THE SEQUENCE OF EVENTS AND INCLUDE ANY RELEVANT OBJECTS OR SUBSTANCES Injury occurred when FF Doe had his SCBA facepiece displaced during operations.					CAUSE OF INJURY CODE	
NAME OF PHYSICIAN/HEALTH CARE PROVIDER Dr. Nobetter					INITIAL TREATMENT <input type="checkbox"/> NO MEDICAL TREATMENT <input type="checkbox"/> MINOR, BY EMPLOYER <input type="checkbox"/> MINOR, CLINIC/HOSP <input checked="" type="checkbox"/> EMERGENCY CARE <input checked="" type="checkbox"/> HOSPITALIZED > THAN 24HRS <input type="checkbox"/> FUTURE MAJOR MEDICAL/LT	
WITNESSES (NAME, PHONE#) FF Beergut		DATE ADMINISTRATOR NOTIFIED 2/3/2000				
DATE PREPARED 2/3/2000	PREPARER'S NAME Shift Officer	TITLE Captain	PHONE NUMBER 765-342-2343			



INDIANA PUBLIC EMPLOYERS' PLAN, INC.
SUPERVISOR'S INCIDENT INVESTIGATION REPORT
(Please Complete All Sections)

1. Company or Location City of Martinsville	2. Department Fire	3. Date of Incident/Day of Week 2/3/2000
4. Exact Location of Incident 911 S Ohshit Ave.	5. Time of Occurrence (am/pm) 7:00pm	6. Date Reported 2/3/2000
7. Name of Injured John Wayne Doe	8. Occupation Firefighter/EMT	9. Body Part Affected (See Back) Respiratory System <input type="checkbox"/>
10. Nature of Injury or illness (See Back) Asphyxia <input type="checkbox"/>	11. Item Inflicting Injury/Illness Chlorine	12. Type of Accident (See Back) Contacted Harmful Substance <input type="checkbox"/>
13. Person With Most Control of Item 11. FF Doe		

14. Description of the Incident
FF Doe was attempting to stop chlorine leak when his SCBA facepiece became dislodged allowing inhalation of the gas.

15. Direct Causes of Incident Inatentiveness to how his facepiece was donned.	16. Why Each Cause Exists ?
--	--------------------------------

17. Actions Taken or Needed to Prevent Recurrence Refresher training for full department on correct donning of facepiece.	18. Date Completed 2/4/2000
--	--------------------------------

19. Investigated By Shift Officer	20. Date 2/3/2000	21. Reviewed By Chief/Deputy Chief	22. Date 2/4/2000
--------------------------------------	----------------------	---------------------------------------	----------------------

Please mail form to: IPEP
P.O. Box 690
Kokomo, Indiana 46903-0690

Toll free: 1-800-245-1736
Claims Fax: 1-765-868-3310
Local: 1-765-457-9161

Type of Accident

Bite by Animal
Bite by Human
Bite by Insect/Sting
Body Reaction
Burn
Caught In/Between/On
Contacted Harmful Substance
Contagious Disease Exposure
Electrical Contact
Fall From
Fall Level
Fell Through
Foreign Body
Gunshot
Motor Vehicle
Other
Overexertion
Pierced/Punctured By
Public Transportation
Repetitive Action/Motion
Slipped (Not Fall)
Smoke Inhalation
Stepped In/On
Stress
Struck Against
Struck By
Struggle/Resistive Subject

Nature of Injury

Abrasion
Amputation
Asphyxia
Avulsion
Bruise, Contusion
Burn Caused by Chem.
Burn Caused by Heat
Carpal Tunnel Syndrome
Concussion
Cut, Laceration
Crush
Death
Dermatitis
Dislocation
Electrical Shock
Fracture
Frostbite/Freezing
Hearing Loss
Heart Attack
Heat Stroke
Hernia
Infection
Inflammation/Swelling
Multiple Injuries
Other
No Injuries
Poisoning
Puncture
Radiation
Soreness/Pain
Sprain/Strain
Stress
Tendonitis

Part of Body

Abdomen
Arm - Lower
Arm - Upper
Back/Spinal, Back/Non-spinal
Buttocks
Chest
Ears, External
Ears, Internal
Elbow
Eyes
Face
Fingers
Foot
Groin
Hand
Head
Hips
Jaw
Knee
Leg - Lower
Leg - Upper
Mouth
Multiple Parts
Neck/Spinal, Neck/Non-spinal
Nervous System
Nose
Other
Respiratory System
Shoulder
Teeth
Thigh
Thumb
Toes
Trunk/Non-spinal
Wrist



Indiana Public Employers' Plan, Inc.
P.O. Box 690
Kokomo, IN 46903-0690

Toll free: 1-800-382-8837
Local: 1-765-457-9161
Claims fax: 1-765-868-3310

Adjuster:

Claim No:

**AUTHORIZATION FOR RELEASE OF
MEDICAL, MILITARY, EDUCATION AND WAGE INFORMATION**

To any physician, dentist, hospital, health care practitioner, military authority, education authority, employer or insurance carrier:

The requested information is needed to accurately evaluate, adjust and pay the patient's insurance claim.

I hereby authorize any health care professional (including health care physicians, medical practitioners or other health care providers, hospitals, medical attendants, nurses, x-ray technicians, or any other person), military authority, education authority, employer or insurance carrier, to furnish to the insurance company named above or its authorized vendors and representatives, wage loss and individually identifiable health information regarding my injuries, payment, treatment rendered, or health care received or provided. I understand that this authorization is voluntary.

I agree that a photocopy or fax of the original authorization shall have the same force and effect as the original.

I understand that my health care records may contain information regarding the diagnosis or treatment of HIV (AIDS virus), other sexually transmitted diseases, drug and/or alcohol abuse, mental illness, or psychiatric treatment. I give my specific authorization for these records to be released.

I understand that I may revoke this authorization at any time by notifying the health care professional(s) in writing, but if I do it will not have any affect on any actions taken before receipt of the revocation.

I understand that once disclosed, the information and documentation released may be re-disclosed and may no longer be subject to the HIPAA Privacy Rule.

This disclosure is made at the request of the individual named below for the purposes of evaluation, adjusting and paying an insurance claim.

Unless otherwise required by law, this authorization shall expire upon the final resolution of the insurance claim.

By signing below, the patient acknowledges that he/she has read the fraud statement printed below.

Mrs John Doe
PATIENT OR REP SIGNATURE

1234 N GRAVEYARD Rd
PATIENT ADDRESS

JANE DOE
PATIENT NAME OR REP (PLEASE PRINT)

MARTINSVILLE, IN 46151
CITY, STATE, ZIP

Wife
REPRESENTATIVE'S RELATIONSHIP TO PATIENT

000-000-0000
PATIENT PHONE NUMBER

2/3/2000
DATE

? 12/25/1980
SOC SEC NUMBER DATE OF BIRTH

ANY PERSON WHO KNOWINGLY AND WITH INTENT TO DEFRAUD AN INSURER, FILES A STATEMENT OF CLAIM CONTAINING ANY FALSE, INCOMPLETE, OR MISLEADING INFORMATION COMMITS A FELONY.

12103

IPEP Authorization For Release of Medical.pdf



Indiana Public Employers' Plan, Inc. Please email to: ipepclaims@ipep.com	Toll free: 1-800-382-8837 Local: 1-765-457-9161 Claims fax: 1-765-868-3310
---	--

Adjuster:

Claim No:

**AUTHORIZATION FOR RELEASE OF
MEDICAL, MILITARY, EDUCATION AND WAGE INFORMATION**

To any physician, dentist, hospital, health care practitioner, military authority, education authority, employer or insurance carrier:

The requested information is needed to accurately evaluate, adjust and pay the patient's insurance claim.

I hereby authorize any health care professional (including health care physicians, medical practitioners or other health care providers, hospitals, medical attendants, nurses, x-ray technicians, or any other person), military authority, education authority, employer or insurance carrier, to furnish to the insurance company named above or its authorized vendors and representatives, wage loss and individually identifiable health information regarding my injuries, payment, treatment rendered, or health care received or provided. I understand that this authorization is voluntary.

I agree that a photocopy or fax of the original authorization shall have the same force and effect as the original.

I understand that my health care records may contain information regarding the diagnosis or treatment of HIV (AIDS virus), other sexually transmitted diseases, drug and/or alcohol abuse, mental illness, or psychiatric treatment. I give my specific authorization for these records to be released.

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By signing below, the patient acknowledges that he /she has read the fraud statement printed below.

_____	_____	
PATIENT OR REP SIGNATURE	PATIENT ADDRESS	
_____	_____	
PATIENT NAME OR REP (PLEASE PRINT)	CITY, STATE, ZIP	
_____	_____	
REPRESENTATIVE'S RELATIONSHIP TO PATIENT	PATIENT PHONE NUMBER	
_____	_____	_____
DATE	SOC SEC NUMBER	DATE OF BIRTH

ANY PERSON WHO KNOWINGLY AND WITH INTENT TO DEFRAUD AN INSURER, FILES A STATEMENT OF CLAIM CONTAINING ANY FALSE, INCOMPLETE, OR MISLEADING INFORMATION COMMITS A FELONY.

IPEP Supervisors Incident Investigation Report.pdf

Merit_Commission Rules and Regulations revised 2024.pdf

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I. Purpose of Commission.

The purpose of the Merit Commission is to establish the processes for selection, promotion, performance review, serious discipline, demotion, and/or dismissal of sworn firefighters and to provide review and oversight of those processes. The Fire Chief assigns administrative staff as appropriate to provide liaison between the Fire Department, City Council and the Merit Commission. The Merit Commission does not create policy or develop standards relating to the standard operating procedures for the Fire Department. The Merit Commission does establish eligibility lists for probationary firefighter and officer ranks resulting from selection and promotion processes that have been administered by the Department according to Commission rules and statutory requirements. The Commission is responsible for making offers of employment to probationary firefighters, from the eligibility lists. The Commission is responsible for recommending firefighters to the Chief for promotion from the eligibility lists. The Commission also reviews and rules on cases of lesser discipline (up to 5 days suspension total of 40 hours) upon request, and makes ultimate determinations of serious discipline (more than 5 days suspension, demotion, or dismissal) when such discipline is recommended by the Chief.

Pursuant to IC 36-8-3.5-9 and 10, rules governing the Commission's transaction of business, selection and appointment of firefighters, promotion and demotion of firefighters, and disciplinary action or dismissal of firefighters are established for the Merit Commission for the Martinsville Fire Department.

II. Appointment and Qualifications of Commissioners

A. Appointment of Commissioners - Terms.

B. Pursuant to IC 36-8-3.5-6, the commission shall consist of five commissioners appointed in the following manner:

1. Two (2) members shall be appointed by the Mayor. The members appointed by the Mayor shall be members of different political parties.
2. One (1) member shall be appointed by the City Council; and,
3. Two (2) members shall be elected by the active members of the Martinsville Fire Department. The members elected by the active members of the Fire Department shall be of different political parties.

Commissioners must be legal residents of the City of Martinsville and have maintained that residency for at least three (3) years prior to appointment. Commissioners must be at least age twenty-one (21). Commissioners may not be active members of a police or fire agency and no more than two (2) Commissioners may be past members of a police or fire agency. No salaried Martinsville Fire Department employee can serve on the Commission. Political

affiliation is determined by the voter's registration records for the most recent three (3) primary elections.

B. Removal and Vacancies

Commissioners serve at the pleasure of the appointing or electing authority and may be removed at any time, with or without cause. The term of a Commissioner is four (4) years. However, one (1) of the Mayor's initial selections and one (1) of the active members initial selections are for terms of two (2) years. Election and recall of a Commissioner elected by the active members of the Fire Department shall be conducted pursuant to IC 36-8-3.5-7 and 36-8-3.5-8. In the case of a Commissioner elected by the Fire Department, the Mayor shall call a meeting of the active members of the Fire Department under the procedures specified in IC 36-8-3.5-4, if a recall petition, signed by a majority of the active members of the Fire Department is submitted to the Mayor.

A vacancy on the Commission shall be filled by the electing or appointing authority within thirty (30) days. The selection is for the remainder of the unexpired term.

Before entering upon his or her duties, each Commissioner shall take and subscribe an oath to conscientiously discharge the commissioner's duties. The oath and affirmation shall be recorded and placed among the records of the City Clerk.

III. Transaction of Commission Business

A. Time and Place of Regular Monthly Meeting

The Commission will establish and advertise a schedule for regular monthly meetings at the beginning of each year. When establishing the schedule, the commission will consider input from the Fire Chief or designate regarding anticipated needs in the coming year for selection, appointment, and promotion processes. Meetings will normally occur at the Fire Department Headquarters. At least 48 hours prior to a regular meeting, notice will be posted at the meeting location. If there is no anticipated business, upon approval of the President or designate of the Commission, a regular meeting may be canceled by posting notice at least 48 hours prior to the regular scheduled meeting.

B. Special Meetings

If special need arises between regular meeting times, a special meeting may be called with a 48 hour notice and posting of the meeting date, time, and location. The special meeting may be at the request of the President or the Vice

President, in the absence of the President, or by three members of the Commission. Reasons for special meetings may include, but are not limited to disciplinary appeals, serious breach of discipline, unforeseen change in selection or promotion processes, or unforeseen vacancies in rank or positions.

C. Executive Sessions

The Commission may hold an executive session, upon the call of the President or a member of the Commission for any purpose permitted under IC 5-14-1.56.1. At least 48 hours prior to an executive session, notice will be posted at the meeting location, including within the Notice the stated purpose for the executive session. Executive sessions are closed to the public. The Commission may not make any decisions at the executive session and shall state at the next public meeting held after the executive session that no decisions were made at the executive session.

D. Quorum

At least three of the five Commissioners must be present to constitute a quorum and conduct business. At least four of the five Commissioners must be present and voting on any action of the Commission concerning promotion, suspension, dismissal, or other disciplinary action and the affirmative vote of three members is necessary for the approval of a Commission action concerning promotion, suspension, dismissal, or other disciplinary action.

E. Rules of Meeting

Most meetings shall be conducted within normal business principles and the guidelines of Roberts Rules of Order.

G. Election of Officers; Duties of Officers

Officers include President, Vice President, and Secretary and shall be selected by the Commissioners present at the first meeting each year. The President is responsible for co-coordinating the actions of commission members; opening, leading, and closing meetings; contacting commission members in cases of special meetings or cancellation of meetings; and preparation and presentation of a budget. The Vice President is responsible for performing duties of the President in the absence of the President. The Secretary is responsible for record keeping.

The Secretary of the Commission is responsible for keeping minutes of the meetings. A recording secretary may be employed by the Commission. The Commission Secretary is then responsible for oversight and approval of the

output of the recording secretary. A court reporter will record the proceedings of a formal appeals hearing if requested by the appealing employee, the Fire Department, or the Commission. Minutes of meetings shall be maintained in a file available at Fire Department Headquarters. Records of selection and promotion processes and disciplinary proceedings, that include confidential information, shall be separately retained and secured at Fire Department Headquarters.

I. Budget

The President shall prepare and present a budget for approval by the Commission at the June meeting of each year. The budget, after approval by the Commission shall be forwarded to the Mayor.

IV. Selection and Appointment of Firefighters

A. Selection Process Basis

See Section 4 (4.01 – 4.13)

B. Commission Oversight of Selection and Appointment of Firefighters

(1) The Fire Chief shall provide for development and administration of selection processes that comply with laws and standards governing firefighter selection and appointment. The Merit Commission shall review selection process procedures to assure compliance, alter procedures if they are found to be noncompliant, and certify the results of the processes that are compliant. The Commission shall establish eligibility lists for applicants that shall be valid for one (1) year.

(2) Upon the opening of a position, the Chief will notify the Merit Commission. For the first position openings, the Merit Commission will provide the name of the next eligible applicant. For the second (2nd) opening, the Chief may recommend any applicant on the eligibility list and the Merit Commission will select that applicant. This process will continue on a rotating basis so that at least one - half (1/2) of the applicants are selected based on having the highest score on the eligibility list.

(3) The Commission shall make the ultimate determination to employ a candidate for probationary firefighter, after the candidate has passed all other requirements for employment. All appointments are probationary for one (1) year. If an applicant is not employed pursuant to this Section, a replacement applicant will be selected based on the same selection process that was used for the applicant that was not employed.

(4) If an applicant is offered employment from the eligibility list and refuses that offer, the applicant shall be removed from that eligibility list.

C. Review of Probationary Status of Appointees

At any time during the probationary period, the Department may recommend that the conduct or capacity of the probationary firefighter is not satisfactory. Based upon that recommendation, the Commission may issue a reprimand, a suspension, or determine that the appointment will not be made permanent. The Commission shall notify the firefighter of its determination. If the determination is made that the appointment not be permanent, the firefighter's employment is immediately terminated. In the absence of Commission action, an appointment becomes permanent automatically at the end of one (1) year.

D. Merit Ranks

After approval of the merit system, all members of the Martinsville Fire Department are entitled to the same ranks and pay grades the members held under the prior system.

There shall be two merit officer ranks: Lieutenant and Captain. Firefighter promotions to officer ranks shall occur in compliance with IC 36-8-3.5-13, 14, and 16 and according to such other standards as the commission will adopt. Rank does not determine job description or position, which remain within the discretion of the Fire Chief.

Each rank shall have a promotion process and eligibility list. Each eligibility list shall stand for two (2) years. To be eligible for promotion to the rank of merit Lieutenant, an individual must have completed two (2) years continuous service as a sworn member of Martinsville Fire Department. To be eligible for promotion to the rank of merit Captain, an individual must have served one (1) year in the merit rank of Lieutenant for Martinsville Fire Department.

The Merit Commission shall honor the current promotional eligibility list from 2/24/2020 for a period of 2 years.

A person in an appointed position may earn a merit rank in that position, if:

1. He/she is eligible to be promoted to that rank;
2. The promotion is requested by the Chief;
3. The person is placed in the top three (3) on the eligibility list for that rank;
4. The person commits to or has served at least two (2) years in the appointed position.

E. Commission Oversight of Promotion Process

The Fire Chief shall provide for development and administration of promotion processes that comply with the laws and standards governing firefighter promotion. The promotion processes will be adopted by the Commission. Applicants for promotion shall be notified of their written exam scores. An applicant can appeal for a review of the written test score by the Commission within ten (10) days of receipt of notice of the written test score. An applicant's score on the written exam become a permanent part of the applicant's personnel file.

F. Commission Selection of Officers for Promotion

All promotions must be from the next lowest rank. When the Chief notifies the Commission of a vacancy in a rank, the Commission shall select the top three (3) candidates on the eligibility list and if they are found to be of good moral character, the Commission shall recommend those three (3) candidates to the Chief for promotion. If the Commission finds that any of the candidates are not of good moral character, the Commission shall continue with the next candidate on the eligibility list until three (3) candidates have been recommended for promotion. Within six (6) months of the Commission's recommendation, the Chief shall choose from among the three (3) candidates for the promotion. Upon receiving notice of the Chief's selection, the Commission shall appoint the candidate to the vacant rank. All promotions are probationary for one (1) year.

G. Review of Probationary Status of Promotions

At the end of the probationary period, the promoted firefighter's superior shall review the firefighter's performance, using a rating chart prepared by the Commission, and shall recommend that the promotion either be made permanent or be revoked. The Commission shall review the report and determine whether or not to make the promotion permanent. The probationary firefighter may appear and be heard, in accordance with the standards for a Review as set out in these Rules. The probationary firefighter may be represented by counsel at the Review. If a promotion is not made permanent, the probationary firefighter is then returned to the rank held prior to the promotion.

V. Performance Review

The Commission is charged with developing rules for determining performance ratings under IC 36-8-3.5-15. The performance ratings must take place at least twice a year every six (6) months.

VI. Disciplinary Action or Dismissal of Firefighters

A. Basis for Discipline

IC 36-8-3.5-17 provides for disciplinary action by the Commission. IC 36-8-3.5-18 provides for appeal procedures. IC 36-8-3.5-19 provides for discipline by the Fire Chief that may be reviewed by the Commission. The Commission will adopt rules that govern the bases for discipline.

B. Commission Oversight of Discipline

The Fire Chief shall provide for development and administration of disciplinary procedures that comply with the laws and standards governing firefighter discipline. The Commission shall review the disciplinary procedures to assure compliance, alter procedures if they are found to be non-compliant, and work within the procedures established in cases of discipline.

C. Commission Review of Lesser Discipline

The Fire Chief may, without prior Commission involvement, reprimand or suspend a firefighter without pay for a maximum of five (5) working days a total of 40 hours. If the Chief issues a written reprimand or a suspension under this Section, the Chief must notify the Commission of such discipline and the reasons for the discipline within forty-eight (48) hours of the issuance of the discipline. The firefighter may appeal a written reprimand or a suspension under this Section to the Commission by filing a written request with the Chief, within forty-eight (48) hours of the notice of discipline. The Commission will consider an appeal under this Section in accordance with the standards for a Review as set out in these Rules.

D. Commission Review of Charges

The Fire Chief may prefer charges against a non-probationary firefighter, for an alleged breach of discipline, and recommend a suspension without pay that exceeds five (5) days; demotion or dismissal. The Commission shall review all charges preferred against any firefighter and may suspend the firefighter, with or without pay; demote the firefighter; or dismiss the firefighter. The firefighter may request either a Review or a Hearing on the charges preferred by the Fire Chief, by filing a request with the Chief within five (5) business days of the notice of the charges. The Commission will consider a request under this Section either in accordance with the standards for a Review or in accordance with the standards for a Hearing, depending on the nature of the request of the firefighter. The Commission may elect to consider the charges in accordance with the standards for a Hearing at its own discretion.

E. Calculation of Time Period for Appeal

For purposes of a request for a review of charges, "business days" include Monday through Friday, excluding legal holidays recognized by the City of Martinsville. The time period within which a firefighter must file an appeal begins to run: (1) if the notice is personally delivered to the firefighter by a Department officer, upon delivery of the notice; (2) if the notice is mailed by certified mail, the earlier of (a) the date the receipt of delivery is signed, or (b) three days after mailing the notice by the Department; or (3) if the notice is mailed by first class mail, three days after the notice is deposited in the United States mail, first class postage prepaid.

F. Notice of a Commission Review or Hearing

Written notice of a Commission Review or Hearing shall be provided to the accused firefighter, either in person or by delivering a copy to the firefighter's last and usual place of residence. The notice shall be delivered at least seven (7) days prior to the Review or Hearing date, unless the firefighter agrees to a shorter period of time. The notice shall state the time and place of the Review or Hearing; the charges against the firefighter; the specific conduct that comprises the charges; and that the firefighter is entitled to representation by counsel. In the case of a Hearing, the notice shall also state that the firefighter is entitled to call and cross-examine witnesses, to require the production of documents, and to issue and have subpoenas issued, served and executed.

G. Standards for a "Review" by the Commission.

A Review is an informal consideration of a disciplinary matter. A Review will be conducted by the Commission. The President, or a Commissioner designated by the President, will chair the Review. In most cases, a Review will consist of the Fire Chief, or his designee, presenting the facts and relevant documents concerning the disciplinary matter, followed by the firefighter presenting the facts and relevant documents in his defense. The Fire Chief or his designee will be permitted to close. The Commission, in its discretion, may ask questions to any persons present and may permit others to speak. Counsel, who shall be permitted to speak at such times, as the firefighter would be permitted to speak, may represent a firefighter. Parties will not be permitted to examine or crossexamine one another. The Commissioners will publicly consider the matters submitted and will render a decision by vote of a majority of the Commissioners present based on a preponderance of the evidence presented. The Commission shall record all proceedings.

H. Standards for a "Hearing" by the Commission

A Hearing is a formal consideration of a disciplinary matter. A Hearing will be conducted by the Commission. The President, or a Commissioner designated by the President, will chair the Hearing. A Hearing will be conducted under the

Indiana Rules of Evidence. All persons presenting facts or documents will be placed under oath. The Fire Chief or his designee will present the facts and documents concerning the disciplinary matter and may call witnesses in support of the discipline. All persons presenting evidence on the Department's behalf may be cross-examined by the firefighter. At the conclusion of the Department's presentation, the firefighter will present the facts and documents relevant to his defense. The firefighter may call witnesses in support of his defense. All persons presenting evidence on behalf of the firefighter may be cross-examined by the Fire Chief or his designee. The Commission, in its discretion, may question any witnesses presenting evidence and may question any others present. The firefighter and the Department may be permitted to make closing arguments, at the Commission's discretion. The Commissioners will publicly consider the matters submitted and will render a decision by vote of a majority of the Commissioners present based on a preponderance of the evidence presented. The Commission shall record all proceedings and may employ a court reporter to transcribe the Hearing.

I. Appeal of Commission's Decisions.

In any case where the Commission revokes a promotion, suspends a firefighter for more than ten (10) days, demotes a firefighter, or dismisses a firefighter, the firefighter may file an appeal with the Morgan County Circuit or Superior Court. The appeal must be filed within thirty (30) days after the Commission's decision. If such an appeal is filed, the Commission shall prepare a complete transcript of all papers, entries, and other parts of the record, including the Review or Hearing, without charge to the firefighter, and file the transcript with the court.

Section 1 Duty of the City of Martinsville Mayor

To establish a Merit Commission for the Martinsville Fire Department pursuant to I.C. 36-8-3.5

Section 2 Office of the Fire Chief

- (a) The Mayor shall appoint a Chief of the Martinsville Fire Department who shall serve at the pleasure of the Mayor.
- (b) The Chief shall have general charge of the daily operations of the department and may with the approval of the Mayor, appoint any number of executive assistants who shall hold temporary rank and title of DEPUTY CHIEF and FIRE MARSHAL , as the Chief deems necessary to allow for the efficient discharge of executive duties. The term "MERIT" shall be used in the agreement to denote an earned position and not a system of appointment. Rank of Private, Lieutenant or Captain in the department shall be named as Merit Ranks. All executive assistants shall be temporary, and each executive assistant shall retain their former rank, unless promoted in accordance with this personnel system.

- (c) The Chief and/or his designee shall have the authority to assign or reassign any member of the Fire Department to serve at any station or headquarters, and to perform such duties as he shall designate, provided such grade and assignment results in a no decrease in the firefighters rank and provided, the firefighter's minimum salary is commensurate with his/her rank.
- (d) The Chief has exclusive control of the Fire Department, subject to the direction of the Mayor of Martinsville and subject to the rules and orders of the Merit Commission.

Section 3 Personnel selection and procedures.

3.01 POLICY STATEMENT

Martinsville Fire Department is dedicated to the concept of equal employment opportunities, and throughout the entire development of the Selection Process, it is our intent to:

- A. Provide the fairest, most comprehensive format to determine a candidate's appointability utilizing all possible resources available to this department at the present time, thereby insuring the employment of the most qualified of those individuals applying.
- B. Provide a foundation for determining appointability that through review, revision, and reconstruction, should remain a viable procedure indefinitely.
- C. Insure that this procedure relates entirely and specifically to the skills, knowledge and abilities required of Martinsville Career Firefighters.
- D. Provide an Equal Employment Opportunity to all individuals applying for employment with this department without regard to race, sex, creed, or color.

3.02 EQUAL OPPORTUNITY STATEMENT

The Martinsville Fire Department is an equal opportunity employer and does not discriminate in hiring or employment practices on the basis of race, color, sex, sexual orientation, religion, creed, national origin, ancestry, handicap as defined by law, nor does it discriminate on the basis of handicapped status in the admission or access to, or treatment or employment in its programs or activities; nor does it discriminate on the basis of political affiliation or on the basis of age against individuals whose age is between 40 and 65; except when age or physical requirements constitute a bona fide occupational qualification necessary for proper and efficient administration or as provided by law.

3.03 OVERVIEW OF SELECTION PROCESS

- A. The Fire Chief or his designee shall serve as the Hiring Coordinator and shall report such person to the Merit Commission before starting a new process.
- B. This written procedure shall serve as a framework for producing a Selection Process which complies with EEO and ADA laws, the requirements of the statutory merit system and Indiana State Pension Requirements, and which results in a ranked eligibility list of the best-qualified persons for the position of probationary firefighter
- C. The Selection Process shall include, as a minimum, the following components:

1. For establishment of the eligibility list:
 - a. General Advertisement
 - b. Information Card and Packet Distribution
 - c. Written Examination
 - d. Application Distribution to those who successfully pass written examination
 - d. Application Return
 - d. Structured Oral Interview
 - e. CPAT
 1. Prior to appointment as Probationary Firefighter:
 - a. Psychological Evaluation
 - b. Pension Physical Examination
 - c. Background Investigation
- D. The Candidates Physical Agility Test shall consist of pass/fail components designed to assess the presence of basic capabilities that must be present before hire in order for a candidate to succeed in training and employment.
- E. Four of the components for establishment of the eligibility list shall result in numerical scores, and shall be weighted toward the final ranking as follows:
- | | |
|----------------------------------|-------------|
| 1. Written General Aptitude Test | 40% |
| 2. Certifications | 10% |
| 3. Structured Oral Interview | 50% |
| 4. CPAT | Pass / Fail |
- F. Unless specifically indicated, this written procedure shall not be construed as limiting the authority of the Merit Commission or Martinsville Fire Department Administration to select, update and modify as appropriate the specific forms and evaluation tools used within each component.

3.04 SUMMARY OF SELECTION PROCESS

Objective: To develop a Selection Process that is objective, fair, identifies the most qualified of the candidates completing the process, and meets all statutory requirements.

Considerations to meet objective:

Selection Process must include several parts and types of tests/evaluations in order to test for the variety of aptitudes needed by firefighters

Each part of the Selection Process must be based upon essential functions identified in a job-task analysis, and/or upon statutory requirements.

Basis for Tests in Selection Process:

IC 36-8-3.2 "Employment Standards for Firefighters" at a minimum, shall test for the following:

- 1) Acrophobia
- 2) Claustrophobia
- 3) Muscular strength
- 4) Muscular endurance
- 5) Cardiovascular endurance
- 6) Musculoskeletal flexibility

IC 36-8-3.5 "Police and Fire Merit Systems"

1. Establishes minimum requirements, including age, ability to work in the United States, high school graduate, no felonies
2. Must pass general aptitude test
3. Candidates shall be rated (ranked)
4. Tests may include mental alertness. Character, habits. Reputation
5. Commission establishes passing score
6. Candidates must pass physical agility test
7. Must be of good character and pass required examinations to be eligible for appointment

IC 36-8-8 "1977 Police Officers' and Firefighters' Pension and Disability Fund"

- 1) Must pass medical examination
- 2) Must pass psychological examination

Civil Rights Act of 1964, Title VII, commonly referred to as "EEO law"

No illegal discrimination on basis of race, color, religion, sex, or national origin 29 USC 791, Rehabilitation Act of 1973, Title V

Affirmative action for employment of individuals with handicaps in cases of employers receiving federal money 42 USC 12101, Americans with Disabilities Act of 1990

- 1) Eliminate discrimination against persons with disabilities
- 2) Widen impact of Rehabilitation Act
- 3) Any tests used in selection that have disparate impact against persons with disabilities must be shown to be job-related and a business necessity
- 4) Make reasonable accommodations when practical, without changing essential functions
- 5) Cannot do medical testing or ask medical-based questions until conditional offer of employment is made Civil Rights Act of 1991, Title 1
- 6) Increases liabilities and damages
- 7) Prohibits discriminatory use of test scores (no adjustments based upon race, etc.)
Limits affirmative action (no reverse discrimination)

SECTION 4 INITIATION OF SELECTION PROCESS

4.01 SELECTION PROCESS

- A. The Selection Process shall be initiated upon the notification by the Chief to the Merit Commission that a new eligibility list is needed, and the approval by the Merit Commission to proceed with a new Selection Process. Generally, each eligibility list lasts for one year, and a new Selection Process will be started upon the expiration of the previous list. However, if a list is exhausted prior to the one year period, and the Chief anticipates the need to hire more firefighters, the Selection Process may be started as soon as the old list is exhausted. Conversely, if the old list is exhausted or expires, and the Chief anticipates that there will NOT be a need for new firefighters in the foreseeable future, the Selection Process will not be initiated until the Chief identifies the need and requests the approval of the Merit Commission to establish a new list.
- B. If it is apparent to the Chief that the eligibility list will expire prior to the date that another recruit class can begin, the Chief may request that the Merit Commission approve initiation of a new Selection Process within six months prior to the

expiration date of the existing eligibility list in order that a new eligibility list can be approved immediately upon expiration of the old list, or as soon after expiration of the old list as possible.

- C. The Merit Commission shall notify the Chief of approval for initiation of the Selection Process. The Chief shall then notify the Hiring Coordinator who shall then be responsible for the actual administration of the process, and throughout the process shall bring reports of progress and results of testing to the Merit Commission meetings for the commission's input, certification and approval.

4.02 ADVERTISEMENT

A. PURPOSE

The Purpose of Advertisement is to:

- 1) Clearly initiate the Selection Process.
- 2) Provide public notice of the initiation of a new Selection Process.
- 3) Attract as many potential candidates as possible, including outreach to minorities.
- 4) Specify date, time, and location of application distribution.

B. METHODOLOGY

1. Upon initiation of the Selection Process, general advertisement shall occur in a minimum of two newspapers; at least one newspaper shall be a minority publication. Other forms and more extensive advertisement may be done this is a minimum.
2. The advertisement shall be as brief as possible, but descriptive of the position requirements, equal opportunity policy and dates, times, and location of application distribution.
3. The advertisement shall run for a minimum of two consecutive weekends, up to a maximum of three full weeks and four consecutive weekends.
4. The first weekend of advertisement shall precede the first day of application distribution by no less than one day and no more than 10 calendar days.
5. In addition to paid advertisements, notification letters shall be sent to any persons remaining on the previous eligibility list and any persons who had during the previous two years contacted the department in writing of their interest in employment.

4.03 INFORMATION PACKET DISTRIBUTION

A. PURPOSE

The purpose of the information packet distribution is to:

1. Provide initial information on the prospective candidates
2. Provide initial information to prospective candidates regarding the minimum requirements, selection process components, eligibility list, and probationary year.

3. Provide candidates the opportunity to ask questions and receive further information regarding the department, position, and process.

B. METHODOLOGY

1. Information packets must be filled out at the City of Martinsville Clerk Treasures Office. Packets filled out at Martinsville Clerks Office must be done Monday thru Friday during normal business hours (8am till 4pm).
2. The prospective candidate must pick up the packet in person at the City of Martinsville Clerks Treasures Office Monday thru Friday during normal business hours (8am till 4pm).

The following information is to be included in the application packet:

C. Minimum qualification requirements, which include:

- a. Age within limits as established by state and federal law at the time of application; the candidate must provide satisfactory proof of the date and place of his/her birth. (IC 36-8-3.5-12(a))
 - i. Candidates under the lower legal age limit may apply if the legal age will be attained by the date of establishment of the eligibility list. (Age 18)
 - ii. If law establishes an upper age limit, candidates just under the upper age limit may apply, but will be removed from the process/ list if they are not employed prior to reaching the upper age limit. (Age 40)
- b. High school diploma or its equivalent (GED) at the time of application (IC 36-8-3.5-12(a)).
- c. Ability to read and write legibly, speaks, understand, and otherwise communicate in the English language. (Essential functions)
- d. Valid driver's license or beginner's permit at the time of application, and maintain it throughout employment. (Essential function)
- e. Be legally able to work in the United States
- f. The candidate cannot be appointed, reappointed, or reinstated if there exists a felony conviction on his/her record (IC 36-8-3.5-12(b)).
- g. As a general rule, the candidate must not have been dishonorably discharged from the military service. (Merit requirement)
- h. The candidate must possess the physical abilities to perform the tasks required of a City of Martinsville Firefighter. Essential physical capabilities shall be evaluated through the CPAT

4.04 WRITTEN TESTING

A. PURPOSE

The purpose of the written general aptitude test is to:

1. Provide one component of a comprehensive, recordable Selection Process that meets statutory requirements.
2. Assess the basic intellectual abilities necessary for the function of firefighter.

B. STRUCTURE

The written general aptitude test shall consist of multiple choice, matching, and/or true-false questions written in a test booklet. There may be a study guide of written information distributed to each candidate in advance of the test. The candidate shall answer the questions by marking on a form designed for computer grading (optical scanning).

C. SCOPE

The written general aptitude test shall consist of an established test designed to assess a candidate's general aptitude for service as a member of the department. The test will be designed such that no prior firefighting knowledge or experience is necessary. It will test for the essential functions identified in a job-task analysis, including;

1. Ability to read
2. Basic mathematic skills
3. Basic language, spelling, grammar skills
4. Ability to hear and respond to verbal instructions
5. Ability to respond appropriately to written instructions
6. Ability to function under stress and time constraints
7. Ability to recall information

D. SCORING AND TABULATION

1. The total number of points possible will be determined by the specific test selected for use in a given Selection Process.
2. The written test is used primarily as a tool for achieving a score for establishing ranking of candidates. The Merit Commission has established the passing point as 70%. In other words, the candidate must demonstrate ability to read sufficiently to gain a score, but there is not a significantly high cut score, which must be passed.
3. The total points earned shall bear a weight factor of 40% in the overall eligibility scoring.
4. Results of the written test shall be computer graded and analyzed by an impartial computer test grading service.
5. The Hiring Coordinator shall be ultimately responsible for appropriately weighting and entering the scores from the written test into the total eligibility scoring.

E. GENERAL RULES FOR WRITTEN TEST

1. The candidate must be prompt; tardiness or failure to appear shall result in elimination.
2. The written test shall be given at a date, time and location chosen to best meet administrative requirements as well as the general best interest of the candidate population.
3. Unless the size of the application population prohibits it, the test shall be given to all candidates at the same time in the same location. If this is impossible every effort shall be made to administer the test to all candidates under as similar conditions as possible.
4. Upon completion of the written test the candidate shall be informed of the next component of the process. Results of the written testing shall be considered confidential and part of the Selection Process record. The

Hiring Coordinator shall report such results only to the Merit Commission, and to the Martinsville Fire Department Chief Officers.

4.05 APPLICATION DISTRIBUTION AND RETURN

A. PURPOSE

The purpose of application distribution is to:

1. Provide a reasonable and specific period of time for candidates to obtain, complete, and return applications.
2. Provide initial information to prospective candidates regarding the minimum requirements, Selection Process components, eligibility list, and probationary year.
3. Provide candidates the opportunity to ask questions and receive further information regarding the department, position, and process.

B. METHODOLOGY

1. Application distribution shall occur for no less than 1 business day and no more than 40 business days. The dates of application distribution shall be included in the advertisement.
2. Only those who successfully passed the written exam will receive an application.
3. During the application distribution and return phase, the candidate is encouraged to ask questions and receive guidance and clarification regarding the Selection Process and the requirements of the job.
4. The deadline for return of applications shall be no less than one week and no more than three weeks after the last day of application distribution.
5. Applications must be completed as directed and returned prior to the deadline, or the candidate is eliminated from the Selection Process.
6. Upon return of the completed application the candidate shall be advised of the date, time and location of the next component.

4.06 STRUCTURED ORAL INTERVIEW

A. PURPOSE

The purpose of the Structured Oral Interview is to:

1. Provide one component of a comprehensive, recordable Selection Process.
2. Standardize elements of inquiry to provide a consistent, equitable interview
3. Provide for continuity in the interview process.
4. Evaluate each candidate's responses to questions designed to measure behavioral characteristics essential for optimum performance as a Martinsville Firefighter.

B. STRUCTURE

The oral interview board shall consist of 4 Members of Martinsville Fire Department with the following structure: 1 Captain, 1 Lieutenant, 1 senior firefighter and the President of Martinsville Local 4214 Union or his designee. Although the membership of the interview board may change from one selection

to another the same individuals shall if at all possible interview all candidates in a particular process.

C. SCOPE

The Structured Oral Interview is designed to measure personality characteristics, which are important within the profession of fire fighting/emergency services. The specific characteristics to be measured are based upon a job-task analysis and may include:

1. Ability to express thoughts verbally in a clear, understandable manner
2. Ability to speak clearly and audibly
3. Ability to follow verbal directions
4. Ability to compare and contrast information and combine details to reach a conclusion
5. Ability to handle sensitive public contacts with tact
6. Ability to comfort victims
7. Willingness to work in unpleasant conditions
8. Willingness to work in hazardous situations
9. Ability to maintain personal cleanliness

D. SCORING AND TABULATION

1. The total possible points shall be determined by the number of characteristics chosen to be measured.
2. The total points earned in the interview shall bear a weight factor of 50% in the overall eligibility scoring of the candidate.
3. Each characteristic measured shall be evaluated either as superior, acceptable, or unacceptable by comparing the candidate's response with the anchors written for each of the above categories.
4. Each oral interview board member will assign points to the candidate's responses as follows:

SUPERIOR	7- 9 POINTS
ACCEPT ABLE	4 -6 POINTS
UNACCEPTABLE	1 -3 POINTS
5. Each board member will determine the actual points awarded to the candidate's response from the above-defined ranges by evaluating how closely the response parallels the pertinent anchors.
6. Each board member will tabulate the points he/she awarded to each of the characteristics measured and the sum will serve as the total points awarded to that candidate by that specific board member.
7. The total scores of the board members will be added together and the sum divided by the number of board members to arrive at an average score. This average score will represent the total points that the candidate earns from participation in the structured oral interview.

E. METHODOLOGY

1. All candidates completing all prior components will be eligible to participate in the Structured Oral Interview.
2. The same board members will evaluate all candidates.
3. Each board member shall be given written and verbal instructions as to the methodology, scoring, and purpose and principles of the structured oral interview prior to engagement in the process.

4. Any materials distributed to board members shall be treated as confidential information. No discussion of content will be allowed beyond the specific board members engaged in the process.
5. An instructional meeting involving all board members will be held prior to the interviews to explain the process in detail and answer any pertinent questions.
6. The Hiring Coordinator shall schedule all interviews and insure candidate notification.
 - a. Candidates will be allotted 20 minutes for the individual interview. **Failure of a candidate to appear at the scheduled interview time shall result in the elimination of that candidate from any further employment consideration during that specific Selection Process.**
 - i. A candidate experiencing circumstances beyond his/her control, which prevents appearance at the scheduled time, may, upon notice to the Chief at earliest possible time prior to the scheduled interview, be rescheduled for an interview.
 - ii. Rescheduling of interviews will be entirely dependent upon viability of the individual extenuating circumstances and convenience of the board members.
7. Both responses to specific questions and observable characteristics throughout the interview shall be used to evaluate a candidate.
8. Each candidate within a specific Selection Process shall be asked the same questions and evaluated on the same observable characteristics.
9. Different questions and observations may be used in different Selection Processes; however, no questions or observable characteristics shall be changed or altered within a single Selection Process.
10. Each board member shall alternate reading the characteristic measurement questions. One member will serve as moderator to answer candidate's questions and read the opening and closing statements.
11. Each board member will record the points awarded to the candidate on their individual recording sheet. Each board member's total score will be transferred to the candidate's oral interview summary sheet where final tabulations and computations will be completed.
12. After the last oral interview question has been answered, the moderator will read the closing statement to each candidate.
13. Structured Oral Interviews shall be tape recorded for future reference and verification.
14. Individual recording sheets and summary sheets shall be given to the Hiring Coordinator for final tabulation, filing, and ranking of candidates.
15. Upon completion of the Structured Oral Interview the candidate shall receive written notification regarding the establishment of the eligibility list. Results of the Structured Oral Interview shall be considered confidential and part of the Selection Process record. The Hiring Coordinator shall report such results only to the Merit Commission, and to the Martinsville Fire Department upper Chief Officers.

4.07 CPAT / ESSENTIAL FIRE FIGHTING TESTING

The physical component of the candidate selection process is the CPAT, designed to evaluate whether or not a candidate has the physical capabilities to

perform job tasks required of firefighters. This requires high levels of cardiopulmonary endurance, muscular endurance and muscular strength.

The following is a list and description of the eight separate events included in the CPAT.

➤ **CANDIDATES WEAR a 50-POUND BODY VEST THROUGHOUT THE ENTIRE SERIES OF EVENTS.**

There are 85 feet of walking distance between each event.

The eight events are done in succession and must be completed within a total time of 10 minutes and 20 seconds.

1. **Stair Master Climb** (for 3 mins. 20 secs.) - candidate wears additional 12.5pound weights on each shoulder. (Total of 75 pounds of extra weight)
2. **Hose Drag** – candidate drags a 1 ¾ “ hose line 100’, then kneels and pulls it another 50’.
3. **Equipment Carry** – candidate lifts and carries a chain saw (approx. 28 lbs.) and a rescue saw (approx. 32 lbs.) for 150 feet and then, one at a time, replaces them in the tool cabinet.
4. **Ladder Raise and Extension** – candidate lifts a 24-foot ground ladder and walks it up until stationary against the wall. Then the candidate extends and lowers the top fly of a pre-positioned 24-foot extension ladder.
5. **Forcible Entry** – candidate uses a 10-pound sledgehammer and strikes a measuring device until a buzzer signals.
6. **Search Maze** – candidate crawls on hands and knees through a darkened, 64foot tunnel maze that is approximately 3 feet high and 4 feet wide and includes two 90-degree turns.
7. **Victim Rescue** – candidate grasps a 165-pound mannequin by handles on the shoulders and drags it 70 feet, making a 90-degree turn at the 35-foot mark.
8. **Ceiling Breach and Pull Down** – candidate uses a 6-foot pike pole to push and pull an overhead weighted device. Each set consists of three pushes and five pulls. Candidate completes four sets.

4.08 CERTIFICATIONS

Points shall be awarded for the following for a maximum of 10% of the total score

- | | |
|--|----------|
| 1. Honorable discharge from the military | 2 points |
| 2. Fire service certification | 1 point |
| 3. EMT certification | 1 point |
| 4. College degree (Associate Degree or higher) | 3 points |

4.09 ELIGIBILITY LIST

A. PURPOSE

The purpose of the eligibility list is to:

1. Meet the statutory merit system requirement of maintaining for one year a list of persons eligible for appointment as probationary firefighter.
2. Provide a ranked order of candidates based upon scores achieved through Written Testing, Structured Oral Interview, and Certifications.
3. Allow for final evaluation of candidates in order of ranking and as positions for Probationary Firefighters open during the term of the list.

B. STRUCTURE

The eligibility list shall consist of a written list of names and final scores belonging to candidates eligible for final evaluation for appointment to the department as probationary firefighters, arranged in ranked order from highest to lowest. The list shall be presented to and certified by the Merit Commission.

C. SCOPE

The eligibility list shall include the names and scores of only those persons who successfully pass all phases and requirements of the Selection Process up to the establishment of the eligibility list.

D. SCORING AND TABULATION

1. The Hiring Coordinator shall be responsible for calculating, checking, and ranking all scores.
2. Scores of the components of the Selection Process shall be earned and weighted as follows:
 - A. Written General Aptitude Test: Number of possible points determined by selected test, 40% of Total
 - B. C.P.A.T. Pass / Fail
 - C. Certifications 10% of Total
 - D. Structured Oral Interview: Number of possible points determined by components selected, 50% of Total

E. METHODOLOGY

1. Throughout the Selection Process, the Hiring Coordinator shall calculate and record scores on individual score sheets.
2. Upon completion of the structured oral interview, the Hiring Coordinator shall check all scores and calculations at least one more time, rank the scores, and produce the rank-ordered eligibility list.
3. The Hiring Coordinator shall present the eligibility list to the Merit Commission for certification.

4. Copies of the eligibility list shall be distributed to the Merit Commission, City of Martinsville Mayor, and Administrative Chief Officers.

4.10 BACKGROUND CHECK

A. PURPOSE

The purpose of the background check is to:

1. Investigate the past employment record, moral character, and driving and criminal records of a candidate to assure compatibility with the needs of the position of Probationary Firefighter.
2. Eliminate from employment consideration individuals with known histories, which would be contrary or detrimental to the best interests of the department and/or the citizens of City of Martinsville.

B. STRUCTURE

The background check may include written, telephone, and/or in-person interviews.

C. SCOPE

The background check will include at least:

1. Investigation of criminal record
2. Investigation of driving record
3. Investigation of past work record
4. Contacts to personal references.

D. METHODOLOGY

1. A list containing name, sex, birth date, social security number and driver's license type of candidates shall be sent to a law enforcement agency or investigation specialist for investigation of driving record and criminal record.
2. The Hiring Coordinator and/or designate(s) shall contact by phone, in writing, and/or in person all persons listed as Personal References by candidates in order to gain information regarding the candidate's interpersonal relations and character.
3. The Hiring Coordinator and/or designate(s) shall contact by phone, in writing, and/or in person, the previous employers of the candidate, in order to gain information regarding work record.
4. The candidate may be eliminated from employment consideration if any of the following are found:
 - a. Driving record indicating repeated and serious driving offenses, current history of recklessness, suspended license (current), etc.
 - b. Criminal record indicating conviction of felony.
 - c. Work record indicating repeated and ongoing disciplinary problems, unresolved and unimproving attendance/tardiness problems, marginal or unacceptable performance, etc.
 - d. Unresolved abuse of alcohol, controlled substances, or prescription drugs.

- e. Evidence of falsification of application.
 - f. Any other serious defect of character or record that could be detrimental to the effective performance of a public employee.
5. Results of investigations shall be recorded on a background investigation form.

4.11 PSYCHOLOGICAL EVALUATION

A. PURPOSE

The purpose of the psychological evaluation is to:

1. Meet one requirement of the Indiana State Public Employee Retirement Fund, and of the Merit System Statute.
2. Determine the mental status of a candidate to help assure selection of candidates of sound and stable mental character, and possessing psychological characteristics necessary and desirable for the position of firefighter.

B. STRUCTURE

A psychologist selected by the department shall perform the psychological evaluation. The psychologist shall use such written, interpretive, and interview techniques, as he/she deems necessary and appropriate for evaluation of the candidate,

C. SCOPE

The psychologist shall render a written opinion regarding evaluation, as much as possible, of the following characteristics of the candidate (these characteristics are essential according to job- task analysis and/or statute)

1. Interest and aptitude for the position of firefighter.
2. Ability to work as part of a team, contribute a fair share to group effort, live harmoniously with others, and treat all persons with dignity and respect.
3. Ability to follow direction, learns quickly, and accepts criticism.
4. Presence or absence of any psychological pathology.
5. Tolerance of and reaction to stress; ability to work effectively under time pressure, calm distressed/distraught victims, analyze problems and act fast under stress, tolerate disgusting sights and smells, work effectively in adverse and/or dangerous conditions, and risk physical illness or injury.
6. Respect for authority, individual differences, and property and ownership of others.
7. Ability to maintain sense of humor and to handle sensitive public contacts with tact.

D. SCORING

Although the psychological evaluation does not result in a numerical score, any finding in the psychological profile of active neurosis or psychosis, or psychological characteristics incompatible with the requirements or the

function of firefighter shall result in elimination of the candidate from employment consideration.

E. METHODOLOGY

1. As a position for probationary firefighter opens, candidates will be sent in order of rank on the eligibility list for final evaluation for the position.
2. The candidate shall be given written and/or telephone notice of date, time and location of the appointment.
3. Refusal of the evaluation, failure to appear, or election to withdraw from eligibility shall be cause for elimination of the candidate from employment consideration.
4. The Hiring Coordinator shall meet with the psychologist to discuss the results of the evaluation and receive the psychologist's written report.

4.12 PRE-EMPLOYMENT PHYSICAL EXAMINATION

A. PURPOSE

The purpose of the pre-employment physical examination is to:

1. Meet one requirement of the Indiana State Public Employee Retirement Fund, and of the Merit System Statute.
2. Accurately determine the baseline physical health of the candidate and assure the physical health of the candidate is adequate to safely perform the functions of firefighter provided that such tests comply with PERF requirements.

B. STRUCTURE

A medical doctor licensed in the State of Indiana and chosen by the department shall perform the physical examination. The physician shall perform, order, and evaluate the results of all physical tests required by the Indiana State Public Employee Retirement Fund Board and shall render opinion of suitability of the candidate for employment as a firefighter based upon the guidelines provided by the Public Employee Retirement Fund.

C. SCORING

The physical examination does not result in a numerical score, but does result in a professional opinion regarding the acceptability of a candidate according to specific written guidelines. Any finding, which has been identified by PERF as cause for elimination, shall eliminate the candidate from employment consideration. Furthermore, any finding of a physical condition that is TEMPORARILY disabling for the position of firefighter shall result in return of the candidate to the eligibility list until such a time as the

condition is resolved and a position is available for the candidate, or the eligibility list expires, whichever is first.

D. METHODOLOGY

1. The candidate shall receive written and/or telephone notice of the date, time and location of the appointment for the pension physical examination, and, details pertinent to preparation for the examination.
2. Refusal of the evaluation, failure to appear, or election to withdraw from eligibility shall be cause for elimination of the candidate from employment consideration.
3. The department physician shall send results and interpretation of the examination to the Hiring Coordinator, with a completed PERF examination form.
4. The physical examination shall be performed as close to the projected date of appointment to the department as possible.

4.13 FINAL APPROVAL AND APPOINTMENT

- A. Upon completion of all testing and examinations, the Hiring Coordinator shall report findings and recommendations to the local Pension Board and the Merit Commission.
- B. The local Pension Board shall review the results of the psychological and physical examinations and certify to the state PERF board the acceptability of the candidate based upon the PERF board guidelines.
- C. The Merit Commission shall review the results of the background investigation, the recommendations of the Pension Board based upon psychological and physical examinations, and the Selection Process and rule upon the acceptability of the candidate for the position of probationary firefighter.
- D. Upon favorable recommendation of the Pension Board and the Merit Commission the candidate shall be appointed to the department as a Probationary Firefighter as outlined in I.C. 36-8-3.5-12.
- E. Details of notification of the candidate regarding appointment, date, time and location for report to duty, uniform issue, etc., shall be handled by the Hiring Coordinator.

Section 5. Personnel Promotion System

There shall be personnel promotion system, which shall be administered in accordance with the rules and regulations, adopted by the Merit Commission. This personnel promotion system shall apply to all promotions to the ranks of lieutenant and captain. It shall not apply to the appointment of the Chief by the Mayor or to the appointments of Deputy Chief and Fire Marshal by the Chief. Within the limits of this resolution, the Chief, with the approval of the Merit Commission, shall set standards for promotion in conformity with most widely approved standards of comparable fire departments, and shall establish reasonable prerequisites of training, education and experience for each rank, grade and position in the department. Prior to any promotional process, the department must publish a list of text that will be used to compile the written test. (36-8-3.5-14)

5.01 LIEUTENANT'S PROMOTION PROCESS

Points Breakdown

Written Exam	25 points
Assessment Exercises	25 points
Oral Interview	20 points
Education/Training	15 points
Disciplinary Record	5 points
Seniority	5 points
Attendance	3 points
Performance Evaluation	2 points
TOTAL	100 points

The candidate's overall point total will determine his/her position on the final eligibility list. Promotion Process order of testing will be (1) Written Exam (2) Oral Interview and Assessment exercises.

The candidate's must have completed a minimum of 24 months as a career firefighter employee of the Martinsville Fire Department at the time of appointment to Lieutenant.

A. WRITTEN EXAM

1. The notice for the written exam will be given along with what resources were used to create the test questions. The written exam may consist of multiple-choice, true/false and short answer questions. Each promotional candidate is encouraged to study the resources used to create the test.
2. Candidates are responsible for obtaining their own copies of the required reading materials. A candidate may contact the publisher to order a copy of the textbook or may contact another vendor.
3. Any candidates not scoring the minimum of 70 percent on the test will be disqualified and dropped from the process.

(a) IC 36-8-3.5-14 Sub-section (c) The examination papers shall be kept under the commission's supervision. A member who is aggrieved with the score received on the written examination may appeal to the commission for review of the score. The appeal must be filed within ten (10) days after notice of the score has been sent to him. He may review the questions incorrectly answered by him and challenge the answer considered correct by the examiner. The commission shall either affirm the score or correct the score according to the findings of a review. The examination papers shall be retired after the two (2) year period during which the eligibility list is valid. The retired papers shall be kept for five (5) years and then destroyed.

As added by Acts 1981, P.L.316, SEC. 1.

B. ORAL INTERVIEW AND ASSESMENT EXERCISE

1. The second phase of the promotion process will be an oral interview and assessment exercise that will measure each candidate's technical knowledge. The components in this phase will assess each candidate attitude toward critical issues and job-related knowledge.
2. The oral interview panel will consist of the Chief, Deputy Chief, and the senior Captain. The interview will be structured. Each candidate will be asked the same questions, in the same order and scored in the same manner as all other candidates.
3. The Assessment Exercises can be administered at the same time as the oral interview or at a later date. These exercises will require you to resolve problems or respond to situations that simulate the actual job requirements of a Lieutenant. Type of assessment exercises include but are not limited to: preparing a presentation, stating how you would respond to a simulated emergency situation, and writing a solution to a personnel problem.

C. DISCIPLINARY RECORD

1. Candidates will receive a maximum of five (5) points for a satisfactory disciplinary record during a period of two calendar years previous to the start of the process. One (1) point will be deducted for each written reprimand. Three (3) points will be deducted for any suspension up to twelve (12) hours. Any suspension of greater than twelve (12) hours will result in forfeiture of all points. All deductions are cumulative in determining points assigned to candidates; however, deductions will not exceed five (5) points.

D. EDUCATION & TRAINING

1. Credit will be given for approved courses and/or degrees that are completed as of a particular date, which will be assigned when process is announced.
2. Each candidate will receive credit for this component based on documentation contained on the Indiana Department of Homeland Security website and in his/her training file. Candidates may review his/her training file and add copies of certificates/transcripts that were not previously in the file. All updates to training files must be completed by a certain calendar date that will be assigned when process is announced.

Points will be awarded as follows (Maximum 15 points):

College Education:

Master's Degree	4 points
Bachelor's Degree	3 points
Associates Degree	2 points
College Credit Hours (30 or more with no degree)	1 point

A candidate with multiple degrees may earn up to a maximum of seven (7) points for College Education. Example: A candidate with two different Bachelor's degrees would earn 6 points.

Fire Related Education and Certification

The following certifications will earn 2 points each:

Fire Officer IV, Fire Officer III

The following certifications will earn 1.5 points each:

,Fire Officer II, Fire Investigator, Instructor II/III, Inspector II,

The following certifications will earn 1 point each:

Fire Officer I, Inspector I, Instructor I, Driver/Operator Pumper, Driver Operator Aerial, Safety Officer

The following certifications will earn 0.5 points each:

Fire Officer Strategy and Tactics, Vehicle Rescue, Structural Collapse, Trench Rescue, Swift Water Rescue, Rope Rescue, Confined Space Rescue, Wilderness Rescue, Building Construction, Hazmat Awareness and Operations

Military Service:

Military Service, active or reserve, honorably discharged or actively serving will earn one (1) point.

Other non-tested fire related training and education hours may be submitted to the board for review and point consideration.

E SENIORITY

1. Seniority is determined by the candidate's total time as a career member with Martinsville Fire Department. Date of hire will be used for scoring purposes.
2. One-quarter (1/4) of a point will be awarded for each full year of service. Twenty years of service has a maximum point value of five (5) points. No credit will be given for less than one full year of service.

F REVIEW SESSION

1. A review session will be held following the completion of all components. At that time each candidate will be able to review his/her written test answer sheet, oral interview packet, and feedback from raters. If after reviewing information, if he or she believes that an answer(s) given was correct but was scored as incorrect, he or she will be able to submit a challenge in writing. The Merit Commission will review all changes.

5.02 CAPTAIN'S PROMOTION PROCESS

Points Breakdown

Written Exam	25 points
Assessment Exercises	25 points
Oral Interview	20 points
Education/Training	15 points
Disciplinary Record	5 points
Seniority	5 points
Attendance	3 points
Performance Evaluation	2 points
TOTAL	100 points

The candidate's overall point total will determine his/her position on the final eligibility list. Promotion Process order of testing will be (1) Written Exam (2) Oral Interview and Assessment exercises.

The candidate must have completed a minimum of 12 consecutive months as a merit Lieutenant of the Martinsville Fire Department at the time of appointment to Captain.

A. WRITTEN EXAM

1. The notice for the written exam will be given along with what resources were used to create the test questions. The written exam may consist of multiple-choice, true/false and short answer questions. Each promotional candidate is encouraged to study the resources used to create the test.

2. Candidates are responsible for obtaining their own copies of the required reading materials. A candidate may contact the publisher to order a copy of the textbook or may contact another vendor.

4. Any candidates not scoring the minimum of 70 percent on the test will be disqualified and dropped from the process.

(a) IC 36-8-3.5-14 Sub-section (c) The examination papers shall be kept under the commission's supervision. A member who is aggrieved with the score received on the written examination may appeal to the commission for review of the score. The appeal must be filed within ten (10) days after notice of the score has been sent to him. He may review the questions incorrectly answered by him and challenge the answer considered correct by the examiner. The commission shall either affirm the score or correct the score according to the findings of a review. The examination papers shall be retired after the two (2) year period during which the eligibility list is valid. The retired papers shall be kept for five (5) years and then destroyed.

As added by Acts 1981, P.L.316, SEC. 1.

B. ORAL INTERVIEW AND ASSESMENT EXERCISE

1. The second phase of the promotion process will be an oral interview and assessment exercise that will measure each candidate's technical knowledge. The components in this phase will assess each candidate attitude toward critical issues and job-related knowledge.
2. The oral interview panel will consist of three (3) members. The Chief, Deputy Chief, and senior Captain.
The interview will be structured. Each candidate will be asked the same questions, in the same order and scored in the same manner as all other candidates.
3. The Assessment Exercises can be administered at the same time as the oral interview or at a later date. These exercises will require you to resolve problems or respond to situations that simulate the actual job requirements of a Captain. Type of assessment exercises include but are not limited to: preparing a presentation, stating how you would respond to a simulated emergency situation, and writing a solution to a personnel problem.

C. DISCIPLINARY RECORD

1. Candidates will receive a maximum of five (5) points for a satisfactory disciplinary record during a period of two calendar years previous to the start of the process. One (1) point will be deducted for each written reprimand. Three (3) points will be deducted for any suspension up to twelve (12) hours. Any suspension of greater than twelve (12) hours will result in forfeiture of all points. All deductions are cumulative in determining points assigned to candidates; however, deductions will not exceed five (5) points.

D. EDUCATION & TRAINING

1. Credit will be given for approved courses and/or degrees that are completed as of a particular date, which will be assigned when process is announced.
2. Each candidate will receive credit for this component based on documentation contained on the Indiana Department of Homeland Security website and in his/her training file. Candidates may review his/her training file and add copies of certificates/transcripts that were not previously in the file. All updates to training files must be completed by a certain calendar date that will be assigned when process is announced.

Points will be awarded as follows (Maximum 15 points):

College Education:

Master's Degree	4 points
Bachelor's Degree	3 points
Associates Degree	2 points
College Credit Hours (30 or more with no degree)	1 point

A candidate with multiple degrees may earn up to a maximum of seven (7) points for College Education. Example: A candidate with two different Bachelor's degrees would earn 6 points.

Fire Related Education and Certification

The following certifications will earn 2 points each:

Fire Officer IV, Fire Officer III

The following certifications will earn 1.5 points each:

Fire Officer II, Fire Investigator, Instructor II/III, Inspector II

The following certifications will earn 1 point each:

Fire Officer I, Inspector I, Instructor I, Driver/Operator Pumper, Driver Operator Aerial, Safety Officer

The following certifications will earn 0.5 points each:

Fire Officer Strategy and Tactics, Vehicle Rescue, Structural Collapse, Trench Rescue, Swift Water Rescue, Rope Rescue, Confined Space Rescue, Wilderness Rescue, Building Construction, Hazmat Awareness and Operations

Military Service:

Military Service, active or reserve, honorably discharged or actively serving will earn one (1) point.

Other non-tested fire related training and education hours may be submitted to the board for review and point consideration.

E. SENIORITY

1. Seniority is determined by the candidate's total time as a career member with Martinsville Fire Department. Date of hire will be used for scoring purposes.
2. One-quarter (1/4) of a point will be awarded for each full year of service. Twenty years of service has a maximum point value of five (5) points. No credit will be given for less than one full year of service.

H. REVIEW SESSION

1. A review session will be held following the completion of all components. At that time each candidates will be able to review his/her written test answer sheet, oral interview packet, and feedback from raters. If after reviewing information, if he or she believes that an answer(s) given was

correct but was scored as incorrect, he or she will be able to submit a challenge in writing. The Merit Commission will review all challenges.

SECTION 6. Performance Ratings

- (a.) The commission shall adopt rules for determining a performance rating. The rules must require that a performance rating be made at least once every twelve (12) months for each member of the department, including probationary members. One (1) or more of the member's superiors, as defined in the commission's rules, shall make the rating. Probationary members shall be rated in the same manner as other members of the department. The ratings shall be submitted to the chief of the department and kept on file in his office under his/her supervision. The chief shall notify each member in writing of the rating that the member received.

A member who is aggrieved with the performance rating given to him/her by his superior may appeal to the commission for a review of the rating. The appeal must be filed within ten (10) days after notice of the rating has been sent to him/her. The commission shall either affirm or correct the rating.

OBJECTIVE

- A. The Department's systematic performance appraisal program is a beneficial management tool for both supervisors and employees. It focuses on the professional development of subordinates; provides for periodic review and evaluation of employee performance; allows for job clarification and definition of expectations stated in measurable terms; and, attempts to merge the job perceptions of the supervisor and the employee. This program provides a means for appraising work performance over extended periods of time and documenting work performance and career development progress.
- B. The performance appraisal program creates a means to facilitate effective levels of communication and cooperation between employees and supervisors: allows for the identification of in-service and career development education needs; promotes an environment conducive to maximum work productivity; and, directs employee performance toward the achievement of the Department's mission, goals, and objectives.

SCOPE

- A. The Performance Appraisal Program described in this chapter is designed to comply with the requirements of I.C. 36-8-3.5-15 and shall be the method utilized to evaluate the performance of Operations Division Personnel.
- B. The method of evaluating the performance of members serving in specialized staff positions shall be objective based and criterion referenced to the specific positions and is currently under development.
- C. Therefore, the performance appraisal program shall include, as a minimum, the following requirements:

1. Performance appraisals shall be conducted at least twice (2) biannually for each regular member of the Department and twelve (12) times a year for probationary Department members.
 2. Performance appraisals shall be administered by one (1) or more of the member's superiors.
 3. Performance appraisal results shall be submitted to the Chief of the Department.
 4. Performance appraisal process results shall be kept on file under the supervision of the Chief of the Department.
 5. The Chief of the Department shall notify in writing all members of their performance appraisal results.
 6. A member who is aggrieved with a performance appraisal result given by the superior(s):
 - a. May appeal to the Merit Commission for review of that performance appraisal,
 - b. File, that appeal within ten (10) calendar days after receiving written notice of the performance appraisal.
 7. The Merit Commission shall:
 - a. Address appeal requests by reviewing performance appraisals, and
 - b. Either affirm or remand for correction the performance appraisal.
- D. Unless specified by the statutory merit system rules [IC 36-8- 3.5-15 (a) & (b)], this written procedure shall not be construed as limiting the authority of the Martinsville Fire Department Administration to select, update, and/or modify as appropriate the performance appraisal program.

The performance appraisal program shall include the following processes:

1. Pre-advisement phase:
 - a. Preparation of evaluator and employee
 - b. Preliminary preparation of appraisal form
 - c. Review of preliminary appraisal form
2. Advisement phase: interview
3. Post-advisement phase:
 - a. Performance appraisal routing, security, notification
 - b. Retention of appraisal documents
 - c. Confidentiality
 - d. Follow-up
 - e. Performance appraisal program and breaches of discipline.

PRE-ADVISEMENT PHASE

A. PREPARATION OF EVALUATOR AND EMPLOYEE

1. The success of the performance appraisal program is directly related to supervisory preparation. Formal evaluation interviews should be considered a summary of what the subordinate and supervisor already understand about that subordinate's performance and expectations for improvements in future performance. Supervisors should analyze the data

- gathered, identify the points to be covered, and determine the appropriate interview approach prior to conducting the appraisal interview.
2. Supervisors must prepare for the evaluation interview by first gathering pertinent and relevant data about the individual's performance. Other records such as memos, commendations, or reprimands may be used as resources. However, the employee should have known about any formal item that has become part of the official records prior to any formal evaluation interview. Supervisors shall review previous performance evaluations results in order to determine previously defined goals objectives, subordinates' progress in achieving goals-objectives, patterns of behavior, and/or growth and development needs.
 3. Supervisors shall review and discuss with subordinates the appraisal program, processes, and relevant forms prior to scheduled appraisal interviews.
 4. Employees shall know in advance when they are to be reviewed. To summon unexpectedly and casually announce that an appraisal interview is about to take place is unfair. This takes employees by surprise, does not permit them a chance to reflect or think about their performance, and/or prepare for discussion of their work performance. Therefore, supervisors should schedule evaluation interviews and notify employees in advance.

B. PRELIMINARY PREPARATION OF APPRAISAL FORM

1. Based on the Department's performance appraisal schedule, supervisors shall complete performance appraisal documents according to the directions for the particular appraisal method being used by the Department.
2. Assigned ratings for specified behaviors, progress and developmental narratives, and goal statements shall be based on observable, measurable, and/or documented work performances. Situations that called for more than normal attention such as significant instances of commendable or weak performance, inability to perform certain tasks acceptably which indicated the need for further instruction and/or compliments or complaints received shall be taken into consideration.

C. REVIEW OF PRELIMINARY APPRAISAL FORM

1. Prior to the supervisor's conduction of an actual formal appraisal interview, supporting documentation utilized to substantiate the performance appraisal and the completed evaluation form including proposed goals-objectives shall be submitted to the supervisor's immediate superior for review.
2. After the immediate superior's review, supporting documents and the evaluation form are to be returned to the evaluator, and the evaluator will either be required to revise and/or edit the evaluation documents and resubmit them for additional review by the superior; or if the immediate supervisor has approved the preliminary appraisal document, the evaluator will conduct the scheduled formal appraisal interview.

D. ADVISEMENT PHASE: INTERVIEW

The scheduled formal appraisal interview shall be directed towards maximizing the effectiveness of the subordinate by being both a goal-oriented and a problem-solving process. The interview shall be a two-way feedback and discovery process where both the subordinate and the evaluator become aware of discrepancies, similarities, or consistencies in perceptions of work performance expectations and achievements. A subordinate may request a copy of the completed, final appraisal document.

E. POST-ADVISEMENT PHASE

1. PERFORMANCE APPRAISAL ROUTING SECURITY NOTIFICATION

- A. After the interview phase has been completed, the evaluator is to route completed appraisal documents, including all supporting documentation, in accordance with the instructions on the evaluation form.
- B. In compliance with statutory merit law, ultimately the Chief of the Department must be informed of all formal performance appraisal results in order to notify all employees in writing of their performance appraisal results.

2. RETENTION OF APPRAISAL DOCUMENTS

- A. The Chief of the Department shall retain all appraisal documents including the supporting documentation, until the ten (10) day appeal time has elapsed or the appeal, if filed, has been resolved.
- B. Under the supervision of the Chief of the Department, all completed performance appraisal program documents (forms) and copies shall be retained for two (2) years and then destroyed.
- C. The Chief of the Department shall be responsible for overseeing secured record keeping systems for performance appraisal documents.
 - 1. A copy shall be made of all performance appraisals and retained under the supervision of the Shift Captain in a separate secured record keeping system from which supervisors may request access related to preparation of performance appraisals.
 - 2. Only the following personnel shall have direct access to this performance appraisal record keeping copy file:
 - i. Chief of the Department,
 - ii. Deputy Chief, and the Shift Captains
 - 3. Evaluators shall only have access to assigned subordinate appraisal results and must submit in writing to their respective Captain requests to review previous appraisal document results. The Captains shall maintain a log of when and who accesses performance appraisal information.

F. CONFIDENTIALITY

All performance appraisal program documents and discussions during the interviews shall be considered as confidential and managed accordingly by Department personnel and the Merit Commission to insure confidentiality.

G. FOLLOW-UP

Upon the conclusion of the advisement phase, supervisors are responsible for monitoring subordinate work performance not only on a duty day to duty day basis, but also in relationship to progress and development as specified during the advisement phase and documented within the appraisal form.

H. PERFORMANCE APPRAISAL PROGRAM AND BREACHES OF DISCIPLINE

1. Failure of an evaluator to comply with the performance appraisal processes shall be considered a breach of discipline and shall result disciplinary action. Disciplinary action may be warranted when evaluators exhibit evidence of failure to adhere to the performance appraisal processes including, but not limited to the following:
 - a. Submitting performance appraisals with no supporting Documentation.
2. Confidentiality infractions shall be considered a breach of discipline and shall result disciplinary action. Disciplinary action shall be warranted when members exhibit evidence of a breach of confidentiality including, but not limited to the following:
 - a. Failure to secure appraisal written and/or computer documents so as to insure that access is limited to only authorized personnel
 - b. Discussion of appraisal results with unauthorized parties.

I. APPEAL OF PERFORMANCE APPRAISAL

PURPOSE

This procedure provides a means by which an employee who is in disagreement with a performance appraisal may register an appeal for review of that appraisal.

POLICY

- A. All merit members of the department, including probationary employees, are entitled to all rights and provisions specified in this procedure.
- B. It is the responsibility of the appealing party to submit a formal, written request for a Merit Commission review.
- C. Failure of the appealing party to comply with the time limits specified in this procedure shall constitute abandonment of the appeal.

PROCEDURE

A. INFORMAL RESOLUTION

1. Prior to the submission of an appeal, it is responsibility of the employee to promptly inform the evaluator and discuss the perceived disagreement.
2. The employee may submit a formal, written appeal request when informal discussion does not result in resolution to the satisfaction of the employee.

B. EMPLOYEE FILING PROCEDURE

1. A member who is aggrieved with the performance appraisal given to him by his superior may appeal to the Merit Commission for a review of that appraisal.
 - a. The appeal request for review of the performance appraisal by the Merit Commission must be in writing.
 - b. The appeal must be filed within ten (10) calendar days after notice of the appraisal has been sent by the Chief of the Department to the department member.
 - c. The written request must be delivered in person to a chief officer who shall direct it to the Chief of the Department for delivery to the Merit Commission.
 - d. Merit Commission shall either affirm the appraisal or remand the appraisal to the supervisor with recommendations for change.
2. Appeals must include:
 - a. Brief description of perceived discrepancy and/or dissatisfaction with the appraisal.
 - b. Dates, times, and parties involved in the appraisal process.
 - c. Short narrative of informal resolution attempt(s) which includes date(s), time(s), and parties involved.
 - d. Attachment of copies of the performance appraisal including the official notification of results from the Chief of the Department.

C. NOTIFICATIONS

1. After receiving notice of submitted appeals, the Merit Commission shall include submitted performance appraisal process appeals in their next regularly scheduled meeting's official agenda, unless by mutual agreement with the appealing party and the Commission another regularly scheduled meeting time would be considered more suitable.
2. The Merit Commission shall notify in writing within seven (7) days of the scheduled meeting the following individuals of the date, time, and location of the review of the appeal:
 - a. Appealing party
 - b. Chief of the Department
 - c. Evaluator(s)
 - d. Union District President

D. MERIT COMMISSION REVIEW

1. The Commission shall verify that the following criteria has been met for each performance appraisal process result appeal submitted for review:
 - a. Performance appraisal program process is administered at 2 times a year,

- b. Performance appraisal process was administered by one (1) or more of the appealing party's supervisor(s),
 - c. Performance appraisal process is administered to members of similar merit rank and position,
 - d. Performance appraisal process results were submitted to the Chief of the Department,
 - e. Appealing party was officially notified in writing of the performance appraisal process result,
 - f. Formal, written appeal was submitted within the ten (10) calendar day time limit.
- 2. The Commission shall conduct a review of the performance appraisal process result documents
 - 3. The Commission shall as a result of the review either:
 - a. Affirm the performance appraisal process result, or
 - Remand to the supervisor with recommendation for change

E. NOTIFICATIONS AND PROCESSING OF MERIT COMMISSION REVIEW FINDINGS

- 1. The Merit Commission shall notify in writing the appealing party and the Chief of the Department of their review findings within forty-eight (48) hours of the Commission's review decision.
- 2. The Chief of the Department upon receipt of the Merit Commission's review findings shall:
 - a. File Merit Commission's decision notifications with the performance appraisal process result documents,
 - b. Facilitate the correction of the performance appraisal process results when so directed as a result of Merit Commission's review findings.

SECTION 7. Discipline

Martinsville Fire Department Rules and Regulations (Progressive Discipline Procedure)

The provisions of IC 36-8-3.5-19, are hereby amended to read as follows, as it applies to the operation of the Martinsville Fire Department merit system:

Sec. 19. (a) In addition to the disciplinary powers of the commission, the chief of the department, may, without a hearing, reprimand or suspend without pay a member, for a maximum of five (5) working days. For the purposes of this subsection, eight (8) hours of paid time constitutes one (1) working day.

- (a) If a chief reprimands a member in writing or suspends a member, he/she shall, within forty-eight (48) hours, notify the commission in writing of the action and the reasons for the action. A member who is reprimanded in writing or suspended under this section may, within forty-eight (48) hours after receiving notice of the reprimand or suspension, request in writing that the commission review the reprimand or suspension and either uphold or reverse the chief's decision. At its discretion, the commission may hold a hearing during this review. If the board holds a hearing, written notice must

be given either by service upon the member in person or by a copy left at the member's last and usual place of residence at least fourteen (14) days before the date set for the hearing. If the decision is reversed, the individual who was suspended is entitled to any wages withheld as a result of the suspension.

- (b) An officer of the department, other than the chief, with the rank of captain or higher, may, without a hearing, reprimand or suspend without pay a member, for a maximum of (1) 24 hour shift or three (3) working days. For the purposes of this subsection, eight (8) hours of paid time constitutes one (1) working day.
- (c) A member who is reprimanded in writing or suspended under subsection (b) of this section may, within forty-eight (48) hours after receiving notice of the reprimand or suspension, request in writing that the chief review the reprimand or suspension. At the Fire Chiefs discretion, the chief may affirm, amend or reverse the officer's decision. In addition, the chief may refer the matter to a review by the board of officers, prior to making a determination. If the decision is reversed, the individual who was suspended is entitled to any wages withheld as a result of the suspension. A determination by the chief under this section shall be treated in the same manner as a determination by the chief under subsection (a).
- (d) If an officer reprimands a member in writing or suspends a member under subsection (b), and a timely appeal to the chief is not filed, the chief shall, within forty-eight (48) hours, notify the commission in writing of the action and the reasons for the action.
 - 1. Except as provided in Indiana Code 36-8-3-4 (m) regarding upper level policy making positions, a member of the fire department holds office or grade until the member is dismissed or demoted by the Merit Commission. Except as provided in Indiana Code 36-83-4 (n) regarding criminal charges, a member may be disciplined by demotion, dismissal, reprimand, forfeiture, or suspension upon either:
 - 2. Conviction in any court of any felony crime; or
 - 3. A finding and decision of the Merit Commission that the member has been or is guilty of any one (1) or more of the following:
 - 1. Neglect of duty
 - 2. A Violation of rules
 - 3. Neglect or disobedience of orders.
 - 4. Incapacity
 - 5. Absence without leave
 - 6. Immoral conduct
 - 7. Conduct injurious to the public peace or welfare
 - 8. Conduct unbecoming an officer/firefighter
 - 10. Another breach of discipline
 - 4. The Merit Commission may not consider the political affiliation of the member in making a decision under this section. If a member is

suspended or placed on administrative leave under this subsection, the member is entitled to the member's allowances for insurance benefits to which the member was entitled before being suspended or placed on administrative leave. In addition, the local unit may provide the member's allowances for any other fringe benefits to which the member was entitled before being suspended or placed on administrative leave.

5. Before a member of the fire department may be suspended in excess of five (5) days (or the equivalent thereof), without pay, demoted, or dismissed, the Merit Commission shall offer the member an opportunity for a hearing. If a member desires a hearing, the member must request the hearing not more than five (5) days after the notice of the suspension, demotion, or dismissal. Written notice shall be given either by service upon the member in person or by a copy left at the member's last and usual place of residence at least fourteen (14) days before the date set for the hearing. The hearing conducted under this subsection shall not be held more than thirty (30) days after the hearing is requested by the member unless the parties mutually agree upon a later date. The notice must state:
 1. The time and place of hearing
 2. The charges against the member;
 3. The specific conduct that comprises the charges;
 4. That the member is entitled to be represented by counsel;
 5. That the member is entitled to call and cross-examine witnesses;
 6. That the member is entitled to require the production of evidence; and
 7. That the member is entitled to have subpoenas issued, served, and executed in the county where the unit is located.

The Merit Commission shall determine if a member of the fire department who is suspended in excess of five (5) days shall continue to receive the member's salary during the suspension.

Upon an investigation into the conduct of a member of the fire department, or upon the trial of a charge preferred against a member of the department, the Merit Commission may compel the attendance of witnesses, examine them under oath, and require the production of books, papers, and other evidence at a meeting of the board. For this purpose, the board may issue subpoenas and have them served and executed in any part of the county where the unit is located. If a witness refuses to testify or produce books or papers in the witness's possession or under the witness's control, IC 36-4-6-21 controls to the extent applicable. The proper court may compel compliance with the order by attachment, commitment, or other punishment. The reasons for the suspension, demotion, or dismissal of a member of the fire department shall be entered as specific findings of fact upon the records of the Merit Commission.

Appeals under this section shall be done in accordance with IC 36-8-3.5-18 through 19.

Disciplinary records (written reprimands and suspensions) will reset one (1) calendar year from the time of each disciplinary infraction. However, for the Promotion Process of Merit Lieutenant and Captain disciplinary records will go back for a period of two (2) calendar years before the start of the promotion process and points will be given based on the applicant's disciplinary record.

Chapter 8 - Records Management

Records Management

800.1 PURPOSE AND SCOPE

This policy provides guidelines for the management of all department documents, including those in fire stations, to ensure that department records are maintained and available as needed. This policy also provides guidance on the retention, disposition and security of records.

800.2 POLICY

It is the policy of the Martinsville Fire Department to promote the efficient and cost-effective conduct of department business by reducing the number of records in active file areas, eliminating unnecessary retention of duplicate or obsolete documents and providing for timely transfer of inactive files in compliance with legal requirements.

800.3 CUSTODIAN OF RECORDS

The Fire Chief shall appoint a Custodian of Records, who will oversee the records management program, including the records retention schedule. The Custodian of Records or the authorized designee should:

- (a) Remain familiar with the Indiana Access to Public Records Act (I.C. § 5-14-3-1 et seq.).
- (b) Identify what records the Department has, where the records are kept, the volume, and how the records are used.
- (c) Maintain and update the department's records retention schedule, including:
 1. Identifying the minimum length of time the Department must keep records in a series.
 2. Identifying the department section or division responsible for the original record.
 3. Identifying and maintaining records with statutory or regulatory retention requirements, including 836 I.A.C. 1-1-5.
- (d) Coordinate the placement of inactive records in storage, including:
 1. Maintaining a storage inventory.
 2. Providing an annual reminder to Deputy Fire Chiefs and section managers to review files to determine if any records should be transferred to storage.
- (e) Manage the destruction of department records, including:
 1. Annually reviewing the records retention schedule and storage inventory list to determine which records are eligible for destruction.
 2. Providing a list to Deputy Fire Chiefs and section managers of records eligible to be destroyed.
 3. Obtaining any required approvals for the destruction of eligible records.
 4. Maintaining a list of records that have been destroyed.

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- (f) Ensure that confidential and other sensitive records are stored or maintained to protect the sensitive nature of the records.
- (g) Process subpoenas and requests for records as provided in the Subpoenas and Court Appearances, the Release of Records and the Patient Medical Record Security and Privacy policies.
- (h) Manage a document imaging or other process for bulky or rarely accessed records with long retention periods.
- (i) Establish rules regarding the inspection and copying of department records as reasonably necessary for the protection of such records, including:
 - 1. Identifying records or portions of records that are confidential under state or federal law and not open for inspection or copying.
 - 2. Maintaining a schedule of fees for public records as allowed by law (I.C. § 5-14-3-8).
- (j) Ensuring the protection of public records from loss, alteration, mutilation, or unauthorized access (I.C. § 5-14-3-7).

800.4 MEMBERS' RESPONSIBILITY

All members are expected to handle department records in a responsible manner and as provided in this policy.

Members are responsible for ensuring that records in their control are maintained as provided in the records retention schedule.

800.5 OFFICER IN CHARGE RESPONSIBILITY

[Officer in Charge s](#) at fire stations are responsible for the management of records at the fire station level. The [Officer in Charge s](#) should ensure that all records at the fire stations are retained in accordance with this policy.

800.6 TRAINING

The Custodian of Records should coordinate with the Training Officer to provide training regarding the records management program to the appropriate department members.

Release of Records

801.1 PURPOSE AND SCOPE

This policy establishes guidelines for the public to inspect and obtain copies of public records.

Inspection and release of records with protected health information is covered in the Patient Medical Record Security and Privacy Policy.

801.2 POLICY

The Martinsville Fire Department is committed to providing public access to records consistent with the Indiana Access to Public Records Act (I.C. § 5-14-3-1).

801.3 PROCESSING REQUESTS FOR PUBLIC RECORDS

Any member who receives a request for records shall route the request to the Custodian of Records or the authorized designee.

801.3.1 REQUESTS FOR RECORDS

The processing of requests for records is subject to the following:

- (a) All requests for public records shall be in writing or on a form supplied by the Department and shall identify with reasonable particularity the record being requested (I.C. § 5-14-3-3).
- (b) If the requester is physically present in the Department at the time of the request to inspect or obtain a copy of a record, the Custodian of Records or the authorized designee shall respond to the request within 24 hours.
- (c) If a request is received by mail or facsimile, a written response shall be provided to the requester within seven days of receipt.
- (d) The Department is not required to create records that do not exist.
- (e) Within a reasonable time after the request is received by the Department, the Custodian of Records or the authorized designee shall make records or copies available to the requester as provided by I.C. § 5-14-3-3.
- (f) Copies of electronic data may be provided in the medium requested if it is compatible with the department's system (I.C. § 5-14-3-3).
- (g) When a record contains material with release restrictions and material that is not subject to release restrictions, the restricted material shall be redacted and the unrestricted material released (I.C. § 5-14-3-6).
 1. A copy of the redacted release should be maintained as evidence of what was actually released and should document the reasons for the redactions.

801.3.2 DENIALS

A denial of a written request for a public record shall (I.C. § 5-14-3-9):

- (a) Be denied in writing.

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1. Within 24 hours of receipt of a request made in person.
 2. Within seven days of a receipt of a request made by mail or facsimile.
- (b) Include a statement of the specific exemption or exemptions authorizing the withholding of all or part of the record.
- (c) Include the name and the title or position of the person responsible for the denial.

801.4 RELEASE RESTRICTIONS

Examples of records with release restrictions include (I.C. § 5-14-3-4):

- (a) Patient Care Reports (PCRs), except for certain information as provided in I.C. § 16-31-2-11(d) (45 CFR 164.502) (see the Patient Medical Record Security and Privacy Policy).
- (b) Personnel files, except for a member's compensation, job title, business address and telephone number, job description, education and training background, previous work experience, or dates of first and last employment of present or former officers or members of the Department.
- (c) Social Security numbers.
- (d) Member's home address, telephone number, and emergency contact information.
- (e) Work product of an attorney representing the Department.
- (f) Arson investigations.
- (g) Test questions, scoring keys, and other examination data used to administer an examination for employment.
- (h) Interagency or intra-agency advisory or deliberative material.
- (i) Computer programs, computer codes, computer filing systems, and other software owned by the Department or entrusted to the Department and portions of electronic maps entrusted to the Department by a utility.
- (j) Records where disclosure is exempt or prohibited pursuant to provisions of federal or state law, including but not limited to provisions of the Rules of Evidence relating to privilege.
- (k) Records that relate to archeological site information (I.C. § 14-21-1-32; I.C. § 5-14-3-6.5).
- (l) School safety plans and associated information as provided in I.C. § 10-21-1-10 and I.C. § 10-21-1-12.
- (m) Any other record made confidential by Indiana law, federal law, or rule adopted by a public agency under specific authority to classify public records as confidential granted to the public agency by statute.

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801.5 RELEASED RECORDS TO BE MARKED

Each page of any record released pursuant to this policy should be stamped in a colored ink or otherwise electronically marked to indicate the department name and to whom the record was released.

Subpoenas and Court Appearances

802.1 PURPOSE AND SCOPE

The purpose of this policy is to establish procedures for receiving, processing and responding to subpoenas to appear or to produce records or evidence. It will allow the Department to cover any related work absences and keep the Department informed about relevant legal matters.

802.2 POLICY

Department members will respond appropriately to all subpoenas and any other court-ordered appearances.

802.3 RECEIPT OF SUBPOENAS

Only department members authorized to receive a subpoena on behalf of the Department or any of its members may do so.

Subpoenas for records should be directed to the Custodian of Records or the authorized designee for processing.

802.3.1 SUBPOENAS OF RECORDS

The Custodian of Records and any authorized designees should receive training in proper intake and processing of subpoenas. Members not designated by the Custodian of Records and properly trained are not authorized to accept subpoenas for department records.

Subpoenas for records shall be date-stamped and logged.

The Custodian of Records will consult with the department privacy officer regarding any request for medical records. The Custodian of Records or the authorized designee will only produce the requested records as provided in this policy and the Patient Medical Record Security and Privacy Policy.

If the Custodian of Records determines that a subpoena involves a request for a confidential record or relates to pending litigation against the Department or City, the request should be promptly brought to the attention of the Fire Chief and legal counsel for the Department.

The Department may be entitled to recoup reasonable costs incurred in production of business records in response to a subpoena. The Custodian of Records should provide a statement reflecting the assessment of these reasonable costs and require payment at the time subpoenaed records are delivered.

802.3.2 CIVIL SUBPOENAS INCLUDING DEPOSITIONS OR NOTICES TO APPEAR

Upon receipt of a civil subpoena, the Custodian of Records or other person authorized to receive a subpoena shall date-stamp and log the subpoena.

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The Custodian of Records or other person authorized to receive a subpoena shall ensure timely delivery of the subpoena to the identified member, noting on the log the date and time it was accepted. The receiving member should acknowledge receipt by signing and dating the log.

No subpoena for a member of this department as a witness in a civil action should be accepted unless it is accompanied by the required fee for each day the member's appearance is required pursuant to the subpoena.

Members shall notify [a Chief Officer](#) ~~their~~ of receipt of a subpoena. Members should contact the attorney issuing the subpoena to confirm the date and time of appearance or to confirm an on-call status. The member shall comply with all instructions on the subpoena and monitor the status of all required appearances to ensure compliance with judicial process. In the event a member will be unavailable to respond to a subpoena, the member shall promptly notify the attorney issuing the subpoena and the member's Captain.

Members who are deposed should request a copy of the transcript.

802.3.3 ON-CALL SUBPOENAS

Upon receipt of a subpoena and after contacting the issuing attorney, a member may make arrangements with the issuing attorney to be placed in an on-call status.

The subpoenaed member shall promptly notify his/her supervisor of the subpoena and any on-call status and make arrangements regarding any potential scheduling conflicts, potential overtime compensation or other follow-up required to coordinate on-call appearance status.

802.3.4 CRIMINAL SUBPOENAS

Upon receipt of a criminal subpoena related to department business, the member shall promptly notify the Captain of his/her appearance and contact legal counsel if he/she has any questions.

802.3.5 CIVIL SUBPOENAS UNRELATED TO OFFICIAL DEPARTMENT BUSINESS

Members properly served with valid subpoenas for civil matters unrelated to their department duties shall comply with the requirements of the subpoena. Members are not entitled to compensation from the Department for any such appearance or deposition and arrangements for time off should be coordinated with their supervisor.

Employees subpoenaed to testify about non-work-related matters shall be permitted to take time off to testify but are not entitled to receive wages. Employees may use vacation, personal leave or compensatory time off for the time they will be away from work.

802.4 RESPONSIBILITIES

802.4.1 MEMBERS

Members subpoenaed to appear for any department-related reason or who are subpoenaed to produce records or evidence shall:

- (a) Document the date, time and manner of receipt.

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- (b) Promptly contact the Custodian of Records and provide the Custodian with a copy of the subpoena.
- (c) Make arrangements through the Custodian of Records to obtain any related reports or information.
- (d) Notify their supervisor of the subpoena.

Employees who are subpoenaed to testify about department-related matters shall receive their normal wages. Any witness fees provided to an on-duty employee shall be promptly transmitted to the Department. Members shall coordinate any scheduled appearances with their Lieutenant to ensure the efficient use of staffing to minimize the payment of overtime.

Members appearing in court or appearing for court-related functions such as depositions shall appear in uniform unless directed by the prosecutor ~~or business attire~~.

Any questions regarding this policy or its requirements shall be promptly directed to a supervisor or department legal counsel.

802.4.2 SUPERVISORS

Supervisors should monitor the schedules of members who have been served subpoenas requiring their appearance to ensure appropriate shift coverage and compensation for the subpoenaed member.

Supervisors shall not intentionally adjust a member's duty schedule for the purpose of creating overtime.

802.5 TESTIFYING AGAINST THE INTEREST OF THE CITY

Any member who has been subpoenaed to testify, has agreed to testify or who anticipates testifying or providing information on behalf of, or at the request of, any party other than the state; any city, county or any of their officers; or agents or employees in which any of those entities or persons are parties to the litigation, will promptly notify his/her supervisor. The supervisor shall notify the Fire Chief, prosecuting attorney in a criminal case and the department's legal counsel, as may be indicated by the case.

This requirement includes:

- (a) Providing testimony or information for the defense in any criminal trial or proceeding.
- (b) Providing testimony or information for the plaintiff in a civil proceeding against any city, county or its officers, agents or employees.
- (c) Providing testimony or information on behalf of, or at the request of, any party other than any City official in any administrative proceeding, including, but not limited to, personnel and/or disciplinary matters.
- (d) No member will be retaliated against for testifying in any matter.

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802.6 RECEIPT AND PROCESSING OF A SUMMONS

Upon receipt of a summons and complaint in a matter related to department business, the member shall document the date, time and manner of receipt and promptly notify his/her supervisor and contact legal counsel for the Department.

Patient Medical Record Security and Privacy

803.1 PURPOSE AND SCOPE

The purpose of this policy is to establish appropriate administrative, technical, and physical safeguards for patient medical records and to provide reasonable safeguards against prohibited uses and disclosures of protected health information (PHI) in accordance with federal and state law, to include the following:

- Health Insurance Portability and Accountability Act (HIPAA) (42 USC § 201 et seq.)
- Indiana Access to Public Records Act (I.C. § 5-14-3-4(a)(9))

803.1.1 DEFINITIONS

Definitions related to this policy include:

Health information - Any information, whether oral or recorded in any form or medium, that is created or received by the Department and relates to a person's past, present, or future physical or mental health or condition, or past, present, or future payment for the provision of health care to a person (45 CFR 160.103).

Individually identifiable health information - Health information, including demographic information, created or received by the Department that relates to an individual's past, present, or future physical or mental health or condition, the provision of health care to the individual, or the past, present, or future payment for the provision of health care to an individual, that can either identify the individual or provide a reasonable basis to believe the information can be used to identify the individual (45 CFR 160.103).

Limited data set - PHI that excludes the following direct identifiers of an individual or of relatives, employers, or household members of the individual (45 CFR 164.514(e)):

- Names
- Postal address information, other than town or city, state, and ZIP code
- Telephone or fax numbers
- Email addresses
- Social Security numbers
- Medical record numbers
- Health plan beneficiary numbers
- Account numbers
- Certificate or license numbers
- Vehicle identifiers and serial numbers, including license plate numbers
- Device identifiers and serial numbers

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- Web Universal Resource Locators (URLs)
- Internet Protocol (IP) address numbers
- Biometric identifiers, including finger and voice prints
- Full-face photographic images and/or any comparable images

Patient medical records - Department records or data containing any information identifying a patient. However, media recorded by department body-worn cameras is for quality assessment and improvement purposes, not patient care, and therefore is not part of a patient's medical records.

Protected Health Information (PHI) - Individually identifiable health information that is created or received by the Department. Information is protected whether it is in writing, in an electronic form, or communicated orally (45 CFR 160.103).

Protected Personal Information (PPI) - Information that includes but is not limited to PHI, pictures or other forms of voice or image recording, patient address, telephone numbers, Social Security number, date of birth, age, or any other information that could be reasonably used to uniquely identify the patient or that could result in identity theft if released for unauthorized purposes or to unauthorized personnel.

803.2 POLICY

It is the policy of the Department to reasonably safeguard PHI and comply with HIPAA and the implementing regulations through the use of policy and procedures, system access security and passwords, and limited physical access to hard copy files (45 CFR 164.530(c)).

803.3 RESPONSIBILITIES

Members shall protect the security, confidentiality, and privacy of all patient medical records in their custody at all times.

Possessing, releasing, or distributing PPI, including for unauthorized purposes, is prohibited and may violate HIPAA and/or other applicable laws. Members who have not received department training on the proper handling of these records shall not access patient medical records.

Members with occupational access to patient medical records shall be trained in the proper handling of PHI in accordance with the Health Insurance Portability and Accountability Act (HIPAA) Training Policy and shall reasonably ensure that no unauthorized person shall have access to PHI without the valid authorization of the patient, except as provided by law (45 CFR 164.530(b); 45 CFR 164.512).

803.4 PRIVACY OFFICER

The Fire Chief shall designate a privacy officer who is responsible for all matters relating to the privacy of patient medical information, including PHI. The privacy officer shall (45 CFR 164.530):

- (a) Identify who may have access to PPI and PHI.

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Patient Medical Record Security and Privacy

- (b) Resolve complaints under HIPAA.
- (c) Mitigate, to the extent practicable, any harmful effects known to the Department regarding any use or disclosure of PHI in violation of this policy or the HIPAA regulations.
- (d) Ensure members are trained in the proper handling of PHI in accordance with the Health Insurance Portability and Accountability Act (HIPAA) Training Policy.
- (e) Ensure technical and physical safeguards are implemented to maintain security and confidentiality of PHI and to allow access to PHI only to those persons or software programs that have been granted access rights.

803.5 PROCEDURE

Records containing PHI or PPI, including Patient Care Reports (PCRs), shall be kept out of view unless the report is being completed during an incident, during input of information into the National Fire Incident Reporting System (NFIRS), or during processing or review at Martinsville Fire Department facilities by authorized personnel (45 CFR 164.530(c)).

803.6 SECURITY

All patient records containing PHI or PPI shall be kept secure at all times whether the record is in written, verbal, electronic, or any other visual or audible format (45 CFR 164.306(a)).

Documents provided by a patient or caregiver will receive the same level of confidentiality and security as department records during the time department personnel retain possession of the documents.

No patient record, including documents and electronic images containing PHI, shall be visible to the public.

803.6.1 ELECTRONIC PHI SECURITY

All computer workstations and servers within the Department shall require appropriate security measures, such as user identification and login passwords, to access electronic documents, including electronic PHI (45 CFR 164.308(a)(5)).

Members with access to electronic data shall lock their workstations when left unattended and shall shut down their workstations when leaving for the day to prevent unauthorized access to electronic PHI (45 CFR 164.310; 45 CFR 164.312).

Remote access to department computer workstations requires that appropriate security measures be provided for access to PHI (45 CFR 164.312).

PHI may be transmitted electronically, provided the transmission occurs through a secure process that allows end-to-end authentication and the recipient is authorized to receive the information. Electronic transmission consists of email, file transfer protocol, internet web posting and any configurable data stream. End-to-end authentication is accomplished when the electronic referral does not leave a secure network environment and the recipient is known, or when encryption and authentication measures are used between sender and recipient, thus verifying full receipt by

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the recipient. Any electronic PHI traveling outside a secure network environment, via the internet, requires encryption and authentication measures (45 CFR 164.312(e)).

803.6.2 HARD COPIES

Hard copies of PCRs shall be kept in a secured area when unattended by authorized personnel. An area of the Department is considered unattended when members are physically outside of the area and unable to maintain record security. This includes but is not limited to breaks, lunch, or meetings outside the Department.

Hard copies of PCRs should be stored in a locked area whenever practicable for ease of record retention and retrieval.

Patient records shall not be removed from the Department without express authorization from the Custodian of Records.

803.7 PHI RECORD REQUESTS

The following procedures apply to PHI record requests:

- (a) Requests and subpoenas for copies of patient records shall be processed by the Custodian of Records.
- (b) The Custodian of Records or the authorized designee shall not release records containing PHI without a properly completed authorization to release medical records that is signed by the patient or legal representative of the patient.
 1. Verification that the person completing the authorization is the patient or the legal representative of the patient shall be made with government-issued identification and documentation (45 CFR 164.508(c)).
- (c) Unless the request for records is from the patient or the parent of a minor patient, PHI shall be redacted from the record. A photocopy of the record shall be distributed to the requestor.
- (d) Requests for records via a valid subpoena do not require that PHI be redacted.
- (e) Fulfilled records requests shall be placed in a sealed envelope for release to the requestor.
- (f) A full copy of the valid subpoena or authorization to release medical records form shall be maintained in the file with the PCR.

803.7.1 PROHIBITED DISCLOSURES OF PHI AND PPI

The Department shall not use or disclose PHI or PPI without authorization. Prohibited disclosures include any form of communication, except as permitted in this policy, including but not limited to (45 CFR 160.103):

- (a) PHI or PPI contained in email or other forms of written communication.
- (b) Sharing of PHI or PPI on any website, blog, or other form of social or public media.
- (c) Verbal discussions.

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- (d) The use of any imaging device capable of capturing and storing still or moving images, such as digital or other cameras, video cameras, cellular telephones with picture-taking or video-recording capability, or any other device with picture-taking or video-recording capability while engaged in patient care, while at the scene of a medical emergency or hospital, or at any time when such use could reasonably be expected to result in the inappropriate capture of PHI or PPI.

803.7.2 PERMITTED DISCLOSURES OF PHI AND PPI

The Custodian of Records may release records containing PHI or PPI without authorization from the patient under any of the following circumstances:

- (a) For the department's use to carry out treatment, payment, or health care operations (45 CFR 164.506)
- (b) Where the PHI is requested pursuant to a valid subpoena or court order (45 CFR 164.512(e))
- (c) Where the PHI is part of a limited data set (45 CFR 164.514(e))
- (d) Where the PHI is used for public health activities authorized by law, including when the information is necessary to report child abuse or neglect (45 CFR 164.512(b))
- (e) Where the PHI is disclosed to a government authority because the person is believed to be a victim of abuse, neglect, or domestic violence (45 CFR 164.512(c))
- (f) To law enforcement as provided in this policy (45 CFR 164.512(f))
- (g) Where the Department believes that disclosure of the information is necessary to avert a serious threat to the health or safety of a person or the public (45 CFR 164.512(j))
- (h) Where the PHI is required for worker's compensation purposes (45 CFR 164.512(l))

803.7.3 REQUIRED DISCLOSURES

The Department must disclose PHI when:

- (a) The PHI is requested by and provided to the individual to whom the PHI belongs (45 CFR 164.502(a)(2)).
- (b) The information is required by the U.S. Secretary of Health and Human Services to investigate compliance with HIPAA (45 CFR 164.502(a)(2)).
- (c) Complying with the reporting requirements of the Indiana Department of Homeland Security, Emergency Medical Services Division (836 I.A.C. 1-1-5).

803.7.4 SUBPOENAS

Records containing PHI or PPI will be disclosed only if one of the following is present (45 CFR 164.512(e)(1)):

- (a) A court order or subpoena signed (or stamped) by a judge that requires no additional assurances or notification to the individual whose records are requested
- (b) A subpoena or discovery order signed by an attorney which requires additional proof of service that written notification has been given to the individual whose records are

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requested. In such a case, the subpoena or discovery order must be accompanied by a declaration by the requesting party showing that reasonable efforts have been made to ensure that notice has been provided to the individual whose records are being requested, or that there is a qualified protective order. No records relating to the person named in the notice will be produced until the time to respond to the notice has lapsed and no objections to the production of the materials requested have been made. If written notification to the individual is not provided, the declaration must establish all of the following:

1. The requesting party has made a good faith effort to provide written notice to the individual.
2. The notice includes sufficient information about the litigation or proceeding for which the PHI is requested to allow the individual to raise an objection.
3. The time for the individual to raise objections to the court or tribunal has elapsed.
4. No objections were filed or all objections have been resolved.
5. In lieu of a declaration, records may be released if there is a court order or a stipulation by the parties to the litigation that both:
 - (a) Prohibits the parties from using or disclosing the PHI for any purpose other than the litigation or proceeding for which such information was requested.
 - (b) Requires the return to the Department or destruction of the PHI (including all copies made) at the end of the litigation or proceeding.

803.7.5 RELEASE OF PHI TO LAW ENFORCEMENT

The release of PHI to a law enforcement agency is permitted under the following circumstances:

- (a) In response to a law enforcement officer who completes the department's release of PHI to law enforcement form and requires the PHI (45 CFR 164.512(f)(1)):
 1. To report certain types of wounds or other physical injuries.
 2. In compliance with a court order or court-ordered warrant, a subpoena or summons, a grand jury subpoena, or an administrative request for which a response is required by law.
- (b) In response to a law enforcement officer who completes the department's release of PHI to law enforcement form for the purpose of identifying or locating a suspect, fugitive, material witness, or missing person. In such a case, the Department may only disclose the following PHI (45 CFR 164.512(f)):
 1. Name and address
 2. Date and place of birth
 3. Social Security number
 4. ABO blood type and Rh factor

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5. The character and extent of injuries
6. Date and time of treatment
7. Date and time of death, if applicable
8. A description of distinguishing physical characteristics

803.7.6 ADDITIONAL RESTRICTIONS FOR REPRODUCTIVE HEALTH CARE RECORDS

Records related to reproductive health records as defined by 45 CFR 160.103 are subject to additional disclosure restrictions as provided in 45 CFR 164.502 and 45 CFR 164.509. Requests that may include reproductive health care records should be evaluated by the Custodian of Records in consultation with legal counsel before disclosure to ensure compliance with federal law.

803.8 INDIVIDUAL RIGHTS

The privacy officer is responsible for ensuring the Department complies with all of the following rights of patients:

- (a) The right to request restrictions on certain uses and disclosures of PHI (45 CFR 164.522(a))
- (b) The right to receive their PHI confidentially (45 CFR 164.522(b))
- (c) The right to inspect and copy their PHI (45 CFR 164.524)
- (d) The right to request amendments to their PHI (45 CFR 164.526)
- (e) The right to receive an account of disclosures of PHI (45 CFR 164.528)

803.8.1 PHI AMENDMENT REQUESTS

Patients have the right to review their PHI records and, if necessary, to request that amendments be made. A patient must make a request in writing to have their medical record amended. Included in the request must be the patient's account of the incident and what specific amendment is being requested (45 CFR 164.526(b)(1)).

The privacy officer has the authority to deny the request for amendment where the PHI (45 CFR 164.526(a)(2)):

- (a) Was not created by the Department.
- (b) Is not part of the designated record.
- (c) Is not available for inspection by the requestor pursuant to 45 CFR 164.524.
- (d) Is accurate and complete.

Within 60 days of receipt of the request for amendment, the privacy officer must provide the basis for denial in writing or, in the case that the request is approved, provide notice of approval (45 CFR 164.526(b)(2)).

The time for response may be extended for up to 30 days with a written statement to the requestor identifying the reasons for the delay and the date by which the action will be completed (45 CFR 164.526(b)(2)).

Attendance Records

804.1 PURPOSE AND SCOPE

804.2 POLICY

Daily attendance records shall be up-to-date and accurate. They shall be maintained by the captain of the shift or the officer in charge of the shift.

The personnel shall report overtime, straight time, and scheduled time to work to the Fire Chief at the end of each cycle. The Fire Chief will also keep an accurate account of sick days, personal days, vacation days and compensatory time off (comp time).

Chapter 9 - Safety

Illness and Injury Prevention Program

900.1 PURPOSE AND SCOPE

The purpose of this policy is to establish an ongoing and effective plan to reduce the incidence of injury and illness for members of the Martinsville Fire Department, in accordance with the requirements of I.C. § 22-1-1-10 and I.C. § 22-8-1.1-2.

Although this policy provides the essential guidelines for a plan that reduces injury and illness, it may be supplemented by department procedures outside the Policy Manual.

This policy supplements but does not supersede any related Citywide safety efforts.

900.2 POLICY

The Martinsville Fire Department will adopt an Illness and Injury Prevention Program (IIPP) in order to increase the safety of its members.

900.3 ILLNESS AND INJURY PREVENTION PROGRAM PLAN

The Health and Safety Officer (HSO) is responsible for developing an IIPP that shall include:

- (a) Workplace safety and health training programs (I.C. § 22-8-1.1-3.1).
 1. Indiana workplace safety rules shall be addressed, including those incorporated by reference (620 I.A.C. 1-1-1).
- (b) Safety inspections.
- (c) Informing members of IIPP guidelines.
- (d) Recognizing members who perform safe work practices.
- (e) Member evaluation processes, including member safety performance.
- (f) A system ensuring that all safety and health policies and procedures are clearly communicated and understood by all members.
- (g) A communication system facilitating the continuous flow of safety and health information between supervisors and members. This system shall include:
 1. New member orientation, including a discussion of safety and health policies and procedures.
 2. Regularly scheduled safety meetings.
 3. Regular member review of the IIPP.
- (h) ~~Establishing Division Safety Coordinators and defining their responsibilities.~~
- (i) Posting or distributing safety information (620 I.A.C. 1-1-1)..
- (j) A system for members to anonymously inform management about workplace hazards.
- (k) Availability of forms that address:

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1. Identification, documentation, and correction of hazards, any unsafe condition or work practice, and actions taken to correct them.
 2. Investigations and corrective actions taken regarding individual incidents or accidents.
 3. Training records of each member, including the member's name or other identifier, training dates, type of training, and training providers.
- (l) Establishing a safety and health committee, which will:
- (a) Meet regularly.
 - (b) Prepare a written record of safety and health committee meetings.
 - (c) Review the results of periodic scheduled inspections.
 - (d) Review investigations of accidents and exposures.
 - (e) Make suggestions to command staff for the prevention of future incidents.
 - (f) Review investigations of alleged hazardous conditions.
 - (g) Submit recommendations to assist in the evaluation of member safety suggestions.
 - (h) Assess the effectiveness of efforts made by the Department to meet standards.

The HSO must conduct and document a review of the IIPP at least annually.

900.3.1 REVIEW OF SAFETY MANDATES

The IIPP shall also include a process to review compliance with safety mandates. The process should include a review of safety mandates relating to:

- (a) Communicable diseases (see the Communicable Diseases Policy).
- (b) Respiratory protection (see the Respiratory Protection Program Policy).
- (c) Personal protective equipment (see the Personal Protective Equipment Policy).
- (d) Emergency Action Plan and Fire Prevention Plan (see the Emergency Action Plan and Fire Prevention Plan Policy).
- (e) Walking-Working Surfaces (see the Fire Station Living Policy).
- (f) Indiana Occupational Safety and Health Act (IOSHA) workplace safety rules (I.C. § 22-8-1.1-3.1).
- (g)

900.4 HAZARDS

All members should report and/or take reasonable steps to correct unsafe or unhealthy work conditions, practices, or procedures in a timely manner. Members should make their reports to a supervisor (as a general rule, their own supervisors).

Supervisors should make reasonable efforts to correct unsafe or unhealthy work conditions in a timely manner, based on the severity of the hazard. These hazards should be corrected when

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observed or discovered, when it is reasonable to do so. When a hazard exists that cannot be immediately abated without endangering members or property, supervisors should protect or remove all exposed members from the area or item, except those necessary to correct the existing condition.

Members who are necessary to correct the hazardous condition shall be provided with the necessary protection.

All significant actions taken and the dates they are completed shall be documented on the appropriate form. This form should be forwarded to the Administration Deputy Fire Chief via the chain of command.

The Administration Deputy Fire Chief will take appropriate action to ensure the IIPP plan addresses potential hazards upon such notification.

900.4.1 SAFETY DEVICES AND SAFEGUARDS

Members shall not remove or damage any safety device or safeguard put in place by the Department for workplace safety or interfere with any workplace safety process. Each member shall comply with applicable IOSHA rules (I.C. § 22-8-1.1-4; I.C. § 22-8-1.1-5).

900.5 INSPECTIONS

Safety inspections are crucial to a safe work environment. These inspections identify and evaluate workplace hazards and permit mitigation of those hazards. A hazard assessment checklist should be used for documentation and to ensure a thorough assessment of the work environment.

The [Health and Safety Officer Division](#) ~~Safety Coordinators~~ shall ensure that the appropriate documentation is completed for each inspection.

900.6 RECORDS

Records relating to injury and illness prevention will be maintained in accordance with the established records retention schedule.

Indiana Occupational Safety and Health Administration (IOSHA) Inspections

901.1 PURPOSE AND SCOPE

This policy establishes guidelines and responsibilities for Martinsville Fire Department members to follow in the event that an Indiana Occupational Safety and Health Administration (IOSHA) inspector requests access to department property or work operations.

This policy does not address those inspections requested by the Martinsville Fire Department as part of a consultation service by IOSHA.

901.2 POLICY

It is the policy of the Martinsville Fire Department for the Fire Chief or the authorized designee to designate one or more department representatives who will be responsible for facilitating an IOSHA inspection. An adequate number of representatives shall be designated to accommodate the needs of the IOSHA inspector without excessive delays. Designated representatives shall make every reasonable effort to promptly meet with the IOSHA inspector once he/she has arrived.

Department members should work cooperatively with any IOSHA inspector to provide access to all necessary areas, equipment and records to facilitate a cohesive inspection process. Failure on the part of the Department to begin the inspection in a timely manner could result in the IOSHA inspector obtaining an inspection warrant to enter department property. This could unnecessarily create an adversarial relationship and should be avoided if at all possible.

901.3 PROCEDURE

IOSHA inspections may be unannounced (I.C. § 22-8-1.1-23.1). Typically inspections occur when there has been a serious accident, serious injury or occupational fatality; when a member has charged that a serious safety violation exists; or at a work site where an imminent danger has been identified.

Upon entering the department work site, the inspector will present his/her identification and ask to meet with the department representative. There will usually be an initial meeting during which the inspector will:

- Explain the nature and scope of the inspection.
- Request that a member/representative accompany the inspector (I.C. § 22-8-1.1-24.3).
- Ask to review appropriate safety records, plans and documentation.

IOSHA inspectors are, by law, permitted to interview members in private, take photographs, conduct tests and collect environmental samples.

Department representatives should make reasonable accommodations to provide inspectors access to available members and materials required to complete the inspection. Any statements

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made to inspectors are admissible in judicial hearings. Questions of a sensitive nature or to which the member is unsure of how to respond may be referred to the person at the Department who is the subject matter expert on the topic.

At the conclusion of the inspection, the IOSHA inspector will hold a closing meeting with the department representative to discuss any alleged safety standard violations and any requirements for abatement (I.C. § 22-8-1.1-24.5).

Any time there is an IOSHA inspection, violation and/or citation, the Fire Chief shall ensure that notifications are made to the department's Health and Safety Officer, risk manager and legal counsel, and that the Department conducts an appropriate internal investigation and adequately addresses all IOSHA findings.

IOSHA Notification of Illness, Injury or Death

902.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the Department to notify the Indiana Occupational Safety and Health Administration (IOSHA) of employment-related illnesses, injuries or deaths of any department members.

902.2 POLICY

The Department will comply with IOSHA reporting requirements in the event of a serious illness, injury or death.

902.3 MANDATORY NOTIFICATION

IOSHA shall be notified within eight hours of any work-related fatality and within 24 hours if one or more members requires in-patient hospitalization or requires amputation of a limb or loss of an eye as a result of a work-related incident (29 CFR 1904.39; 610 I.A.C. 9-3-1).

Notification shall be made by contacting IOSHA via telephone during normal business hours or by using the IOSHA online reporting form. After-hours incidents may be reported by calling the federal Occupational Safety and Health Administration (OSHA) hotline.

902.4 REQUIRED INFORMATION

IOSHA requires the following information, if available, to be submitted with the notification:

- (a) The location of the incident
- (b) The time of the incident
- (c) The number of fatalities or hospitalized members
- (d) The names of any injured members
- (e) The name of the Martinsville Fire Department contact person, including contact information
- (f) A brief description of the incident

Communicable Diseases

903.1 PURPOSE AND SCOPE

This policy provides general guidelines to assist in minimizing the risk of department members contracting and/or spreading communicable diseases.

This policy also addresses the requirement that the Martinsville Fire Department have a policy on communicable diseases and provide related training (I.C. § 16-41-11-6).

903.1.1 DEFINITIONS

Definitions related to this policy include:

Communicable disease - A human disease caused by microorganisms that are present in and transmissible through human blood, bodily fluid, tissue, or by breathing or coughing. These diseases commonly include but are not limited to hepatitis B virus (HBV), HIV, and tuberculosis.

Exposure - When an eye, mouth, mucous membrane, or non-intact skin comes into contact with blood or other potentially infectious materials, or when these substances are injected or infused under the skin; when an individual is exposed to a person who has a disease that can be passed through the air by talking, sneezing, or coughing (e.g., tuberculosis), or the individual is in an area that was occupied by such a person. Exposure only includes those instances that occur due to a member's position at the Martinsville Fire Department (see the exposure control plan for further details to assist in identifying whether an exposure has occurred).

903.2 POLICY

The Martinsville Fire Department is committed to providing a safe work environment for its members. Members should be aware that they are ultimately responsible for their own health and safety.

903.3 EXPOSURE CONTROL OFFICER

The Health and Safety Officer shall serve as the department's Exposure Control Officer (ECO). The ECO shall develop an exposure control plan that includes:

- (a) Exposure-prevention and decontamination procedures.
- (b) Procedures for when and how to obtain medical attention in the event of an exposure or suspected exposure.
- (c) The provision that department members will have no-cost access to the appropriate personal protective equipment (PPE) (e.g., gloves, face masks, eye protection, pocket masks) for each member's position and risk of exposure.
- (d) Compliance with all relevant laws or regulations related to communicable diseases, including:
 1. Implementing procedures that ensure members follow universal precautions, including any standards adopted and requirements imposed by the Indiana

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Occupational Safety and Health Administration (IOSHA) (29 CFR 1910.1030; I.C. § 16-41-11-3; 410 I.A.C. 1-4-8).

2. Responding to requests and notifications regarding exposures covered under the Ryan White law (42 USC § 300ff-133; 42 USC § 300ff-136).
3. Ensuring that members who have direct contact with blood or bodily fluids in the scope of their duties follow universal precautions and applying disciplinary measures for failure to follow universal precautions (I.C. § 16-41-11-3; I.C. § 16-41-11-4; 410 I.A.C. 1-4-8).
4. Providing training and equipment to members pursuant to I.C. § 16-41-11-5.
5. Implementing procedures to ensure the appropriate handling of infectious waste (I.C. § 16-41-16-1; 410 I.A.C. 1-3-23).
6. Implementing procedures regarding member exposures to communicable diseases, including notice, appropriate testing, treatment, and counseling as set forth in I.C. § 16-41-10-1 et seq.

The ECO should also act as the liaison with IOSHA and may request voluntary compliance inspections. The ECO should periodically, at a minimum annually, review, and update the exposure control plan and review implementation of the plan.

903.4 EXPOSURE PREVENTION AND MITIGATION

903.4.1 GENERAL PRECAUTIONS

All members are expected to use good judgment and follow training and procedures related to mitigating the risks associated with communicable disease. This includes but is not limited to (I.C. § 16-41-11-4):

- (a) Stocking disposable gloves, antiseptic hand cleanser, CPR masks, or other specialized equipment in the work area or department vehicle, as applicable.
- (b) Wearing department-approved disposable gloves when contact with blood, other potentially infectious materials, mucous membranes, and non-intact skin can be reasonably anticipated.
- (c) Washing hands immediately or as soon as feasible after removal of gloves or other PPE.
- (d) Treating all human blood and bodily fluids/tissue as if it is known to be infectious for a communicable disease.
- (e) Using an appropriate barrier device when providing CPR.
- (f) Using a face mask or shield if it is reasonable to anticipate an exposure to an airborne transmissible disease.
- (g) Decontaminating non-disposable equipment (e.g., laryngoscope, firefighting gloves, clothing, portable radio) as soon as possible if the equipment is a potential source of exposure.

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1. Clothing that has been contaminated by blood or other potentially infectious materials shall be removed immediately or as soon as feasible and stored/decontaminated appropriately.
- (h) Handling all sharps and items that cut or puncture (e.g., needles, broken glass, razors, knives) cautiously and using puncture-resistant containers for their storage and/or transportation.
- (i) Avoiding eating, drinking, smoking, applying cosmetics or lip balm, or handling contact lenses where there is a reasonable likelihood of exposure.
- (j) Disposing of biohazardous waste appropriately or labeling biohazardous material properly when it is stored.

903.4.2 IMMUNIZATIONS

Members who could be exposed to HBV due to their positions may receive the HBV vaccine and any routine booster at no cost.

903.5 POST-EXPOSURE

903.5.1 INITIAL POST-EXPOSURE STEPS

Members who experience an exposure or suspected exposure shall:

- (a) Begin decontamination procedures immediately (e.g., wash hands and any other skin with soap and water, flush mucous membranes with water).
 - (b) Obtain medical attention as appropriate.
 - (c) Notify a supervisor as soon as practicable, but in no case more than 24 hours after the exposure (I.C. § 16-41-10-2).
1. In the event the member wants to be notified of any test results following an exposure, the member should submit the requisite form prescribed by the state department of health and the Indiana Emergency Medical Services (EMS) Commission to:
 - (a) The Martinsville Fire Department.
 - (b) The state department.
 - (c) The medical director of the medical facility to which the person who was a source of the exposure was admitted or located at the time of the exposure (if applicable).

903.5.2 REPORTING REQUIREMENTS

The supervisor on-duty shall investigate every exposure that occurs as soon as possible following the incident. The supervisor shall ensure the following information is documented:

- (a) Name of the members exposed
- (b) Date, incident number, and time of the incident
- (c) Location of the incident

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- (d) Potentially infectious materials involved and the source of exposure (e.g., identification of the person who may have been the source)
- (e) Work being done during exposure
- (f) How the incident occurred or was caused
- (g) PPE in use at the time of the incident
- (h) Actions taken post-event (e.g., clean-up, notifications)

The supervisor shall advise the member that disclosing the identity and/or infectious status of a source to the public or to anyone who is not involved in the follow-up process is prohibited. The supervisor should complete the incident documentation in conjunction with other reporting requirements that may apply (see the Work-Related Illness and Injury Reporting and Illness and Injury Prevention Program policies).

903.5.3 MEDICAL CONSULTATION, EVALUATION, AND TREATMENT

Department members shall have the opportunity to have a confidential medical evaluation immediately after an exposure and follow-up evaluations as necessary.

The ECO should request a written opinion/evaluation from the treating medical professional that contains only the following information:

- (a) Whether the member has been informed of the results of the evaluation.
- (b) Whether the member has been notified of any medical conditions resulting from exposure to blood or other potentially infectious materials which require further evaluation or treatment.

No other information should be requested or accepted by the ECO.

903.5.4 COUNSELING

The Department shall provide the member, and his/her family if necessary, the opportunity for counseling and consultation regarding the exposure.

903.5.5 SOURCE TESTING

Testing a person for communicable diseases when that person was the source of an exposure should be done when it is desired by the exposed member or when it is otherwise appropriate. Source testing is the responsibility of the ECO. If the ECO is unavailable to seek timely testing of the source, it is the responsibility of the exposed member's supervisor to ensure testing is sought.

Source testing may be achieved by:

- (a) Obtaining consent from the individual.
- (b) Seeking assistance from the treating physician or the appropriate medical director to have the source tested (I.C. § 16-41-10-3).
- (c) The ECO or the member petitioning the appropriate court for an order requiring testing (I.C. § 16-41-10-2.5; I.C. § 16-41-10-2.6; I.C. § 16-41-10-3).
- (d) HIV testing when ordered by a physician (I.C. § 16-41-6-1).

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- (e) Public health officials seeking consent or a court order (I.C. § 16-41-6-2).

Since there is the potential for overlap between the different manners in which source testing may occur, the ECO is responsible for coordinating the testing to prevent unnecessary or duplicate testing.

The ECO should seek the consent of the individual for testing and consult the City Attorney to discuss other options when no statute exists for compelling the source of an exposure to undergo testing if he/she refuses.

903.6 CONFIDENTIALITY OF REPORTS

Medical information shall remain in confidential files and shall not be disclosed to anyone without the member's written consent (except as required by law). Test results from persons who may have been the source of an exposure are to be kept confidential as well (I.C. § 16-41-10-5).

High-Visibility Safety Vests

904.1 PURPOSE AND SCOPE

The purpose of this policy is to describe the guidelines to protect members who may be exposed to hazards presented by passing traffic, construction vehicles and disaster recovery equipment and to comply with applicable safety regulations including requirements contained in the federal Manual on Uniform Traffic Control Devices for Streets and Highways pursuant to 23 CFR 655.601.

904.2 POLICY

It is the policy of the Martinsville Fire Department that all members shall wear class II high-visibility safety vests in addition to required personal protective equipment (PPE) whenever the emergency scene is located on or near a roadway where members are subject to the hazards of moving traffic, construction vehicles or disaster recovery equipment. Members who are working on roadways and are not directly exposed to fire, flame, excessive heat or hazardous materials are expected to wear a high-visibility vest. This includes pump operators, support personnel and command officers. When it is anticipated that the emergency scene will be located on a roadway, high-visibility safety vests should be donned along with other appropriate PPE at the time of dispatch.

High-visibility vests should also be worn any time a member or a supervisor believes increased visibility would improve safety or efficiency.

904.3 PROCEDURE

Although the high-visibility safety vests that are currently available are fire resistant, they do not meet the same fire resistant standards set by the National Fire Protection Association (NFPA). Therefore, members who are directly engaged in fire suppression activities on or near roadways should not wear the vest over their PPE. Once the situation is under control, personnel can then don a vest for the remainder of the incident.

Should the need arise, other department personnel on-scene could easily remove (tear-away) the vest in reaction to unusual circumstances or to render assistance with direct firefighting.

904.3.1 ASSIGNMENT OF HIGH-VISIBILITY SAFETY VESTS

High-visibility vests shall be assigned to members or apparatus as follows:

- (a) Vests will be assigned to ~~each emergency response apparatus for~~ each member.
- (b) Vests will be ~~also be~~ assigned to each apparatus. ~~ambulance unit for each member (one additional for a paramedic trainee)~~.
- (c) ~~Two vests will be assigned to each~~ .
- (d) One vest each will be assigned to the Fire Chief, Assistant Chiefs, Deputy Fire Chiefs, safety officers, investigators and the Public Information Officer.
- (e) One vest will be assigned to each support vehicle used by department members who may be required to work on or near roadways.

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904.3.2 STORAGE AND CARE

High-visibility safety vests are part of the standard issue PPE and should be stowed so they are readily available for immediate use. Should cleaning be necessary for routine soiling, follow the manufacturer's care instructions or the guidelines in the Personal Protective Equipment Policy.

Body Armor

905.1 PURPOSE AND SCOPE

The Martinsville Fire Department is committed to reducing or eliminating occupational risks and hazards whenever possible in an effort to improve member safety. The purpose of this policy is to identify body armor as a practical safety measure that should be used to reduce some of the occupational risks and hazards confronting members.

905.2 POLICY

It is the policy of the Martinsville Fire Department to provide body armor to department members who may be exposed to any of the occupational risks and hazards the armor is designed to protect against. The Martinsville Fire Department authorizes members to utilize department-issued body armor whenever members believe it may be prudent or appropriate to do so. It is not the intent of the Department to have members utilize body armor on a routine basis, but rather to have body armor available to personnel for situations that may be violent, potentially violent, or otherwise pose a risk to safety that the use of body armor could reduce or eliminate.

A supervisor may mandate the use of body armor in any situation or circumstance that may warrant the use of armor.

905.3 SUPERVISORY AUTHORITY AND USE CONSIDERATIONS

- (a) For the purposes of this policy, a supervisor may be defined as:
 - 1. The Incident Commander (IC) directing any incident.
 - 2. Any supervisor in the Incident Command System (ICS) chain of command directing or supervising the activities of assigned personnel.
 - 3. The Lieutenant in charge of any apparatus or crew.
 - 4. The senior member of any crew or functional unit when no clear lines of rank or authority exist (e.g., the senior member of a two-person rescue unit crew).
- (b) In certain situations, supervisors and members of the Department should strongly consider utilizing body armor. These situations include:
 - 1. Incidents involving mass civil disturbances, rioting, or looting.
 - 2. Incidents involving large-scale protesting or organized civil disturbances.
 - 3. Incidents involving confrontations between rival street gangs, motorcycle gangs, or other criminal enterprises.
 - 4. Incidents involving gunshots fired when reports or personal observations indicate that shooting is ongoing.
 - 5. Incidents involving groups or organizations with a known history of violent encounters or activities.

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6. Any incident when law enforcement representatives recommend the use of body armor.

905.4 STORAGE OF BODY ARMOR

All department-issued body armor should be stored in full compliance with the manufacturer's guidance. Generally, all body armor should be stored such that it is not subject to direct sunlight or extreme temperatures and is protected from moisture or high humidity. Body armor should be stored in a location that is reasonably accessible to members, as needed. During times of known or anticipated violent events, body armor may be temporarily moved to and stored in any location that makes it more readily and quickly accessible to members.

905.5 MAINTENANCE AND SERVICE LIFE OF BODY ARMOR

All department-issued body armor shall be inspected and maintained in accordance with the manufacturer's instructions or in accordance with nationally recognized standards. All department body armor will be immediately removed from service at any time that it is obviously damaged, any time it fails the manufacturer's inspection criteria, or when it has exceeded its rated service life.

905.6 SELECTION AND PROCUREMENT OF BODY ARMOR

Body armor provided by the Department shall comply with nationally recognized public safety standards for body armor. Body armor provided to personnel exposed to ballistic risks or other hostile threats should be consistent with expected duties.

Apparatus/Vehicle Backing

906.1 PURPOSE AND SCOPE

The purpose of this policy is to help members avoid the dangers inherent to vehicle backing operations and reduce the high incidence of firefighter injuries and fatalities.

906.1.1 DEFINITIONS

Definitions related to this policy include:

Apparatus - Any department vehicle that is designed and equipped to support firefighting and rescue operations, including those equipped with an aerial ladder, elevating platform or water tower that may position members, handle materials, provide continuous egress or discharge water at positions elevated from the ground.

Driver - The member charged with driving the vehicle or apparatus. This member is in control of the vehicle or apparatus and therefore is responsible for its movement.

Officer - The member responsible for directing the operation of the vehicle or apparatus and its personnel.

Spotter - A member designated to direct the driver while backing up the vehicle or apparatus. This position may also be referred to as a backup person.

Vehicle - Any automobile, emergency vehicle, staff vehicle or light utility vehicle owned or leased by the Martinsville Fire Department and used for department business.

906.2 POLICY

To promote firefighter safety, it is the policy of the Martinsville Fire Department that drivers, when feasible, will drive around the block rather than backing an apparatus or vehicle. If backing the apparatus or vehicle is necessary, the driver shall utilize spotters to avoid any potential danger. Backing the apparatus or vehicle without the aid of a spotter should only take place in unique circumstances. Hose lines shall be picked up by driving forward over the hose rather than backing.

906.3 OFFICER AND DRIVER RESPONSIBILITIES

Firefighter safety is extremely important. Backing operations are the most common cause of fire service vehicle collisions. Training and awareness of the potential dangers of such operations should reduce the incidence of firefighter injuries and fatalities.

Before backing an apparatus or vehicle, all potential impediments should be evaluated to ensure that the area is clear of obstructions.

The officer, or the driver if there is no officer present, shall deploy spotters when backing up or as necessary to allow the safe movement of an apparatus or vehicle.

The driver should not move the vehicle or apparatus until the spotters are in place.

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If the driver loses sight of the spotter, the driver shall stop the apparatus or vehicle until the spotter is back in sight.

If more than one spotter is being used, the driver will need to maintain contact with both spotters. This means shifting attention from one spotter to another frequently so as to safely move the apparatus or vehicle, while maintaining the safety of the spotters. This will require the apparatus to be moving at a slower than normal rate.

In unique circumstances where a spotter is not available and the apparatus or vehicle must be moved, the driver shall perform a complete walk-around of the vehicle or apparatus to identify any potential hazards. The driver should back the apparatus or vehicle, attempting to use minimal reverse motion prior to being able to proceed forward. In the event that the apparatus or vehicle must be backed repeatedly or for more than a short distance, the driver should repeat the walk-around as many times as necessary.

If at any time the driver feels that the situation is not safe, he/she should stop the vehicle or apparatus until the situation is corrected. This may mean getting out and physically walking around the apparatus or vehicle or in the direction the apparatus or vehicle is headed.

906.4 SPOTTER RESPONSIBILITIES

Voice communication between the spotter and driver is good, but the driver may not hear the spotter over the noise of the vehicle or apparatus and other background noise. The use of portable radios to communicate between the spotter and driver may prove beneficial in certain circumstances. The spotters, the driver and the officer **may should** maintain radio contact as well as eye contact. Universal hand signals may also be used to communicate between the driver and the spotter. Hand signals should be understood by all members to avoid confusion and to facilitate the process.

In congested or tight areas, one spotter may be needed at the rear and one at the front of the vehicle being moved either forward or backward. Spotters should also be used when going forward in tight areas.

Spotter responsibilities include, but are not limited to:

- (a) Being constantly aware of the surroundings while performing this function.
- (b) Looking and listening for other vehicles and people that may enter the path of the vehicle or apparatus that is backing up.
- (c) Stopping any oncoming hazard or stopping the vehicle or apparatus being backed up.
- (d) Being aware of objects in the path of the vehicle or apparatus and directing the driver safely around them.
- (e) Being attentive to ground-level obstructions as well as overhead hazards (e.g., tree branches, wires, signs, canopies, ladders).
- (f) Maintaining visual contact with the driver at all times.
- (g) Being in the line-of-sight of the mirrors of the vehicle or apparatus at all times.

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- (h) Illuminating him/herself at night with a rear spotlight or flashlight to remain visible to the driver.
- (i) Using hand signals to direct the driver. Hand signals should be somewhat exaggerated for clear understanding by the driver.
- (j) Standing on the ground, never on the apparatus or vehicle.
- (k) Practicing skills as time permits.

Heat Illness Prevention Program

907.1 PURPOSE AND SCOPE

The purpose of this policy is to promote member health and safety by establishing a heat illness prevention program requiring member participation and implementing an effective training program (see the Heat Illness Prevention Training Policy).

The intent is to establish methods to lower the risk of illness or injury due to exposure to high-heat working conditions and to establish fireground rehabilitation guidelines to ensure that the physical and mental condition of members does not deteriorate to the point that it negatively affects their safety or emergency operations.

907.1.1 DEFINITIONS

Definitions related to this policy include:

Fireground rehabilitation - A system for on-scene management of firefighter heat stress, dehydration and fatigue. The primary goals of rehabilitation are rehydration, rest and cooling, assessment of remaining work capacity and recognition and treatment of heat strain injuries.

Heat exhaustion - A condition caused by the loss of large amounts of fluid by sweating. A worker suffering from heat exhaustion still sweats but experiences extreme weakness or fatigue, giddiness, nausea or headache. In more serious cases, the victim may vomit or lose consciousness. Skin may be clammy or moist, pale or flushed. Body temperature is normal to slightly elevated. Mild heat exhaustion will respond to copious water and a cool environment. Those with severe cases may require extended care for several days.

Heat stress - The aggregate of environmental and physical work factors that constitute the total heat load imposed on the body. Heat load is derived from two major sources:

- Internally generated metabolic heat, which is a by-product of chemical processes that occur within the cells, tissue and organs of firefighters exerting themselves in turnout clothing
- Externally imposed environmental heat, which influences the rate at which body heat can be exchanged with the environment and consequently the ease with which the body can regulate and maintain a normal temperature

Heat strain - The series of physiological responses to heat stress. These responses reflect the degree of heat stress. When the strain is excessive for the individual, a heat disorder (heat exhaustion or heat stroke) will follow.

Heat stroke - A condition where the body's temperature regulatory system fails, sweating becomes inadequate and the body's only effective means of removing excess heat is compromised. Early recognition and treatment of heat stroke is the only means of preventing permanent brain damage or death. Signs and symptoms of heat stroke may include mental

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confusion, convulsions, an altered level of consciousness and skin that is hot, usually dry and red or spotted. Body temperature is usually 104 degrees or higher.

907.2 POLICY

It is the policy of the Martinsville Fire Department to require member participation in the heat illness prevention program and the accompanying training.

907.3 REQUIREMENTS

This heat illness prevention program should apply to all emergency operations and training exercises where personnel are exposed to heavy physical exertion and/or extreme heat conditions.

A rehabilitation group should be established by the Incident Commander (IC) when conditions dictate that rest and rehabilitation are needed at an emergency scene. Rehabilitation considerations should include, but are not limited to:

- **Length of the operation** - The two-bottle rule should generally be observed. After the use of two self-contained breathing apparatus (SCBA) air bottles (or 30 to 60 minutes of strenuous activity), a firefighter should be evaluated in the rehabilitation area. Rehabilitation should generally be considered for second-alarm fires or greater. Prolonged motor vehicle incidents and heavy rescues in hot weather are other examples.
- **Amount of exertion** - [Officers](#) should maintain an awareness of the exertion/exhaustion level of crews. The degree of exertion can vary greatly in each incident. Individuals who are under-hydrated or are on the first day back after any gastrointestinal illness are particularly susceptible to early onset of heat illness.
- **Adverse climatic conditions** - Temperatures in excess of 90 degrees have historically produced early onset of heat exhaustion and/or collapse. Rehabilitation efforts should generally be established when ambient air temperature is over 85 degrees and there is a potential for extended operations. High humidity also plays a role and should be considered.
- **Communication** - It may be difficult for the IC to assess the exertion or exhaustion level of the firefighters. If a firefighter needs rest, he/she is responsible for communicating his/her needs to a supervisor. If one individual is experiencing heat exhaustion, supervisors should be aware that there may be additional firefighters in need of rehabilitation.

It is the responsibility of the IC to make an early determination of situations that may require a rehabilitation group and institute the appropriate rehabilitation efforts accordingly.

It is the responsibility of every [Officer](#) to monitor the condition of all firefighters for signs of heat stress or fatigue. When these conditions are noted, the officer shall advise the IC or assigned Incident Safety Officer and request assignment of the company to the rehabilitation group.

It is the responsibility of all personnel operating at an incident to report to their immediate supervisor if they are feeling the strain of overexertion. There is a point at which even the most

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physically fit individual becomes a liability rather than an asset due to intense physical exertion in turnout clothing. Taking 10 to 20 minutes in rehabilitation to cool down and rehydrate can prevent illness and injury.

Respiratory Protection Program

908.1 PURPOSE AND SCOPE

The purpose of this policy is to identify the different types of respiratory protection equipment provided by the Department, the requirements and guidelines for the use of respirators and other mandates associated with their use.

This policy applies to all members whose job duties could require them to use respiratory protection due to exposure to atmospheres where there is smoke, low levels of oxygen, high levels of carbon monoxide, or the presence of toxic gases or other respiratory hazards ((29 CFR 1910.134; 620 I.A.C. 1-1-1).

908.1.1 DEFINITIONS

Definitions related to this policy include:

Immediately dangerous to life or health (IDLH) - Any atmosphere that poses an immediate threat to life, would cause irreversible adverse health effects, or would impair an individual's ability to escape from a dangerous atmosphere. Interior atmospheric conditions at structure fires beyond the incipient stage are considered IDLH, as are a variety of rescue types.

Respiratory protection - Any device that is worn by the user to reduce or eliminate exposure to harmful contaminants through the inhalation of those contaminants.

908.2 POLICY

It is the policy of the Martinsville Fire Department to require members to use the proper level of respiratory protection, as described below, when working in hazardous conditions. The level of protection may be increased or decreased by a Lieutenant or Incident Commander (IC) based on an evaluation of the hazard. Members shall not be required or allowed to enter or work in hazardous conditions without proper respiratory protection and shall be trained in the proper use and care of the devices.

908.3 RESPIRATORY PROTECTION PROGRAM ADMINISTRATOR

The Fire Chief will designate a program administrator with sufficient training or experience to oversee the objectives of this policy and ensure that the Department meets any legal mandates related to respiratory protection.

The administrator shall:

- (a) Maintain, implement, and administer a written respiratory protection program.
- (b) Ensure the written respiratory protection program and related procedures are followed and appropriate.
- (c) Ensure the procedures and written respiratory protection program address relevant mandates.
- (d) Ensure selected respirators continue to effectively protect members.

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- (e) Have supervisors periodically monitor member respirator use to make sure members are using them properly.
- (f) Regularly ask members who are required to use respirators for their input on program effectiveness and whether they have problems with the following:
 1. Respirator fit during use
 2. Any effects of respirator use on work performance
 3. Respirators being appropriate for the hazards encountered
 4. Proper use under current work site conditions
 5. Proper maintenance
- (g) Ensure the Department covers the costs associated with respirators, medical evaluations, fit testing, training, maintenance, travel, and wages, as applicable.
- (h) Provide direction for respirator selection.
- (i) Require medical evaluations for members who use respiratory protection as set forth in 29 CFR 1910.134.

908.4 USE OF RESPIRATORY PROTECTION

Members exposed to harmful environments in the course of their assigned activities shall use respiratory protection devices.

Members using respiratory protection shall ensure that they have no facial hair between the sealing surface of the facepiece and the face that could interfere with the seal or the valve function. Members also shall ensure that they have no other condition that will interfere with the face-to-facepiece seal or the valve function.

Members shall not wear corrective glasses, goggles, or other personal protective equipment (PPE) that interferes with the seal of the facepiece to the face, or that has not been previously tested for use with that respiratory equipment.

For all tight-fitting respirators, members shall perform a user seal check each time they put on the respirators, using the procedures in 29 CFR 1910.134, App. B-1 or other department-approved procedures recommended by the respirator manufacturer.

Lieutenants shall monitor members using respiratory protection and their degree of exposure or stress. When there is a change in work area conditions or when a member's degree of exposure or stress may affect respirator effectiveness, the Lieutenant shall reevaluate the continued effectiveness of the respirator and shall direct the member to leave the respirator use area when:

- (a) It is necessary for the member to wash their face and the respirator facepiece to prevent eye or skin irritation associated with respirator use.
- (b) The member detects vapor or gas breakthrough, or when there is a change in breathing resistance or leakage of the facepiece.
- (c) The member needs to replace the respirator or the filter, cartridge, or canister.

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Members who detect vapor or gas breakthrough, changes in breathing resistance, or leakage of the facepiece shall replace or repair the respirator before returning to the work area.

908.4.1 USE OF SELF-CONTAINED BREATHING APPARATUS

Self-contained breathing apparatus (SCBA) are atmosphere-supplying respirators for which the breathing air source is designed to be carried by the user.

Members shall use SCBA when entering an atmosphere that may be IDLH. These situations may include but are not limited to:

- (a) Entering an area that may be oxygen deficient such as confined spaces, trenches, unventilated structures, or septic tanks.
- (b) Engaging in any firefighting operations, with the possible exception of a vegetation fire.
- (c) Entering the hot zone of a hazardous materials incident.
- (d) Entering any area where contaminant levels may become unsafe without warning, or any situation where exposures cannot be identified or reasonably estimated.
- (e) Any time use is specified by the [Captain] or IC.

Facepieces should be donned and regulators attached before entering any smoke-filled area or IDLH environment. Use of SCBA shall not cease until approved by the IC.

908.4.2 USE OF FULL-FACE RESPIRATORS

Full-face respirators are respirators that fit over the full face to protect the face and eyes from contaminants at the same time they filter air.

Lieutenants or the IC may allow the use of full-face respirators in situations where, due to the duration of the incident and level of exposure, the use of SCBA is not necessary or practical. These situations may include but are not limited to:

- (a) Hazardous materials incidents where members are not working in the hot zone.
- (b) Incidents involving weapons of mass destruction where members are outside of the hot zone and not directly exposed to any known hazard.
- (c) Certain emergency medical responses where additional protection is warranted.

Full-face respirators shall not be used when there is a potential for an oxygen-deficient atmosphere.

908.4.3 USE OF CARTRIDGE RESPIRATORS

Cartridge respirators are a type of air-purifying respirator. They may be fitted with mechanical pre-filters or combination cartridge/filter assemblies for use in areas where gases, vapors, dusts, fumes, or mists are present. The correct cartridge must be selected prior to use (29 CFR 1910.134; 620 I.A.C. 1-1-1).

A Lieutenant or IC may specify the use of cartridge respirators in situations where the use of an SCBA or a full-face respirator is not necessary. These incidents may include vegetation fires, exposure to a patient with a communicable disease, and certain other incidents. Cartridge

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respirators shall not be used if there is a potential for an oxygen-deficient atmosphere or a risk of exposure to the member's face or eyes.

Cartridge respirator filters shall be replaced whenever:

- (a) The wearer begins to smell, taste, or be irritated by a contaminant.
- (b) The wearer begins to experience difficulty breathing due to filter loading.
- (c) The cartridges or filters become wet.
- (d) The expiration date on the cartridges or canisters has been reached.

908.4.4 USE OF N95 MEDICAL MASKS

N95 medical masks are a class of disposable respirators that are approved by the Food and Drug Administration and the National Institute for Occupational Safety and Health (NIOSH) as suitable for use where fluid resistance is a priority. The masks protect against particulate contaminants that are 0.3 microns or larger, and meet the Centers for Disease Control and Prevention guidelines for the prevention of tuberculosis exposure. Misuse of the N95 respirators may result in serious injury or death. N95 masks should only be used to protect the wearer from particulate contaminants and are not suitable in an oxygen-deficient atmosphere or where an unsafe level of carbon monoxide exists.

908.4.5 TRAINING

Members should not use respirators unless they have completed the mandatory training requirements for the selected device (see the Respiratory Protection Training Policy).

908.5 EQUIPMENT ACQUISITION AND SPECIFICATIONS

908.5.1 SCBA REQUIREMENTS

Martinsville Fire Department's SCBA shall meet the standards found in the most current National Fire Protection Association (NFPA) publication and approved for use by NIOSH.

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The Martinsville Fire Department shall use only the respirator manufacturer's NIOSH-approved breathing-gas containers, marked and maintained in accordance with the quality assurance provisions of the NIOSH approval for the SCBA as issued in accordance with the NIOSH respirator certification standard at 42 CFR 84.1 et seq.

908.5.2 COMPRESSED BREATHING AIR

Compressed breathing air used in SCBA should meet at least the requirements for Grade D breathing air as described in the American National Standards Institute (ANSI) Compressed Gas Association Commodity Specification for Air (G-7.1-2018).

908.6 RESPIRATOR FIT TESTING

Fit tests are used to qualitatively or quantitatively evaluate the fit of a respirator on an individual. Each new member shall be fit tested before being permitted to use SCBA in a hazardous

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atmosphere. Fit tests may only be administered by persons determined to be qualified by the program administrator.

After initial testing, fit testing shall be repeated:

- (a) At least once every 12 months.
- (b) Whenever there are changes in the type of SCBA or facepiece used.
- (c) Whenever there are significant physical changes in the user (e.g., obvious change in body weight, scarring of the face seal area, dental changes, cosmetic surgery, or any other condition that may affect the fit of the facepiece seal).

908.6.1 RESPIRATOR FIT TESTING PROCEDURES

Fit testing is to be done only in a negative-pressure mode. If the facepiece is modified for fit testing, the modification shall not affect the normal fit of the device. Such modified devices shall only be used for fit testing and not for field use.

908.6.2 FIT TESTING RECORDS

The Training Officer shall be responsible for maintaining records of all fit testing.

Current fit test records shall be retained as required by the department records retention schedule, but in all cases at least until the next fit test is administered. Fit test records shall include:

- (a) Name of person tested.
- (b) Test date.
- (c) Type of fit test performed.
- (d) Description (e.g., type, manufacturer, model, style, size) of the respirator tested.
- (e) Results of fit tests (e.g., quantitative fit tests should include the overall fit factor and a printout or other recording of the test).
- (f) The written guidelines for the respirator fit testing program, including pass/fail criteria.
- (g) Instrumentation or equipment used for the test.
- (h) Name or identification of test operator.

908.7 RESPIRATOR MEDICAL EVALUATION QUESTIONNAIRE

All members who are required to use respiratory protection must complete a medical evaluation questionnaire upon initial fit testing and annually thereafter, and if any of the following conditions arise between annual tests:

- (a) A member reports medical signs or symptoms that are related to the ability to use a respirator.
- (b) A Physician or Licensed Health Care Professional (PLHCP), a supervisor, or the respirator program administrator informs the employer that an employee needs to be re-evaluated.

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- (c) Information from the respiratory protection program indicates a need for an employee re-evaluation; this includes observations made during fit testing and program evaluation.
- (d) A change occurs in workplace conditions (e.g., physical work effort, protective clothing, temperature) that may result in a substantial increase in the physiological burden placed on an employee.

The questionnaires will be reviewed by a PLHCP selected by the Department to determine which, if any, members need to complete physical examinations.

The Training Officer shall be responsible for maintaining records of all respirator medical evaluation questionnaires and any subsequent physical examination results.

908.8 SCBA INSPECTION, MAINTENANCE, AND STORAGE

Prior to each shift, members are required to physically inspect and operate all SCBA and respirators that are on frontline fire apparatus. If the equipment is not in daily use, it should be inspected at least once a week and after each cleaning. Inspection should include but is not limited to:

- (a) All alarm devices on the SCBA should be tested for proper operation.
- (b) Any SCBA or respirator that is not operating properly or is below department standard air volume shall be taken out of service immediately until the problem is remedied.
- (c) Rubber facepiece:
 - 1. Excessive dirt
 - 2. Cracks, tears, holes
 - 3. Distortion from improper storage
 - 4. Cracked, loose, or scratched lenses (full facepiece)
 - 5. Broken or missing mounting clips
- (d) Head straps:
 - (a) Breaks or tears
 - (b) Loss of elasticity
 - (c) Broken or malfunctioning buckles or attachments
 - (d) Excessively worn serrations of the head harness which might allow the facepiece to slip
- (e) Inhalation and exhalation valves:
 - (a) Detergent residue, dust particles, or dirt on the valve seal
 - (b) Cracks, tears, or distortion in the valve material or valve seal
 - (c) Missing or defective valve covers
- (f) Filter elements:

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1. Proper filter for the hazard
2. Approved designation (NIOSH)
3. Missing or worn gaskets
4. Worn thread
5. Cracks or dents in filter housing

908.8.1 MAINTENANCE, INSPECTION, AND ANNUAL SERVICE

Members should thoroughly clean and sanitize all SCBA and respirators after each use.

Respirators should be cleaned and sanitized according to manufacturer recommendations.

All partially empty bottles should be replaced with full bottles. Members should perform the inspections noted above before placing an SCBA or respirator back in service.

Every SCBA shall be inspected monthly by the Department and serviced on an annual basis by individuals who have been trained and certified by the SCBA manufacturer to perform such annual servicing. SCBA bottles shall be hydrostatically tested pursuant to applicable federal regulations, state standards, and manufacturer recommendations.

All maintenance and inspection mandates of 29 CFR 1910.134 shall apply.

908.8.2 STORAGE

Respirators in storage shall be protected against:

- Dust.
- Sunlight.
- Heat.
- Extreme cold.
- Excessive moisture.
- Damaging chemicals.

Freshly cleaned respirators can be stored in reusable plastic bags or in a storage cabinet. Care must be taken so that distortion of the rubber or elastic parts does not occur. Respirators shall not be stored in lockers or vehicles unless the respirators are stored in individual containers and are protected from damage.

All filters, cartridges, and canisters shall be properly labeled and color-coded with NIOSH approval labels. Labels shall not be removed and must remain legible.

908.8.3 FLOW TESTING

The Department shall conduct annual flow testing on all SCBA. A flow test, also known as a performance test, ensures that the SCBA is performing to the manufacturer's specifications. Unlike basic inspections and functional testing, flow testing requires specialized equipment. The

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Department shall use NFPA standards or the SCBA manufacturer's requirements for flow testing, whichever is more stringent.

Exposing SCBA to extreme temperatures, water, or chemicals can degrade SCBA performance. If an SCBA is exposed to any type of corrosive material that could lead to a component failure, it should be sent to a certified SCBA technician for testing. If a member suspects that an SCBA has been compromised or damaged, a flow test should be conducted to ensure that it is in good working order.

All annual flow testing must be performed by a certified SCBA technician.

908.9 EXPOSURES

Any member who is exposed to a hazardous atmosphere should immediately leave the room or area and move to an area containing fresh, uncontaminated air. Physical symptoms of hazardous atmosphere exposure may include but are not limited to:

- Difficulty breathing.
- Dizziness, headache, or other distress symptoms.
- A sense of irritation.
- A smell or taste of contaminants.

If a member feels ill or impaired in any way, a supervisor should be notified and emergency medical personnel summoned if not already available on-scene. Any time there is a doubt about the need for medical care, medical care shall be obtained. Any injury or exposure must be documented on an injury reporting form. Under most circumstances, the exposed member should not drive a vehicle.

An attempt should be made to identify the exposure agent by questioning the facility representative or by reviewing the hazardous materials inventory. A supervisor should attempt to make this determination. If possible, a Safety Data Sheet for the exposure agent should be obtained.

Personal Alarm Devices

909.1 PURPOSE AND SCOPE

The purpose of this policy is to safeguard members who are engaged in interior structural firefighting activities or other immediately dangerous to life and health (IDLH) conditions that require the use of a self-contained breathing apparatus (SCBA) by providing each member so engaged with a personal alarm device. Such devices may also be known as a Personal Alarm (or Alert) Safety System (PASS) device, an Automatic Distress Signal Unit (ADSU) or another telemetry system that is designed to monitor responder movement and alert others to a lack of movement.

909.2 POLICY

It is the policy of the Martinsville Fire Department to provide all members engaged in interior structural firefighting activities or other emergency operations that require use of an SCBA with a personal alarm device.

909.3 USE OF PERSONAL ALARM DEVICES

All personal alarm devices shall meet the requirements of the National Fire Protection Association (NFPA) 1982.

Members should wear a personal alarm device any time they are in atmospheres that are IDLH.

The Incident Commander shall apply personnel accountability measures to track the entry and exit of members from hazardous areas. A personal alarm device should be viewed as a last resort for members to summon help when they are unable to notify others that they are in distress.

909.4 MAINTENANCE OF PERSONAL ALARM DEVICES

All personal alarm devices shall be repaired and maintained by qualified members or service representatives in accordance with manufacturer recommendations.

Health and Safety Officer (HSO)

910.1 PURPOSE AND SCOPE

The purpose of this policy is to establish the minimum qualifications for, and specify the duties and responsibilities of, the Health and Safety Officer (HSO).

910.2 POLICY

It is the policy of the Martinsville Fire Department that the HSO will be appointed by the Fire Chief or the authorized designee and shall be responsible for the duties described in this policy and other duties as assigned. When the HSO is unavailable, the Fire Chief or the authorized designee shall identify a replacement.

910.3 QUALIFICATIONS

The department's HSO should be a member with qualifications and training that include:

- (a) Knowledge of federal, state, and local laws regarding occupational health and safety applicable to the fire service.
- (b) Knowledge of the physical health and behavioral health and fitness factors unique to the fire service.
- (c) Knowledge of health and safety hazards involved in firefighting and related activities.
- (d) Experience in fire suppression, Emergency Medical Services (EMS), and instruction.
- (e) Familiarity with the operation of the department's apparatus and equipment, including emergency communications equipment.
- (f) Management skills appropriate to the operation of a health and safety program.
- (g) The physical capability to conduct operations at an incident scene.
- (h) The following certifications and courses (NFPA 1521; 655 I.A.C. 4-3-50):
 1. Fire Instructor I (NFPA Instructor I)
 2. NFPA Instructor II
 3. NFPA Fire Officer I
 4. Training program management
 5. Incident Safety Officer
 6. Health and Safety Officer

910.4 ADMINISTRATIVE RESPONSIBILITIES

The HSO's administrative responsibilities shall include but are not limited to (29 CFR 1910.132; 620 I.A.C. 1-1-1):

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- Developing and maintaining the Illness and Injury Prevention Program (IIPP) and general department safety standards, and serving as the chair of the Health and Safety Committee (see the Illness and Injury Prevention Program Policy).
- Ensuring that health and safety regulations are followed and that any violations or deficiencies are immediately corrected and reported to the Fire Chief or the authorized designee.
- Ensuring that information provided to the Fire Chief or the authorized designee involving safety issues is also provided to the Health and Safety Committee for review.
- Conducting regular safety inspections.
- Serving as a resource for department officers regarding health and safety matters.
- Identifying, documenting, and notifying members of workplace safety hazards.
- Researching, identifying, and recommending appropriate safety equipment and personal protective equipment (PPE).
- Coordinating with the Training Officer for the development and implementation of behavioral and physical health and safety training topics (see the Wellness and Fitness Program Policy).
- Providing safety supervision at training activities when requested.
- Developing and distributing safety information to members.
- Ensuring that accidents, exposures, and injuries are thoroughly investigated.
- Developing and maintaining accident, injury, and exposure statistics, reporting on trends, and making recommendations to prevent a reoccurrence.
- Ensuring accidents are investigated and procedures are in place so that investigations will be handled appropriately.

910.5 RESPONSE DUTIES

Whenever available, the HSO will respond to the following incidents and assume the position of Incident Safety Officer to monitor scene safety and enforce appropriate health and safety practices:

- Working structure fires
- Greater alarm assignments
- Hazardous materials (HAZMAT) incidents
- Rescue response incidents, including trench, confined space, high angle, structural collapse, and water rescues
- Serious injury or death of an on-duty member
- Injuries to third parties that may result in hospitalization
- Upon the request of an Incident Commander due to special or unusual circumstances

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910.6 HEALTH AND SAFETY INCIDENT REVIEW

The HSO should review health and safety incident reports and ensure copies are forwarded to the Health and Safety Committee (see the Illness and Injury Prevention Program Policy).

Vehicle Safety Belts

911.1 PURPOSE AND SCOPE

The purpose of this policy is to ensure that all members of the Department wear safety belts while operating or riding in department vehicles or privately owned vehicles while conducting department business. The use of safety belts and other safety restraints significantly reduces the chance of death or injury in case of a traffic accident.

911.2 POLICY

It is the policy of the Martinsville Fire Department that all members shall wear properly adjusted safety restraints when operating or positioned in any vehicle owned, leased or rented by this department, or in any privately owned vehicle while on-duty. The member driving such a vehicle shall ensure that all occupants, including any non-members, are properly restrained (I.C. § 9-19-10-2).

911.3 INOPERABLE SAFETY BELTS

No person shall operate department vehicles in which the safety belt in the driver's position is inoperable. No person shall be transported in a seating position in which the seat belt is inoperable.

No person shall modify, remove, deactivate or otherwise tamper with the vehicle safety belts, except for vehicle maintenance and repair staff, who shall do so only with the express authorization of the Fire Chief.

Members who discover an inoperable restraint system shall report the defect to the appropriate supervisor. Prompt action will be taken to replace or repair the system.

Fire Station Safety

912.1 PURPOSE AND SCOPE

The purpose of this policy is to establish safety procedures for the Martinsville Fire Department members to follow, with the intent of reducing or eliminating workplace injuries or illnesses to both members and the public.

This policy does not repeat procedures already covered in the Communicable Diseases Policy that relate to fire station safety.

912.2 POLICY

It is the policy of the Martinsville Fire Department that all members should be involved in daily activities that are designed to provide a safe and healthy workplace and reduce or eliminate injuries or illnesses, both in the field and in the fire station. This policy addresses safety activities in the fire station. All members are expected to follow the procedures outlined in the policy for the safety of themselves, other members, and any visitors to the fire station. Safety practices specific to incident type or task are addressed in other policies.

912.3 PROCEDURE

For the safety of all occupants, all personnel ~~the on-duty~~ at each fire station are is responsible for ensuring the following procedures are applied to activities conducted in the fire station:

- (a) Personal protective equipment (PPE)
 - 1. Use adequate eye and face protection when there is a risk of eye injuries such as punctures, abrasions, contusions, or burns as a result of contact with flying particles, hazardous substances, or projections. This includes but is not limited to working with grinders, drills, saws, welding equipment, mowers, and edgers, and while working under vehicles.
 - 2. Use hand protection when the work involves exposure to materials that are likely to cause cuts, burns, or exposure to chemicals (e.g., working with trimmers, pruners, or other tools).
 - 3. Wear hearing protection in compliance with the Hearing Conservation and Noise Control Training Policy.
- (b) Housekeeping and personal hygiene
 - 1. Maintain all rooms, kitchens, offices, hallways, stairways, storage rooms, and apparatus rooms in a clean, orderly, and sanitary condition.
 - 2. Clean and repair the source of water leaks quickly to avoid mold growth.
 - 3. Smoking is prohibited in the building or within 20 feet of an entrance, exit, or operable window, as provided in the Smoking and Tobacco Use Policy.

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4. Avoid using compressed air to blow dirt, chips, or dust from clothing while it is being worn.
 5. Maintain cooking appliances and eating utensils in good working order.
 6. Clean kitchen hoods and vents at least monthly. Ensure the hood light is installed and functioning.
 7. Provide and clearly label first-aid supplies.
 8. Post signs in all restrooms reminding employees/visitors to wash their hands.
- (c) Cooking
1. Use caution while cutting food with a kitchen knife. Be sure the item is secure on a flat surface before attempting to cut it.
 2. Use potholders to avoid burns when removing hot items from the oven and/or stovetop.
 3. Do not let pot handles extend over the counter.
- (d) Safe lifting
1. Store heavy or awkward objects at approximately waist level to prevent unnecessary lifting.
 2. Use team lifting for heavy or awkward objects that need to be lifted above waist level. Do not attempt to lift or carry more than you can easily handle. Injuries frequently occur from lifting items such as out-of-county bags, drug boxes, and map boxes.
 3. Practice safe-lifting techniques: Use the legs to lift; keep the back straight and do not twist while lifting; keep the body as close as possible to the object being lifted.
- (e) Walking surfaces and exits
1. Ensure all primary exit routes are obvious, marked with an "Exit" sign, and free of obstructions.
 2. Remove any objects that block hallways and/or passageways.
 3. Clean up or repair potential slip or trip hazards immediately on apparatus bay floors, kitchen floors, bathroom floors, hallways, and outdoor walkways.
 4. Ensure stairways are in good condition with standard railings provided for every flight having four or more risers.
 5. Ensure handrails are of sufficient strength and proper design for all stairways and floor openings.
 6. Ensure all areas of the building are adequately illuminated.
 7. Ensure beds are located to cause minimum interference during dressing.
- (f) Apparatus floor
1. Mark ladders, pike poles, and other items projecting from the apparatus clearly with brightly colored flags, stripes, or other identification.

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2. Exercise caution and use handrails when exiting apparatus.
 3. Maintain apparatus doors in a safe, operable condition.
 4. Maintain adequate clearance for vehicles under apparatus doors.
- (g) Equipment, machinery, and tools
1. Observe safety precautions when operating all equipment, machinery, and tools.
 2. Avoid using defective equipment, such as ladders with broken rungs or power equipment without proper safety protection. Repair or replace defective equipment before use.
 3. Mount all equipment and machinery securely to the surface on which it sits.
 4. Ensure grinders and grinding wheels are adequately guarded. Guarding must include work rests, tool rests, eye shields, and spindle/nut/flange coverage.
 5. Work rests and tool rests on grinders shall be within 1/8 inch and 1/4 inch respectively to the grinding wheel.
 6. Ensure all power tools are adequately grounded.
 7. Store maintenance hand tools safely when not being used. They shall be maintained and periodically inspected to ensure they are in a safe and operable condition.
 8. Portable ladders shall be adequate for their purpose, in good condition, and have secure footing.
 9. Fixed ladders shall be equipped with side rails, cages, or special climbing devices.
- (h) Electrical wiring, fixtures, and controls
1. Maintain 36 inches of clear access around all electrical control panels.
 2. Label electrical switches and circuit breakers with their purpose.
 3. Ensure all electrical outlets have cover plates that are secured to the wall outlets.
 4. Ensure all extension cords are properly grounded and approved.
 5. Avoid using flexible cords and cables as a substitute for fixed wiring.
 6. Avoid hanging electrical cords on pipes or nail hooks.
 7. Check all electrical cords for fraying or exposed plug wiring.
 8. Ensure all electrical tools do not have damaged power cords or plugs, worn switches, defective ground circuits, or other faults that could render them unsafe for use.
- (i) Fire extinguishers and fire prevention
1. Ensure fire extinguishers are of the proper type for the expected hazards.
 2. Maintain portable fire extinguishers in a fully operable condition.

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3. Ensure fire extinguishers have a durable tag securely attached to show the maintenance or recharge date.
 4. Test the fire alarm system at least annually.
 5. Ensure a qualified person services the sprinkler system at least annually.
 6. Check smoke detectors periodically to ensure they are working properly.
 7. Maintain at least 18 inches of clearance below all sprinkler heads.
- (j) Hazardous materials and exposure prevention
1. Label all hazardous materials containers with the name of the hazardous material, applicable hazard warning, and the name and address of the manufacturer, importer, or responsible party.
 2. Evaluate compatibility of hazardous materials before they are stored. Incompatible hazardous materials shall be separated by distance, partitions, dikes, berms, or secondary containment.
 3. Store hazardous materials separately from food, food preparation, and eating areas.
 4. Store ignitable liquids in an approved, vented flammable and combustible liquids storage cabinet (675 I.A.C. 22-2.5-37).
 5. Use safety containers with self-closing lids for the storage of flammable liquids and soiled oily rags.
 6. Store cylinders of compressed gas in an upright position, away from combustible materials.
 7. Avoid wearing or storing turnout gear in the living quarters or buildings.
 8. Clean living quarters thoroughly on a regular basis, including vacuuming or frequently washing blankets, drapes, and upholstered furniture.
 9. Wash clothing regularly, taking care not to spread contamination by taking clothing home.
 10. Use vehicle exhaust collection systems effectively by following all guidelines and manufacturer's recommendations.
 11. Perform regular vehicle inspection and maintenance to minimize diesel particulate and gas emissions.
- (k) Communicable diseases - If a member has been exposed to a hazardous material or a communicable disease, follow the reporting procedure in the Communicable Diseases Policy.
- (l) On-duty physical fitness activities - For safety guidelines during physical fitness, see the Physical Fitness and the Wellness Program policies.
- (m) Visitor safety - For visitor safety guidelines, see the Community Fire Station Visitation Program Policy.

Ground Ladder Testing

913.1 PURPOSE AND SCOPE

The purpose of this policy is to ensure that ground ladders are periodically inspected and tested for compliance with the standards set forth by the National Fire Protection Association (NFPA). This is a safety measure designed to reduce or eliminate the risk of injury to department members when using ground ladders.

913.2 POLICY

It is the policy of the Martinsville Fire Department to perform testing, inspection and certification of all ground ladders for the safety of department members and to comply with applicable standards.

913.3 INSPECTION AND TESTING

All department-owned ground ladders should be tested and certified annually. The actual testing interval may exceed 12 months if that time is reasonably needed for scheduling and completion of the testing process.

Ground ladders shall also be tested after repair and before being placed back in service. Ladders will be tested in accordance with applicable NFPA standards. Load testing minimums will vary based on ladder construction and type.

All ground ladders should be inspected thoroughly after each use. Any defect noted in the inspection shall be repaired and the ground ladder tested prior to being returned to service.

Ground ladder testing and certification should be performed by a trained, qualified department member or a qualified vendor.

913.4 RECORDS

The [Fire Chief](#) , or their designee, shall be responsible for maintaining comprehensive records of all ladder testing and certification for the service life of each ladder.

Personal Protective Equipment

914.1 PURPOSE AND SCOPE

The purpose of this policy is to reasonably protect Martinsville Fire Department members by providing and maintaining, at no cost to the member, personal protective equipment (PPE), safety devices, and safeguards for workplace activities (29 CFR 1910.132; 620 I.A.C. 1-1-1).

PPE information related to patient care is found in the Communicable Diseases Policy.

PPE information related to respiratory protection is found in the Respiratory Protection Program Policy.

914.1.1 DEFINITIONS

PFAS chemical - Any chemical of a class of fluorinated organic chemicals, including perfluoroalkyl and polyfluoroalkyl substances used in firefighting agents (I.C. § 36-8-10.7-3).

914.2 POLICY

It is the policy of the Martinsville Fire Department to provide PPE and safeguards of the proper type, design, strength, and quality needed to reasonably eliminate, preclude, or mitigate a hazard.

914.3 PPE STANDARDS AND REQUIREMENTS

The Department will provide approved PPE that is appropriate for the hazard to members who are located in a workplace where there is a risk of injury. Members shall wear appropriate PPE any time there is a risk of exposure to a hazard.

The Department shall apply the following guidelines, requirements, and standards to all PPE (29 CFR 1910.132; 29 CFR 1910.156; 620 I.A.C. 1-1-1):

- (a) The PPE provided shall meet nationally recognized standards.
- (b) When no authoritative standard exists for PPE or a safety device, the use of such equipment shall be subject to inspection and acceptance or rejection by the Deputy Fire Chief in charge of the Division where the equipment will be used.
- (c) PPE shall be distinctly marked to facilitate easy identification of the manufacturer.
- (d) The Training Officer shall ensure that the member is properly instructed and uses PPE in accordance with the manufacturer's instructions.
- (e) Members are responsible for maintaining their assigned PPE in a safe and sanitary condition.
- (f) Supervisors are responsible for ensuring that all PPE is maintained in a safe and sanitary condition.
- (g) PPE shall be of such design, fit, and durability as to provide adequate protection against the hazards for which they are designed.
- (h) PPE shall be reasonably comfortable and shall not unduly encumber member movements that are necessary to perform work.

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914.3.1 HEAD PROTECTION

Members working in locations where there is a risk of head injuries from flying or falling objects and/or electric shock and burns shall wear an approved protective helmet. Each protective helmet shall bear the original marking required by the ANSI standard under which it was approved. At a minimum, the marking shall identify the manufacturer, the ANSI-designated standard number and date, and the ANSI-designated class of helmet. Where there is a risk of injury from hair entanglements in moving parts of machinery, combustibles, or toxic contaminants, members shall confine their hair to eliminate the hazard (29 CFR 1910.135; 620 I.A.C. 1-1-1).

914.3.2 FACE AND EYE PROTECTION

Members working in locations where there is a risk of eye injuries, such as punctures, abrasions, contusions, or burns from contact with flying particles, hazardous substances, projectiles, or injurious light rays that are inherent in the work or environment, shall be safeguarded by means of face or eye protection. Suitable screens or shields isolating the hazardous exposure may be considered adequate safeguarding for nearby members. The Department shall provide and require that members wear approved face and eye protection suitable for the hazard (29 CFR 1910.133; 620 I.A.C. 1-1-1).

914.3.3 BODY PROTECTION

Body protection may be required for members whose work exposes parts of their bodies that are not otherwise protected from hazardous or flying substances or objects. Clothing appropriate for the work being done shall be worn. Loose sleeves, tails, ties, lapels, cuffs, or other loose clothing that can be entangled in moving machinery shall not be worn. Clothing saturated with flammable liquids, corrosive substances, irritants, or oxidizing agents shall either be destroyed or removed and not worn until properly cleaned (29 CFR 1910.132; 620 I.A.C. 1-1-1).

914.3.4 HAND PROTECTION

Hand protection shall be required for members whose work involves unusual and excessive exposure of hands to cuts, burns, harmful physical or chemical agents, or radioactive materials that are encountered and capable of causing injury or impairment.

Hand protection (e.g., gloves) shall not be worn where there is a danger of the hand protection becoming entangled in moving machinery or materials. Use of hand protection around smooth-surfaced rotating equipment does not constitute an entanglement hazard if it is unlikely that the hand protection will be drawn into the danger zone.

Wristwatches, rings, and other jewelry should not be worn while working with or around machinery with moving parts in which such objects may be caught or around electrical equipment (29 CFR 1910.138; 620 I.A.C. 1-1-1).

914.3.5 FOOT PROTECTION

Appropriate foot protection shall be required for members who are exposed to foot injuries from electrical hazards; hot, corrosive, or poisonous substances; falling objects; or crushing or penetrating actions, or who are required to work in abnormally wet locations. Footwear that is

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defective or inappropriate to the extent that its ordinary use creates the possibility of foot injuries shall not be worn. Footwear shall be appropriate for the hazard (29 CFR 1910.136; 620 I.A.C. 1-1-1).

914.3.6 PERSONAL FALL PROTECTION SYSTEMS

Members working in assignments where there is a risk of fall (e.g., climbing to, operating at, or rappelling from unsafe heights) shall use appropriate fall protection equipment such as ropes, harnesses, or other devices (29 CFR 1910.140; 620 I.A.C. 1-1-1).

914.4 SELECTION, CARE, AND MAINTENANCE OF PPE

PPE exists to provide the member with an envelope of protection from multiple hazards and repeated exposures. For structural firefighting, PPE is a system of components designed to work as an ensemble. Typical firefighting PPE consists of a hood, helmet, jacket, trousers, gloves, wristlets, and footwear. A program for selection, care, and maintenance of PPE consists of the following.

914.4.1 SELECTION

The PPE selection process should be conducted consistent with the protocols developed by the [Deputy Fire Chief Health and Safety Officer \(see the Health and Safety Officer \(HSO\) Policy\)](#).

The PPE selection process should include (29 CFR 1910.132; 620 I.A.C. 1-1-1):

- (a) A risk assessment at least every two years to include expected hazards, frequency of use, past experiences, geographic location, and climatic conditions.
 1. The assessment should include a review of the current risk assessment and necessary changes.
- (b) The evaluation of comparative information on all ensemble elements to ensure they will interface and perform based on the risk assessment.
- (c) Considerations should include the following:
 1. PPE performance expectations, including thermal and physiological effects
 2. Style and design for user comfort and wear performance
 3. Construction for quality, durability, and garment life
 4. Manufacturer ability to meet performance demand requirements, technical information, service, warranty, and customer support needs
 5. Any necessary changes in operating procedures.

914.4.2 INSPECTION

There are two primary types of PPE inspection:

Routine inspection - Firefighters shall conduct a routine inspection of their issued PPE at the beginning of each shift, after each use, and anytime the PPE has been exposed or is suspected of having been exposed to damage or contamination.

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PPE should be inspected to determine the level of cleaning necessary. The inspections should include the following, as applicable:

- (a) Coat, trousers, gloves, and hood should be checked for the following:
 - 1. Soiling
 - 2. Contamination from hazardous materials or biological agents
 - 3. Physical damage, such as:
 - (a) Rips, tears, and cuts
 - (b) Damaged/missing hardware and closure systems
 - (c) Thermal damage, such as charring, burn holes, and melting
 - (d) Damaged or missing reflective trim
 - (e) Shrinkage
 - (f) Loss of elasticity or flexibility at openings
 - (g) Excessive wear to the liners
- (b) Helmets should be checked for the following:
 - 1. Soiling
 - 2. Contamination from hazardous materials or biological agents
 - 3. Physical damage to the shell, such as:
 - (a) Cracks, crazing (small cracks), dents, and abrasions
 - (b) Thermal damage to the shell, such as bubbling, soft spots, warping, or discoloration
 - 4. Physical damage to ear flaps, such as:
 - (a) Rips, tears, and cuts
 - (b) Thermal damage, such as charring, burn holes, and melting
 - 5. Damaged or missing components of suspension and retention systems
 - 6. Damaged or missing components of the goggle system including:
 - (a) Discoloration
 - (b) Crazing (small cracks)
 - (c) Scratches to goggle lens, limiting visibility
 - 7. Damaged or missing reflective trim
- (c) Footwear should be checked for the following:
 - 1. Soiling
 - 2. Contamination from hazardous materials or biological agents
 - 3. Physical damage, such as:

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- (a) Cuts, tears, and punctures
 - (b) Thermal damage, such as charring, burn holes, and melting
 - (c) Exposed or deformed steel toe, steel midsole, and shank
 - (d) Loss of water resistance
- (d) Fall protection should be checked for the following:
- 1. Soiling
 - 2. Contamination from hazardous materials or biological agents
 - 3. Physical damage, such as:
 - (a) Cuts, tears, and punctures
 - (b) Thermal damage such as charring, burn holes, and melting
 - (c) Excessive stretching
 - (d) Distorted or damaged hardware

Advanced inspection - Advanced inspection of PPE ensembles and elements shall be conducted a minimum of every 12 months or whenever routine inspections indicate a problem may exist.

Advanced inspections shall only be conducted by trained and certified members or a manufacturer-approved vendor certified to conduct advanced inspections. All findings from advanced inspections shall be documented on an inspection form. Universal precautions shall be observed, as appropriate, when handling elements. Advanced inspections shall include, at a minimum, the inspection criteria outlined in the nationally recognized standards.

914.4.3 CLEANING AND DECONTAMINATION

The following rules and restrictions shall apply to the cleaning and decontamination of PPE:

- (a) Soiled and contaminated PPE elements shall undergo either a routine/Preliminary Exposure Reduction (PER), an advanced cleaning, or a specialized cleaning.
- (b) Soiled and contaminated PPE should not be taken home, washed in the home, or washed in public laundries unless the business is dedicated to handling firefighting protective clothing.
- (c) Commercial dry cleaning shall not be used.
- (d) The Department will examine the manufacturer's label and user information for specific cleaning instructions.
- (e) Chlorine bleach or chlorinated solvents shall not be used to clean or decontaminate PPE elements.
- (f) Scrubbing or spraying with high-velocity water jets, such as a power washer, shall not be used.
- (g) All contract cleaning or decontamination businesses shall demonstrate procedures for cleaning and decontamination that do not compromise the performance of PPE ensembles and elements.

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- (h) Department standards identify and define three primary types of cleaning: routine/PER, advanced, and specialized.
1. **Routine cleaning/PER** - After each use, any elements that are soiled shall receive routine cleaning. It is the firefighter's responsibility to routinely clean their PPE ensemble or elements using the following process:
 - (a) Initiate cleaning at the incident scene.
 - (b) Brush off any dry debris.
 - (c) Gently rinse off debris with a water hose.
 - (d) If necessary, scrub gently with a soft bristle brush and rinse off again. Spot clean utilizing a utility sink.
 - (e) Inspect for soiling and contamination and repeat the process if necessary.
 - (f) All elements shall be air-dried in an area with good ventilation. Do not dry in direct sunlight or use a machine dryer.
 2. **Advanced cleaning** - Should routine cleaning fail to render the elements clean enough to be returned to service, advanced cleaning is required. In addition, elements that have been issued, used, and soiled shall undergo advanced cleaning every six months, at a minimum.
 - (a) The department's [Deputy Fire Chief](#) ~~Health and Safety Officer (HSO)~~ shall manage all advanced cleaning utilizing a qualified contract cleaner.
 - (b) Advanced cleaning will be coordinated with the [Deputy Fire Chief](#) ~~HSO~~ by either the crew or by the individual. Loaner PPE will be provided for any member scheduled to work.
 - (c) Station laundering machines designed for cleaning station uniforms and other standard items shall not be used to clean PPE elements.
 3. **Specialized cleaning** - PPE elements that are contaminated with asbestos, opioid drugs, bedbugs, hazardous materials, or biological agents shall undergo specialized cleaning as necessary to remove the specific contaminants.
 - (a) The PPE elements that are contaminated or suspected to be contaminated shall be isolated, tagged, bagged, and removed from service until they undergo specialized cleaning to remove the specific contaminant. All bagged PPE shall include the member's name, company, and shift. Universal precautions shall be observed when handling known or suspected contaminated PPE elements. For more information on decontamination of PPE after exposure, refer to the Communicable Diseases Policy.
 - (b) The department's [Deputy Fire Chief](#) ~~HSO~~ shall manage all specialized cleaning and will utilize a qualified contract cleaner. The Department, if possible, shall identify the suspected contaminant and consult the manufacturer for an appropriate decontamination agent and process.

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- (c) PPE components contaminated with blood, bodily fluids, or other biological contaminants should be sanitized (e.g., clothing, fabrics) or disinfected (e.g., helmet shells, other hard surfaces).

914.4.4 CBRNE-CONTAMINATED PPE

All PPE elements that have been contaminated by chemical, biological, radiological, nuclear, or explosive (CBRNE) agents shall be removed as soon as possible, bagged, and permanently removed from service. Such PPE elements shall be disposed of pursuant to department procedures.

914.4.5 REPAIR OF DAMAGED PPE

Damaged PPE shall not be used (29 CFR 1910.132; 620 I.A.C. 1-1-1). The department's [Deputy Fire Chief HSO](#) shall manage all PPE repairs utilizing a manufacturer-recognized repair facility. All elements shall be subject to an advanced or specialized cleaning before any repair work is done. Loaner PPE shall be available to members while repairs are being made.

914.4.6 STORAGE OF PPE

The parameters for the storage of all PPE ensembles or elements include the following:

- (a) PPE shall not be stored in direct or indirect sunlight, sunlight, or exposed to ultraviolet radiation or fluorescent lighting sunlight when it is not being worn.
- (b) PPE shall be clean, dry, and well-ventilated before storage.
- (c) PPE shall not be stored in airtight containers unless the container is new and unused.
- (d) PPE shall not be stored at temperatures below 40 degrees F or above 180 degrees F.
- (e) PPE shall be stored in a protective case or bag to prevent damage if stored in compartments or trunks.
- (f) PPE shall not be subjected to sharp objects, tools, or other equipment that could damage the ensemble or elements.
- (g) PPE shall not be stored inside living quarters or with personal belongings, or taken or transported within the passenger compartment of personal vehicles unless it is stored in a protective case or bag.
- (h) PPE shall not be stored in contact with hydraulic fluids, solvents, hydrocarbons, hydrocarbon vapors, or other contaminants.
- (i) Proximity PPE (i.e., specialized PPE designed to protect workers from high levels of radiant heat) shall not be stored folded.

914.5 ISSUING PPE

All PPE ensembles or elements shall be issued through the department's [Quartermaster HSO](#). All fittings shall be completed by the [Quartermaster HSO](#) and/or by a manufacturer's representative.

- Members shall only use department issued or approved PPE, including accessories.
- Members shall minimize the public's exposure to soiled or contaminated PPE and avoid wearing PPE to non-fire related emergencies.

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- Members shall not wear PPE inside station living quarters or other department facilities.

914.6 MEMBER-PROVIDED PPE

Members who desire to use personally owned PPE are required to have the PPE approved and inspected by the [Deputy Fire Chief / Quartermaster HSO](#) prior to use. All personally owned PPE is subject to the requirements of this policy.

914.7 PPE TRAINING

The Training Officer should verify that members receive and demonstrate an understanding of PPE training consistent with their duties before performing work requiring the use of the PPE. This should include (29 CFR 1910.132; 620 I.A.C. 1-1-1):

- (a) Determining when PPE is necessary and what kind should be used.
- (b) How to properly wear, adjust, and remove PPE.
- (c) The limitations of the PPE.
- (d) Upon issue, all members shall be provided training on this policy along with the manufacturer's written instructions on the care, use, and maintenance of their PPE, including any warnings issued by the manufacturer.
- (e) New firefighters shall receive training in the care, use, and maintenance of their PPE before participating in any hands-on training or operations. All other firefighters shall receive training as needed when PPE ensembles or elements are upgraded or changed.
- (f) The useful life and disposal of PPE.

Supervisors who believe a member does not have the understanding and skill required for PPE use, whether or not the member has received training on the PPE, should take appropriate steps to have the member retrained.

914.8 PPE RECORD-KEEPING

The Department shall maintain or require contracted vendors to maintain records on all structural firefighting ensembles or elements to include:

- (a) The name of the member to whom the element is issued.
- (b) The date and condition of the element when issued.
- (c) The manufacturer, model name, or design.
- (d) The manufacturer's identification number, lot number, or serial number.
- (e) The month and year of manufacture.
- (f) The dates and findings of all advanced inspections.
- (g) The dates and findings of complete liner inspections.

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- (h) The dates of advanced cleaning, specialized cleaning, decontamination, or sanitation, and by whom it was performed.
- (i) The date of any repairs, the person who repaired the PPE, and a brief description of the repair.
- (j) The date the element was removed from service (retirement).
- (k) The date and method used to dispose of the element.

914.9 PPE RETIREMENT

PPE ensembles and elements should be retired as follows:

- (a) When worn or damaged to the extent that the Department deems that it is not possible or cost-effective to repair.
- (b) When no longer useful for emergency operations.
- (c) If more than 10 years old, except for the reflective outer shell of proximity PPE, which should be retired after five years.

Retired PPE ensembles and elements shall be destroyed or disposed of by the Department in a manner ensuring that they will not be used in any firefighting or emergency activities, including training. Retired PPE may only be used for training when that training does not include live fire. Any PPE used for training shall be clearly marked: "Training only. No live fire."

914.10 SPECIAL INCIDENT PROCEDURE

If any member of the Martinsville Fire Department suffers a serious injury or death while wearing PPE, the following procedure should be followed:

- (a) The PPE will immediately be removed from service.
- (b) Custody of the PPE will be maintained by the Fire Chief or the authorized designee, and the PPE shall be kept in a secure location with controlled, documented access.
- (c) All PPE shall be non-destructively tagged and stored only in paper or cardboard containers to prevent further degradation or damage. Plastic airtight containers shall not be used.
- (d) The PPE shall be made available to the department's investigation team (see the Line-of-Duty Death and Serious Injury Investigations Policy) or outside experts as approved by the Fire Chief or the authorized designee, to determine the condition of the PPE.
- (e) The Fire Chief or the authorized designee shall determine the retention period for the storage of PPE.

914.11 REPORTING

The [Deputy Fire Chief HSO](#) should report all PPE health and safety concerns caused by, or suspected to have been caused by, element failure to the PPE element manufacturer and certifying organization.

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914.12 STATE PURCHASING REQUIREMENTS

After June 30, 2024, the Department should not purchase firefighting PPE unless it contains a permanently affixed label indicating whether or not it contains a PFAS chemical (I.C. § 36-8-27-2).

Hazardous Energy Control

915.1 PURPOSE AND SCOPE

The purpose of this policy is to establish the minimum hazardous energy control requirements. The control requirements are intended to isolate a machine or equipment from all energy sources to prevent the start-up of the machine or equipment or the release of stored energy, both of which could cause injury.

The control requirements apply to the servicing or maintenance of machines and equipment used in a fire station or on an apparatus. This policy includes member training and periodic control and inspection requirements.

915.1.1 DEFINITIONS

Definitions related to this policy include:

Affected member - A member whose job duties require him/her to work in an area where hazardous energy exposure could result from cleaning, repairing, servicing, setting up or adjusting machines or equipment under lockout or tagout.

Authorized member - A member who is qualified to perform lockout or tagout of machines or equipment, in order to clean, repair, service, set up or adjust its operations. An affected member becomes an authorized member when that member's duties include performing the maintenance operations covered in this policy.

Hazardous energy - The unexpected energization or activation of equipment, or the release of stored energy, that could potentially cause injury.

Lockout or tagout - The use of devices, positive methods and procedures that result in the effective isolation or securing of machinery and equipment from all hazardous energy sources (e.g., mechanical, hydraulic, pneumatic, chemical, electrical or thermal).

915.2 POLICY

It is the policy of the Martinsville Fire Department to implement and maintain a written hazardous energy control program to prevent the unexpected release of stored energy or unexpected start-up of machines or equipment.

915.3 RESPONSIBILITIES

The Fire Chief or the authorized designee shall have overall responsibility for meeting the requirements of the hazardous energy control program. Department members shall be trained commensurate with their duties to perform lockout/tagout and other hazardous energy control procedures. The program should include, but is not limited to (29 CFR 1910.147; 620 I.A.C. 1-1-1):

- (a) Guidelines and procedures that specifically outline the scope, purpose, authorization, rules and techniques to be utilized when working in proximity to, and for the control of, hazardous energy and the means to enforce compliance, including, but not limited to:

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1. A statement of the intended use of the procedure.
 2. Procedural steps for shutting down, isolating, blocking and securing machines or equipment to control hazardous energy.
 3. The procedural steps for the placement, removal and transfer of lockout and tagout devices.
 4. The requirements for testing a machine or equipment to determine and verify the effectiveness of lockout, tagout and other hazardous energy control devices.
- (b) As needed, the Department shall develop separate procedural steps for the safe lockout or tagout of each machine or piece of equipment affected by the hazardous energy control program.
- (c) The Department shall develop and maintain a list of all machines or equipment affected by the hazardous energy control program. The list may include, but is not limited to:
1. Extrication tools
 2. Chain saws
 3. Hydraulic systems (e.g., rack, jacks)
 4. Complex electrical systems (e.g., generators, pumps, radios)

915.4 LOCKOUT AND TAGOUT

An authorized member shall be responsible for the following, before working on de-energized electrical equipment or systems, unless the equipment is physically removed from the wiring system (29 CFR 1910.147; 620 I.A.C. 1-1-1):

- (a) Notification of all involved personnel.
- (b) Locking the disconnect means in the “open” position with the use of lockable devices (e.g., padlocks or combination locks), or disconnecting the conductor or other positive methods or procedures. This will effectively prevent unexpected or inadvertent energizing of a designated circuit, machine or appliance.
- (c) Tagging the disconnect means with appropriate accident prevention tags. Lockout is not required when the tagging procedures are used as specified here and where the disconnect means is accessible only to personnel trained in tagout procedures.
- (d) Blocking the operation or dissipation of energy of all stored energy devices that present a hazard (e.g., capacitors or pneumatic, spring-loaded mechanisms).

915.5 INSPECTIONS

The Martinsville Fire Department shall conduct a periodic inspection of the hazardous energy control program components at least annually to evaluate its continued effectiveness and to determine the necessity for updating any methods or procedures (29 CFR 1910.147; 620 I.A.C. 1-1-1):

- (a) The periodic inspection shall be performed by an authorized member other than the members utilizing the hazardous energy control procedures that are being inspected.

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- (b) Where lockout and/or tagout are used for hazardous energy control, the inspector shall provide a review of roles and responsibilities to the authorized members.
- (c) The Health and Safety Officer (HSO) shall certify that the periodic inspections have been performed. The certification shall identify the machine or equipment that was inspected, the date of the inspection, the authorized members included and the name of the person performing the inspection.

915.6 TRAINING

The Training Officer shall be responsible for ensuring that members receive training on hazardous energy control methods and procedures, based on the reasonably expected workplace exposure. Members shall receive training prior to any work assignment in which a potential hazard exists. Training should include, but is not limited to, the following topics (29 CFR 1910.147; 620 I.A.C. 1-1-1):

- (a) Definitions of hazardous energy
- (b) Workplace hazards
- (c) Work techniques, hazards and injuries involved in energized equipment
- (d) Lockout and tagout procedures, equipment and its proper use
- (e) Authorized and affected employees
- (f) Safety precautions required when energized electrical equipment is not under the control of an authorized member
- (g) Refresher training on an annual basis, depending on the results of the annual inspection process

915.7 TRAINING RECORDS

The Training Officer shall document the hazardous energy control training provided to members both initially and annually and shall retain those records for one year. Documentation shall include (29 CFR 1910.147; 620 I.A.C. 1-1-1):

- (a) The dates of the training sessions.
- (b) A list of the topics or a summary of the content of the training sessions.
- (c) The names or other identifiers and ranks of the members who received the training.
- (d) The names, certificate numbers and qualifications of persons conducting the training.

Hazard Communication

916.1 PURPOSE AND SCOPE

The purpose of this policy is to protect the health and safety of department members who may be occupationally exposed to hazardous chemicals in the workplace.

916.2 POLICY

It is the policy of the Martinsville Fire Department to develop, implement and maintain a written chemical hazard communication program for members to use as a reference. The program shall minimally describe how department members will receive information and training on the criteria specified for labels and other forms of warning and Safety Data Sheets (SDS).

916.3 PROCEDURE

The Fire Chief or the authorized designee should develop, implement and maintain a written chemical hazard communication program that includes, but is not limited to (29 CFR 1910.1200; 620 I.A.C. 1-1-24):

- (a) A list of hazardous chemicals known to be present in the workplace. The list may be compiled for the workplace as a whole or for individual work areas.
- (b) The methods the Department will use to inform and train members of the hazards of non-routine tasks and the hazards associated with chemicals in unlabeled pipes in member work areas.
- (c) The Department shall make the written chemical hazard communication program available, upon request, to members, to their designated representatives and to the National Institute of Occupational Safety and Health (NIOSH).
- (d) The Department shall establish a procedure to ensure that each container of a hazardous chemical is labeled, tagged or marked with the following information:
 1. Identity of the hazardous chemical
 2. Appropriate hazard warnings
 3. Name and address of the manufacturer, importer or other responsible party

916.4 SAFETY DATA SHEETS

The Department shall have an SDS for each hazardous chemical that is in use in the workplace. The SDS concerning a hazardous chemical shall be readily accessible to members and prepared in accordance with 29 CFR 1910.1200(g)(2); 620 I.A.C. 1-1-24).

916.5 TRAINING REQUIREMENTS

See the Hazard Communication Program Training Policy.

Personal Firearms

917.1 PURPOSE AND SCOPE

The purpose of this policy is to promote the safety of all members by providing guidance on the possession of firearms in the workplace.

This policy does not apply to duty firearms authorized by the Department for use by fire investigators while performing official duties. Duty firearms are addressed in the Duty Firearms and Use of Force Policy.

917.2 POLICY

The Martinsville Fire Department will make reasonable efforts to reduce risk to members and the public by placing limitations on firearms being brought onto department property or carried by members while on-duty or while representing the Department in any capacity.

917.3 PROHIBITIONS

Members are prohibited from possessing a firearm while on-duty or while on or in department property or vehicles except as provided in this policy and consistent with state law.

917.4 FIREARMS IN VEHICLES

Members are permitted to store a firearm in their personal vehicle parked on department property, provided the firearm is locked in the trunk of the member's vehicle, kept in the glove compartment of the member's locked vehicle, or stored out of plain sight in the member's locked vehicle (I.C. § 35-47-2-1).

Roadway Incident Safety

918.1 PURPOSE AND SCOPE

The purpose of this policy is to set forth department Fire Chief responsibilities for development of practices used by members who are engaged in any operations occurring on roadways.

918.2 POLICY

It is the policy of the Martinsville Fire Department to provide traffic incident management (TIM) practices for the protection of members, personnel responding from other agencies, and victims operating on roadways.

918.3 FIRE CHIEF RESPONSIBILITIES

The Fire Chief should ensure that the Department adopts TIM procedures. Procedures should include but not be limited to:

- Use of the Incident Command System at all roadway incidents.
- Coordination and cooperation with law enforcement on-scene, including establishing a unified command, depending on the location, size, and complexity of the incident.
- Scene identification and size-up.
- Establishing a temporary traffic control zone including:
 - Placement of apparatus.
 - Use of traffic control devices.
 - Personnel assigned to TIM duties.

918.3.1 MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES (MUTCD)

Procedures should also include any requirements in the Manual of Uniform Traffic Control Devices adopted by the state, including but not limited to the following (I.C. § 9-21-2-1):

- Use of emergency vehicle lighting
- Safe positioning of emergency vehicles
- Use of traffic flaggers

Chapter 6 - Training

Fire Apparatus Driver/Operator Training

600.1 PURPOSE AND SCOPE

The purpose of this policy is to enhance the safety of members and the public by ensuring that all Martinsville Fire Department members, who operate firefighting apparatus as part of their duties receive appropriate training.

600.1.1 DEFINITIONS

Definitions related to this policy include:

Firefighting apparatus - Vehicle designed to be used under emergency conditions to transport equipment and firefighters or support the mitigation of fires and emergencies.

600.2 POLICY

It is the policy of the Martinsville Fire Department that all members who operate firefighting apparatus, shall successfully complete driver training that meets or exceeds the requirements of the National Fire Protection Association (NFPA) 1002 or the Indiana Department of Homeland Security, Board of Firefighting Personnel Standards and Education.

Training should include written, oral, and practical evaluations to demonstrate proficiency. The Training Officer shall annually audit and update driver/operator training materials to ensure compliance with local, state, and federal requirements.

600.3 PROCEDURES

All members who operate firefighting apparatus, shall have certification and training validating competent operational and driving skills consistent with NFPA 1002 (I.C. § 36-8-10.5-7; 655 I.A.C. 4-3-3; 655 I.A.C. 4-3-4; 655 I.A.C. 4-3-5; 655 I.A.C. 4-3-6).

600.4 TRAINING OFFICER RESPONSIBILITIES

It shall be the responsibility of the Training Officer to ensure that any member required to drive fire apparatus as a part of their normal duties has received all training required for competent, safe operation of the apparatus. The Training Officer shall coordinate with the department member appointed to monitor driver's license status to ensure members have valid driver's licenses, in accordance with the Driver's License Requirements Policy.

CPR and Automated External Defibrillator Training

601.1 PURPOSE AND SCOPE

The purpose of this policy is to establish the training requirements for members to maintain the current and valid certificate that is required to perform CPR and to utilize an Automated External Defibrillator (AED).

601.1.1 DEFINITIONS

Definitions related to this policy include:

Automated External Defibrillator (AED) - An external defibrillator capable of cardiac rhythm analysis and that will charge, with or without further operator action, and deliver a shock after electronically detecting and assessing ventricular fibrillation or rapid ventricular tachycardia.

Qualified instructor - An individual who is qualified by the Indiana Department of Homeland Security, Emergency Medical Services Commission (EMS Commission), and the American Heart Association (AHA) as an Emergency Medical Services Primary Instructor to teach AED/CPR.

601.2 POLICY

It is the policy of the Martinsville Fire Department that all members whose duties include the use of an AED or the performance of CPR shall receive initial and recertification training to maintain the current and valid certificate that is required to utilize such equipment and/or skills. Initial training and recertification will consist of EMS Commission-approved courses and will be provided by qualified instructors at the health care provider level.

601.3 REQUIREMENTS

CPR and AED training should include (836 I.A.C. 1-11-3):

- Proper use, maintenance and periodic inspection of the AED (I.C. § 16-31-6.5-4).
- The importance of CPR, defibrillation, adequate airway care and internal emergency response system, if applicable.
- Assessment of an unconscious patient to include evaluation of the airway, breathing and circulation to determine cardiac arrest.
- The administration of CPR, obstructed airway and other health care provider CPR curriculum skills.
- Information relating to AED safety precautions to enable the administration of a shock without jeopardizing the safety of the patient, rescuers or other nearby persons.
- Recognition that an electrical shock has been delivered to the patient and that the defibrillator is no longer charged.
- Rapid, accurate assessment of the patient's post-shock status.
- The appropriate continuation of care following a successful defibrillation.

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In order to be authorized to perform CPR and utilize the defibrillator, an individual shall pass a written and skills examination with a pre-established standard. The skills test measures the ability to evaluate and manage the conditions listed above.

All CPR and AED training provided by the Department shall be approved and monitored by the EMS Commission, which shall also approve any written and skills examinations required for course completion. The EMS Commission shall approve AED instructors and designate public safety AED service providers.

601.4 TRAINING RECORDS

The Training Officer shall be responsible for maintaining records of all CPR and AED training provided to members, in accordance with the EMS Commission. Records should include, but are not limited to:

- (a) The dates of the training sessions.
- (b) A list of the topics or a summary of the content of the training sessions.
- (c) The names or other identifiers and job titles of the members who received the training.
- (d) The names, certificate numbers and qualifications of the persons conducting the training.

The Training Officer should maintain the training records in accordance with established records retention schedules.

601.5 MANDATORY REPORTING

The EMS supervisor shall be responsible for collecting and recording AED use data from department-approved Patient Care Reports (PCRs). Those PCRs shall be maintained for a minimum of three years and shall be available for inspection by the EMS Commission (836 I.A.C.1-1-5).

Communicable Disease Training Program

602.1 PURPOSE AND SCOPE

The purpose of this policy is to establish a training program to ensure members have the skills and knowledge to protect themselves against communicable diseases.

602.2 POLICY

It is the policy of the Martinsville Fire Department to make members' health and safety a priority by providing initial and recurring communicable disease training.

602.3 TRAINING REQUIREMENTS

The Health and Safety Officers shall be responsible for:

- (a) Developing and implementing a training program on the Communicable Diseases Policy and an exposure control plan.
- (b) Remaining current on all legal requirements concerning communicable disease training mandates and reasonable training goals.
- (c) Maintaining an up-to-date list of personnel requiring training.
- (d) Maintaining class rosters and quizzes and periodically reviewing and updating the training program.
- (e) Ensuring that the training mandates set forth in I.C. § 16-41-11-5 are included in the training program and are met by all members.

602.4 MEMBER TRAINING

Any member whose duties place him/her at risk for exposure to communicable disease shall receive department-provided, no-cost training during working hours.

602.5 TRAINING RECORDS

The Training Officer shall be responsible for maintaining records of all communicable disease training provided to members. Records should include, but are not limited to:

- (a) The dates of the training sessions.
- (b) A list of the topics or a summary of the content of the training sessions.
- (c) The names or other identifiers and job titles of the members who received the training.
- (d) The names, certificate numbers and qualifications of persons conducting the training.

The Training Officer should maintain the training records in accordance with established records retention schedules.

Emergency Action Plan and Fire Prevention Plan Training

603.1 PURPOSE AND SCOPE

The purpose of this policy is to establish training in support of the Martinsville Fire Department Emergency Action Plan (EAP) and Fire Prevention Plan (FPP) in a manner consistent with state and federal regulations for all Martinsville Fire Department facilities.

603.2 POLICY

It is the policy of the Martinsville Fire Department to provide training to all members regarding the EAP and FPP.

603.3 TRAINING GUIDELINES

The EAP and FPP training shall include, but is not limited to (29 CFR 1910.38; 29 CFR 1910.39; 620 I.A.C. 1-1-21):

- (a) A review of the department's EAP and FPP, including any information specific to each member's workplace or assignment.
- (b) Information on where written copies of the EAP and FPP are located and how members may review the plans.
- (c) The Department shall designate and train a sufficient number of people to assist in the safe and orderly emergency evacuation of members and visitors in the event of an emergency.
- (d) The Department shall advise each member of his/her responsibility under the plans at the following times:
 1. Initially when the plans are developed
 2. Whenever the member's responsibilities or designated actions under the plans change
 3. Whenever the plans are changed
- (e) The Department shall review with each member upon initial assignment those parts of the EAP and FPP that the member must know to protect the member in the event of an emergency.

603.4 TRAINING OFFICER RESPONSIBILITIES

The Training Officer shall be responsible for developing and scheduling the department's EAP and FPP training. The Training Officer shall maintain records of all EAP and FPP training provided to members. Records should include, but are not limited to:

- (a) The dates of the training sessions.
- (b) A list of the topics or a summary of the content of the training sessions.

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- (c) The names or other identifiers and job titles of the members who received the training.
- (d) The names, certificate numbers and qualifications of persons conducting the training.

The Training Officer should maintain the training records in accordance with established records retention schedules.

Hazard Communication Program Training

604.1 PURPOSE AND SCOPE

The purpose of this policy is to establish the required training regarding the department's hazard communication program. This policy identifies who must receive training, training content requirements, when additional or supplemental training is required and what record keeping is necessary to comply with state and federal law.

604.1.1 DEFINITIONS

Definitions related to this policy include (29 CFR 1910.1200; 620 I.A.C. 1-1-24):

Hazardous chemical - Any chemical that is classified as a physical hazard, health hazard, simple asphyxiant, combustible dust, pyrophoric gas or hazard not otherwise classified.

Health hazard - A chemical that is classified as posing one of the following hazardous effects: acute toxicity (any route of exposure), skin corrosion or irritation, serious eye damage or eye irritation, respiratory or skin sensitization, germ cell mutagenicity, carcinogenicity, reproductive toxicity, specific target organ toxicity (single or repeated exposure), or aspiration hazard.

604.2 POLICY

It is the policy of the Martinsville Fire Department, in accordance with the Hazard Communication Policy, to provide members with effective information and training on hazardous chemicals in their work area at the time of their initial assignment and whenever a new hazard is introduced (29 CFR 1910.1200; 620 I.A.C. 1-1-24).

604.3 TRAINING REQUIREMENTS

The initial hazard communication program training shall include, but is not limited to, the following topics (29 CFR 1910.1200; 620 I.A.C. 1-1-24):

- (a) Members shall be informed of any operations in their work area where hazardous chemicals are present.
- (b) Members shall be informed of the location and availability of information regarding any hazardous chemicals and Safety Data Sheets (SDS), as required by the state.
- (c) Members shall be trained in the methods and observations that may be used to detect the presence or release of a hazardous chemical in the work area.
- (d) Members shall be trained in the physical and health hazards of the chemicals in the work area and the measures they can take to protect themselves, including specific procedures the Department has implemented to protect them from exposure to hazardous chemicals. These include appropriate work practices, emergency procedures and personal protective equipment (PPE).
- (e) Members shall be provided with an explanation of the labeling system and the SDS, and how they can obtain and use the appropriate hazard information.

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Hazard Communication Program Training

604.4 TRAINING RECORDS

The Training Officer shall be responsible for maintaining records of all hazard communications program training provided to members. Records should include, but are not limited to:

- (a) The dates of the training sessions.
- (b) A list of the topics or a summary of the content of the training sessions.
- (c) The names or other identifiers and job titles of the members who received the training.
- (d) The names, certificate numbers and qualifications of persons conducting the training.

The Training Officer should maintain the training records in accordance with established records retention schedules.

Hazardous Materials (HAZMAT) Training

605.1 PURPOSE AND SCOPE

The purpose of this policy is to establish training that will meet state requirements regarding the Martinsville Fire Department Hazardous Materials (HAZMAT) response program. This policy identifies the level of training members must receive, when additional or supplemental training is required, and the training records required to meet the requirements of the Indiana Occupational Safety and Health Act.

605.2 POLICY

It is the policy of the Martinsville Fire Department that any member whose duties include a role in the HAZMAT response program shall receive training to the level at which they are expected to operate in a HAZMAT environment or at an incident involving hazardous materials.

605.3 TRAINING REQUIREMENTS

HAZMAT training shall be based on the duties and functions to be performed by each member. This includes training specific to the Incident Commander (IC), awareness or operations level, and HAZMAT technician or specialist (29 CFR 1910.120(q)(6); 620 I.A.C. 1-1-30).

Competencies required for all new members shall be conveyed to them through training before participating on an incident. Any member who participates or is expected to participate in an emergency response involving HAZMAT shall objectively demonstrate competency in the following areas.

605.3.1 FIRST RESPONDER AWARENESS

First responder awareness level training should be provided to all individuals who are likely to witness or discover a hazardous substance release and who have been trained to initiate an emergency response sequence by notifying the proper authorities of the release. A member with this level of training should demonstrate competency in the understanding and recognition of a hazardous substance release (29 CFR 1910.120(q)(6); 620 I.A.C. 1-1-30; 655 I.A.C. 4-3-46).

605.3.2 HAZMAT FIRST RESPONDER OPERATIONS (FRO)

First responder operations (FRO) level training should be provided for individuals who respond to releases or potential releases of hazardous substances as part of the initial response to the site for the purpose of protecting nearby persons, property, or the environment from the effects of the release. A member with this level of training is trained to respond in a defensive fashion without actually trying to stop the release. This member's function is to contain the release from a safe distance, keep it from spreading, and prevent exposures (29 CFR 1910.120(q)(6); 620 I.A.C. 1-1-30; 655 I.A.C. 4-3-47).

605.3.3 HAZMAT TECHNICIAN

HAZMAT technician level training should be provided to all individuals who respond to releases or potential releases of hazardous substances for the purpose of stopping the release. A member

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with this level of training would assume a more aggressive role by approaching the point of release in order to plug, patch, or otherwise stop the release of a hazardous substance (29 CFR 1910.120(q)(6); 620 I.A.C. 1-1-30; 655 I.A.C. 4-3-48).

605.3.4 HAZMAT INCIDENT COMMANDER

HAZMAT IC level training should be provided to all individuals who could be responsible for all decisions relating to the management of a HAZMAT incident (29 CFR 1910.120(q)(6); 620 I.A.C. 1-1-30; 655 I.A.C. 4-3-49).

605.3.5 HAZMAT EMERGENCY RESPONSE PLAN

An emergency response plan shall be developed and implemented to address pre-emergency planning and coordination with additional responders prior to the commencement of emergency response operations. The plan will identify members' roles, lines of authority, and communications for all members. The plan shall be in writing and available for inspection and copying by employees, their representatives, and Indiana Department of Labor Occupational Safety and Health Administration personnel.

605.3.6 HAZMAT ANNUAL REFRESHER TRAINING

Members who receive an initial level of training in accordance with this policy shall receive annual refresher training of sufficient and necessary content and duration to maintain their competencies, or shall demonstrate competency in those areas at least yearly (29 CFR 1910.120(q)(8); 620 I.A.C. 1-1-30).

605.4 TRAINING RECORDS

The Training Officer shall be responsible for maintaining records of all HAZMAT training provided to members. Records should include but are not limited to:

- (a) Dates of the training sessions.
- (b) A list of the topics or a summary of the content of the training sessions.
 - 1. Specific content required by regulation covered
 - 2. Manufacturer's recommendations (as applicable)
 - 3. Manufacturer's operations/service/maintenance manuals (as applicable)
- (c) The names or other identifiers and job titles of all members who received the training.
- (d) The names, certificate numbers, and qualifications of persons conducting the training.
- (e) Demonstration that learning took place (e.g., evaluation, quiz, test).

The Training Officer should maintain the training records in accordance with established records retention schedules.

Hearing Conservation and Noise Control Training

606.1 PURPOSE AND SCOPE

The purpose of this policy is to establish and maintain hearing conservation and noise control training for members exposed to noise above levels predetermined by state and federal law.

606.2 POLICY

It is the policy of the Martinsville Fire Department to promote member health and safety by establishing hearing conservation and noise control training and requiring member participation. The hearing conservation program shall include parameters for permissible noise exposure limits, monitoring guidelines, audiometric testing procedures, hearing protection equipment and training, and documentation of the department's efforts.

606.3 RESPONSIBILITIES

The following procedures shall comprise the hearing conservation and noise control training for the Martinsville Fire Department. The Training Officer shall be responsible for ensuring that the appropriate members are enrolled in the training. Lieutenants shall be responsible for ensuring that members attend scheduled testing and training.

606.3.1 NOISE EXPOSURE LIMITS

The Martinsville Fire Department shall ensure that each member is provided with protection against the effects of noise exposure any time the sound levels exceed those shown in 29 CFR 1910.95 and 620 I.A.C. 1-1-24.

606.3.2 HEARING PROTECTORS

If control measures fail to reduce sound levels to an acceptable level for the amount of exposure, the Department shall provide personal protective equipment to all members subject to the noise exposure and require that it be used. Employees shall have the opportunity to select hearing protectors from a variety provided by the Department (29 CFR 1910.95; 620 I.A.C. 1-1-24).

The Department shall ensure proper initial fit and correct use of hearing protectors and shall provide training in the use and care of the equipment (29 CFR 1910.95; 620 I.A.C. 1-1-24).

606.3.3 HEARING PROTECTOR ATTENUATION

The Martinsville Fire Department shall evaluate hearing protector attenuation for the specific noise environments in which the protector will be used. Evaluation methods shall be consistent with those described in OSHA Occupational Noise Exposure, Appendix B. The Department will provide more effective hearing protectors where necessary (29 CFR 1910.95; 620 I.A.C. 1-1-24).

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Hearing Conservation and Noise Control Training

606.3.4 MONITORING

The Martinsville Fire Department shall monitor noise levels in the workplace by either area monitoring or personal monitoring that is representative of a member's exposure, to enable the proper selection of hearing protectors (29 CFR 1910.95; 620 I.A.C. 1-1-24).

606.3.5 AUDIOMETRIC TESTING PROGRAM

The Martinsville Fire Department shall provide audiometric testing and evaluation to all members who are exposed to noise levels in excess of those permissible pursuant to OSHA occupational noise standards. The Department shall provide baseline audiometric testing (preceded by at least 14 hours without exposure to workplace noise) within six months of the first noise exposure, and annually thereafter (29 CFR 1910.95; 620 I.A.C. 1-1-24).

Each member's annual audiogram shall be compared to that member's baseline audiogram to determine if the audiogram is valid and if a standard threshold shift has occurred (29 CFR 1910.95; 620 I.A.C. 1-1-24).

All audiometric testing shall be conducted by properly trained audiometric professionals in compliance with state testing requirements (29 CFR 1910.95; 620 I.A.C. 1-1-24).

606.4 TRAINING RECORDS

The Training Officer shall be responsible for maintaining records of all hearing conservation program training provided to members. Records should include, but are not limited to (29 CFR 1910.95; 620 I.A.C. 1-1-24):

- (a) The dates of the training sessions.
- (b) A list of topics or a summary of the content of the training sessions.
- (c) The names or other identifiers and job titles of the members who received the training.
- (d) The names, certificate numbers and qualifications of persons conducting the training.
- (e) Copies of baseline and annual audiometric testing and evaluation documents.

The Training Officer shall maintain the training records in accordance with established records retention schedules.

Heat Illness Prevention Training

607.1 PURPOSE AND SCOPE

The purpose of this policy is to establish and maintain a training program that complies with best practice for the prevention of heat illness in members who are exposed to high-heat conditions. This policy identifies which members must receive training, the required curriculum, supervisory training and responsibilities, and training record documentation.

607.1.1 DEFINITIONS

Definitions related to this policy include:

Acclimatization - The temporary adaptation of the body to work in the heat. Acclimatization peaks in most people within four to 14 days of working at least two hours per day in the heat.

Heat-related illness - A serious medical condition resulting from the body's inability to cope with a particular heat load and includes, but is not limited to, heat cramps, heat exhaustion, heat syncope (temporary loss of consciousness usually related to insufficient blood flow to the brain) and heat stroke.

607.2 POLICY

It is the policy of the Martinsville Fire Department to promote member health and safety by establishing a heat illness prevention training program and requiring member participation. In addition to the safety precautions described in the Heat Illness Prevention Program Policy, the Department shall ensure that effective training is provided to members before the member begins work that should reasonably be anticipated to result in heat illness.

607.3 TRAINING REQUIREMENTS

Training shall be provided to all members whose duties may include exposure to high-heat conditions and shall include:

- (a) The environmental and personal risk factors for heat illness.
- (b) The department's procedures for complying with the state requirements for the prevention of heat illness.
- (c) The importance of frequent consumption of small quantities of water and electrolyte replacement fluid, up to four cups per hour, when the work environment is hot and members are likely to be sweating more than usual in the performance of their duties.
- (d) The importance of acclimatization.
- (e) The different types of heat illness and the common signs and symptoms of heat illness.
- (f) The importance of members immediately reporting to a supervisor, directly or through others, symptoms or signs of heat illness in themselves or in coworkers.
- (g) The department's procedures for responding to symptoms of possible heat illness, including how Emergency Medical Services (EMS) will be provided if necessary.

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- (h) The department's procedures for contacting EMS and, if necessary, for transporting members to a place where they can be reached by an EMS provider.
- (i) The department's procedures for ensuring that, in the event of an emergency, clear and precise directions to the work site can and will be provided to other emergency responders.

607.4 SUPERVISOR TRAINING REQUIREMENTS AND RESPONSIBILITIES

Supervisors shall be provided additional training on the following topics prior to supervising members who will be working in the heat:

- (a) The procedures to follow to implement the applicable provisions in this policy
- (b) The procedures to follow when a member exhibits symptoms consistent with possible heat illness, including emergency response procedures
- (c) The procedures for moving or transporting a member to a rendezvous location accessible to an EMS provider, if necessary

607.5 TRAINING RECORDS

The Training Officer shall be responsible for maintaining records of all heat illness prevention training provided to members. Records should include, but are not limited to:

- (a) The dates of the training sessions.
- (b) A list of the topics or a summary of the content of the training sessions.
- (c) The names or other identifiers and job titles of all members who received the training.
- (d) The names, certificate numbers and qualifications of persons conducting the training.

The Training Officer should maintain the training records in accordance with established records retention schedules.

Health Insurance Portability and Accountability Act (HIPAA) Training

608.1 PURPOSE AND SCOPE

The purpose of this policy is to ensure all members receive proper training in recognizing and handling protected health information (PHI), as set forth in the Health Insurance Portability and Accountability Act (HIPAA) and its implementing regulations (42 USC § 201; 45 CFR 164.530).

608.1.1 DEFINITIONS

Definitions related to this policy include (45 CFR 160.103):

Health information - Information, whether oral or recorded in any form or medium, that is created or received by a health care provider, health plan or employer and relates to a person's past, present or future physical or mental health or condition, or past, present or future payment for the provision of health care.

Individually identifiable health information - Health information, including demographic information, created or received by a covered entity or employer that relates to an individual's past, present or future physical or mental health or condition, the provision of health care to an individual, or the past, present or future payment for the provision of health care to an individual, that can either identify the individual or provide a reasonable basis to believe the information can be used to identify the individual.

Protected health information (PHI) - Individually identifiable health information that is created or received by a covered entity or employer. Information is protected whether it is in writing, in an electronic medium or communicated orally.

608.2 POLICY

It is the policy of the Martinsville Fire Department to provide HIPAA privacy training to all members as necessary and appropriate for their duties, and to apply appropriate sanctions against members who violate the privacy policies and procedures (45 CFR 164.530(b); 45 CFR 164.530(e)).

It is also the policy of the Department that no member shall be retaliated or discriminated against for filing a complaint about violations of HIPAA regulations (45 CFR 164.530(g)).

608.3 TRAINING REQUIREMENTS

To ensure confidentiality and compliance with the HIPAA regulations, the Department shall provide training to all members likely to have access to PHI. The training shall be completed for all newly hired members prior to being allowed access to PHI. Training for all current members shall also occur any time material changes are made to the department's privacy policies and procedures.

The Training Officer shall be responsible for establishing a periodic schedule for retraining and a method of ensuring that all members acknowledge receipt of all HIPAA training (45 CFR 164.530(b)).

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Health Insurance Portability and Accountability Act (HIPAA) Training

Training should include a review of the:

- (a) Department's statutory obligations imposed by HIPAA.
- (b) Patient Medical Record Security and Privacy Policy, including a thorough treatment of the security procedures the Department uses to protect written and electronic health information.
- (c) Methods and procedures to be used during the collection of PHI.
- (d) HIPAA-imposed statutory limitations on the dissemination of PHI to the family members of patients.
- (e) Proper procedures when responding to media requests for information regarding incidents at which the Department provided medical services.
- (f) Procedures for the secure destruction of written instruments containing PHI, including handwritten field notes, Patient Care Reports or other documents containing PHI.
- (g) Approved method for transferring PHI to receiving hospitals or other receiving medical facilities.
- (h) Photography and Electronic Imaging Policy as it pertains to PHI.
- (i) Department's procedures for protecting employee health information.

608.4 TRAINING RECORDS

The Training Division shall be responsible for maintaining the records of all HIPAA-related training for all members for six years (45 CFR 164.530(j)).

National Incident Management System (NIMS) Training

609.1 PURPOSE AND SCOPE

The purpose of this policy is to establish the training requirements for members to successfully operate under the Incident Command System (ICS) and the National Incident Management System (NIMS).

609.2 POLICY

It is the policy of the Martinsville Fire Department to utilize NIMS/ICS in order to effectively manage personnel and resources when responding to a wide range of emergency incidents. All Martinsville Fire Department members whose job duties may include a role in emergency management or incident response shall be appropriately trained to the NIMS standards to improve all-hazards capabilities nationwide.

609.3 PROCEDURE

All department personnel with job duties that include a direct role in emergency management or incident response must complete the Federal Emergency Management Agency (FEMA) NIMS IS-700 course.

Additional training is available on an as-needed basis, depending on the regional role of the Department or the role of a member within the Department as follows:

- (a) Firefighters:
 - 1. FEMA IS-700: NIMS, An Introduction
 - 2. IS-800: National Response Framework
 - 3. ICS-100: Introduction to ICS or equivalent
 - 4. ICS-200: Basic ICS
- (b) Command and General Staff, Officers, Area Emergency, and EOC Managers:
 - 1. IS-700
 - 2. IS-800
 - 3. ICS-100
 - 4. ICS-200
 - 5. ICS-300: Intermediate ICS for Expanding Incidents
 - 6. ICS-400: Advanced ICS

Refresher training will be offered on a regular basis to ensure that NIMS/ICS knowledge and skills are maintained, especially for personnel who are not regularly involved in complex

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National Incident Management System (NIMS) Training

multijurisdictional incidents nationwide (i.e., incidents that require responders to hold credentials under the National Emergency Responder Credentialing System).

609.4 TRAINING RECORDS

The Training Officer shall be responsible for maintaining records of all NIMS training provided to members. Records should include but are not limited to:

- (a) The dates of the training sessions.
- (b) A list of the topics or a summary of the content of the training sessions.
- (c) The names or other identifiers and job titles of the members who received the training.
- (d) The names, certificate numbers, and qualifications of persons conducting the training.

The Training Officer should maintain the training records in accordance with established records retention schedules.

Repetitive Motion Injuries and Ergonomics Training

610.1 PURPOSE AND SCOPE

The purpose of this policy is to minimize the occurrence of work-related repetitive motion injuries (RMIs) through work site evaluation, control of exposures, and training of members whose assigned duties have a risk of RMIs.

610.2 POLICY

It is the policy of the Martinsville Fire Department that members shall be provided initial training any time their assigned duties have a risk of RMIs, as duties change, and when members encounter new exposures to the risk of RMIs.

The Department shall correct any exposure that has caused an RMI in a timely manner. If the exposure cannot be corrected, the Department shall take steps to minimize member exposure to the degree feasible, considering engineering controls such as workstation redesign, adjustable fixtures, or tool redesign and administrative controls such as job rotation, work pacing, or work breaks.

610.3 TRAINING REQUIREMENTS

- (a) Members shall be provided training that includes but is not limited to an explanation of:
 - 1. The department's program to minimize RMIs.
 - 2. The exposures that have been associated with RMIs.
 - 3. The symptoms and consequences of injuries caused by repetitive motion.
 - 4. The importance of reporting symptoms and injuries to the Department.
 - 5. Methods used by the Department to minimize RMIs.
- (b) Refresher training should be provided on an annual basis.
- (c) Members shall receive RMI prevention training prior to performing duties that are known to be associated with the following circumstances:
 - 1. Work-related causation - RMIs have been predominantly caused (e.g., 50 percent or more) by a repetitive job, process, or operation.
 - 2. Relationship between RMIs and the workplace - Members incurring RMIs were performing a job, process, or operation of identical work activity. Identical work activity means that the members were performing the same repetitive motion task (e.g., word processing, assembly, loading).
 - 3. The RMIs were musculoskeletal injuries that a licensed physician objectively identified and diagnosed.
 - 4. The RMIs were reported by members to the Department in the previous 12 months.

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Repetitive Motion Injuries and Ergonomics Training

610.4 ADDITIONAL TRAINING AND INFORMATION

Additional training and information should be provided to members:

- (a) When the work site evaluation is updated.
- (b) When exposure control measures are updated.
- (c) When the Department becomes aware of new work-related exposures associated with RMIs.

At a minimum, the Department should provide refresher training on an annual basis.

610.5 TRAINING RECORDS

The Training Officer shall be responsible for maintaining records of all RMI prevention training provided to members. Records should include but are not limited to:

- (a) The dates of the training sessions.
- (b) A list of the topics or a summary of the content of the training sessions.
- (c) The names or other identifiers and job titles of the members who received the training.
- (d) The names, certificate numbers, and qualifications of the persons conducting the training.

The Training Officer should maintain the training records in accordance with established records retention schedules.

Respiratory Protection Training

611.1 PURPOSE AND SCOPE

The purpose of this policy is to protect the health of members through appropriate training on the use of respirators to avoid breathing air that is contaminated with harmful dusts, fogs, fumes, mists, gases, smokes, sprays and vapors.

This policy identifies which members must receive respiratory protection training, the minimum training curriculum and the requirements for recurrent training.

611.1.1 DEFINITIONS

Definitions related to this policy include:

Respirator or respiratory protection - Personal protective equipment (PPE) designed to protect the wearer from airborne contaminants, oxygen deficiency or both.

611.2 POLICY

It is the policy of the Martinsville Fire Department to protect the health of members by providing respiratory protection training.

611.3 TRAINING REQUIREMENTS

611.3.1 IDENTIFICATION OF MEMBERS TO BE TRAINED

The Department shall provide effective respiratory protection training to all members who are required or expected to utilize respirators.

Members shall be trained, based on their duties, if they (29 CFR 1910.134(k); 620 I.A.C. 1-1-1):

- (a) Use respirators.
- (b) Supervise respirator users.
- (c) Issue, repair or adjust respirators.

611.3.2 MANNER OF TRAINING

The Department will present effective training using qualified instructors. Training may be provided using audiovisuals, slide presentations, formal classroom discussion, informal discussions during safety meetings, training programs conducted by outside sources or a combination of these methods.

Instructors should be available to provide responses to questions, evaluate the participants' understanding of the material and provide other instructional interaction.

Respirators used in training shall be cleaned and disinfected after each use (29 CFR 1910.134; 620 I.A.C. 1-1-1).

611.3.3 FREQUENCY OF TRAINING

The Department will provide respiratory protection training (29 CFR 1910.134(k); 620 I.A.C. 1-1-1):

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Respiratory Protection Training

- (a) Initially, before work site respirator use begins.
- (b) Periodically, but within 12 months of the previous training.
- (c) Additionally, when the following occurs:
 - 1. The member has not retained knowledge or skills.
 - 2. Changes in the work site or type of respirator make previous training incomplete or obsolete.

After completing initial training, each member shall practice, at least quarterly, for each type and manufacturer of respiratory equipment that is available for use, the step-by-step procedure for donning the respirator and checking it for proper function.

611.3.4 CONTENTS OF TRAINING

Members shall receive training for each type and manufacturer of respiratory equipment that is available for their use, including the step-by-step procedure for donning the respirator and checking it for proper function. Required training shall include (29 CFR 1910.134(k); 620 I.A.C. 1-1-1):

- (a) Recognizing hazards that may be encountered.
- (b) Understanding the components of the respirator.
- (c) Understanding the safety features and limitations of the respirator.
- (d) Donning and doffing the respirator.

Members shall be thoroughly trained in accordance with the manufacturer's instructions on emergency procedures, such as the use of the regulator bypass valve, corrective action to take for facepiece and breathing tube damage, and breathing directly from the regulator (where applicable).

611.3.5 SUCCESSFUL COMPLETION

In order to successfully complete training, members must be able to demonstrate the following knowledge and skills, as required by their duties:

- (a) Why the respirator is necessary, including identifying respiratory hazards, such as hazardous chemicals, the extent of the members' exposure and potential health effects and symptoms.
- (b) The respirator's capabilities and limitations, including how the respirator provides protection and why air-purifying respirators cannot be used in oxygen-deficient conditions.
- (c) How improper fit, use or maintenance can compromise the respirator's effectiveness and reliability.
- (d) How to properly inspect, put on, seal check, use and remove the respirator.
- (e) How to clean, disinfect, repair and store the respirator.

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Respiratory Protection Training

- (f) How to use the respirator effectively in emergency situations, including what to do when a respirator fails and where emergency respirators are stored.
- (g) Medical signs and symptoms that may limit or prevent the effective use of respirators.

611.4 TRAINING RECORDS

The Training Officer shall be responsible for maintaining records of all respiratory protection training that is provided to members (29 CFR 1910.134(k); 620 I.A.C. 1-1-1). At a minimum, the Department should document:

- (a) The dates of the training sessions.
- (b) A list of the topics or a summary of the content of the training sessions.
- (c) The names or other identifiers and job titles of the members who received the training.
- (d) The names, certificate numbers and qualifications of persons conducting the training.
- (e) Documentation of each member's demonstrated performance in meeting the standards detailed in this policy.

The Training Officer should maintain the training records in accordance with established records retention schedules.

Training Records

612.1 PURPOSE AND SCOPE

The purpose of this policy is to establish procedures for accumulating and maintaining records of all training provided by the Department and all training received by individual department members. This policy shall apply to all training received, but particularly to training that is mandated by an external force such as a law, statute or regulation.

612.2 POLICY

It is the policy of the Martinsville Fire Department to maintain comprehensive records of all training provided by the Department and all training received by department members. The Training Officer or the authorized designee shall be responsible for creating and maintaining training records. All members of the Department are responsible for assisting the Training Division in documenting training activities by signing course rosters, submitting certificates of completion from outside training or providing other means of training documentation.

Training records may be documented utilizing either hard copies stored in a traditional filing system or via electronic files. All electronic training records will be redundantly stored using department-approved secure electronic file storage systems.

612.3 MASTER TRAINING CALENDAR

The Training Division will create and maintain an annual master training calendar for the Department. This calendar will document all department-provided, regularly scheduled training opportunities. The master training calendar should be a living document, reflecting any changes made in the actual training schedule or actual training opportunities provided throughout the year. The training opportunities in the master training calendar should include, but are not limited to:

- (a) All federal or state mandated training. Examples include courses that address sexual harassment prevention, heat illness prevention, medical records privacy, personal protective equipment, bloodborne pathogens, CPR and hearing protection.
- (b) All federal or state mandated training drills, manipulative drills, skills or equipment testing, including annual audiograms and fit testing for Occupational Safety and Health Administration/National Institute for Occupational Safety and Health (OSHA/NIOSH)-approved masks and respirators.
- (c) All Indiana Board of Firefighting Personnel Standards and Education (Board) training provided by the Department.
- (d) Specific training and certification for “all-hazards” positions, based on the Incident Command System (ICS), the National Incident Management System (NIMS) or other NIMS-compliant incident management system.
- (e) All NIMS, ICS and NIMS-compliant incident management system courses.
- (f) All Emergency Medical Services (EMS) pre-hospital care, continuing education courses or programs provided by the Department.

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Training Records

- (g) Any training opportunity scheduled through the Training Division and intended to be provided division-wide to each of the Divisions.
- (h) Any training opportunity utilizing instruction from outside the Department.
- (i) Any interagency cooperative training program or activity.
- (j) Any regularly scheduled skills, drills or job performance training and testing evolutions.

Copies of each year's master training calendar will be maintained and retained in the Training Division files based on department-established records retention schedules.

612.4 DIVISION TRAINING RECORDS

The Training Officer shall be responsible for maintaining records of all training provided by all Divisions of the Department. All Divisions are required to submit documentation for each training session offered. The information in each record shall include, but is not limited to:

- (a) The course title.
- (b) An outline of the subject matter and specific details of any information mandated by federal or state code, IOSHA regulation or other requirement.
- (c) The dates the course was provided to members.
- (d) The instructor names, qualifications and/or certifications.
- (e) Copies of course curriculum, course duration, information sheets or other course content provided to students.
- (f) Copies of course evaluations submitted by students.
- (g) Attendance records for each course session, including each member's name or other identifier.

612.5 INDIVIDUAL TRAINING RECORDS

The Training Division will create and maintain an individual training file for each member of the Department. The training files will be kept separate from the department's personnel files. The member training files should be used to document a member's training courses and training-related programs and activities.

The training files shall not be used to store any work-performance records, member conduct records, member disciplinary records or any other documentation that is not specifically training-related. Information entered into the member training files will be a permanent part of that record. No training information or entries will be removed from the file unless the record is found to be factually incorrect or erroneously entered into that member's training file. Each member's training file will be part of that member's permanent record of activity while employed by the Department.

When a member ends employment with the Department, that member's training file will be archived and maintained for a minimum of seven full calendar years following the member's separation from service or in accordance with the department's established records retention schedule (I.C. § 5-15-6-1 et seq.).

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Training Records

Members of the Department shall be provided access to their individual training file upon request. A member may request to review his/her training file either verbally or in writing. The Training Division should facilitate those requests as soon as practicable, but in all cases within 21 days of the member's request to review his/her file. Members may not remove any document or information from the training file without the express approval of the Training Officer. Members may not add any documents or entries to their training file without the approval of the Training Officer or other approved member of the Training Division staff. Members shall be allowed to photocopy or otherwise reproduce images of any entries in their individual training file.

Member training files should be organized to readily allow for the retrieval of specific training subject documentation, particularly in regard to documentation of any mandated training subject compliance.

Member training files should contain documentation of all work- or job-related licensing and certification that the member earns, achieves or is awarded. Information regarding member progress toward or application for licensing and certification should also be stored in the member training files. Examples include National Wildfire Coordinating Group (NWCG) coursework, NWCG position task books and certifications, NIMS certifications, ICS certifications, Board certifications, Indiana Emergency Medical Services Commission pre-hospital care provider continuing education coursework, licensing and certification records (paramedic and Emergency Medical Technician).

612.6 TRAINING RECORDS FROM PREVIOUS EMPLOYERS

Members of the Department may submit training records from previous employers to the Training Division for inclusion in their individual training file. The Training Division staff will evaluate any submitted training records obtained during previous employment and will add any pertinent information to the member's training file as appropriate. New members should submit to the Training Division copies of any licenses, certifications and coursework that are pertinent to their position with the Martinsville Fire Department.

The Training Division staff may request that new members obtain and submit copies of any previous employer training files for inclusion in their Martinsville Fire Department training file.

612.7 RELEASE OF FORMER MEMBER TRAINING RECORDS

Upon written request, the individual training file of any former Martinsville Fire Department member may be copied and released to either the former member or to a third party upon receipt of a signed written request from the former member of the Department. The written request should include the past member's full name, approximate dates of employment with the Department and date of separation from employment with the Department. In the event that the former member is requesting that copies of his/her file be sent directly to a third party, the written request should include a statement authorizing the Martinsville Fire Department to release copies to the named third party.

Firefighter Health, Safety and Survival Training

613.1 PURPOSE AND SCOPE

The purpose of this policy is to encourage a culture of safety first in an effort to increase firefighter health, safety and survival, and reduce the number of preventable injuries and deaths.

613.2 POLICY

The Martinsville Fire Department is committed to providing leadership, accountability and training regarding firefighter health, safety and survival.

613.3 MEMBER RESPONSIBILITIES

Members are responsible for participating in health, safety and survival training required by the Department. Members are also responsible for their own actions and are expected to follow Martinsville Fire Department safety standards, practices and training.

Any member who observes another member engaging in unsafe behavior should report the behavior to his/her supervisor as soon as reasonably practicable.

613.4 SUPERVISOR RESPONSIBILITIES

Lieutenants are responsible for ensuring members attend required health, safety and survival training.

All supervisors are expected to model safe behaviors and take appropriate action when unsafe behaviors are observed or reported.

613.5 TRAINING OFFICER RESPONSIBILITIES

The Training Officer is responsible for identifying health, safety and survival training required by the Department.

Required training may include safety-related courses of the National Fallen Firefighters Foundation (NFFF), National Fire Academy, International Association of Fire Chiefs, International Association of Firefighters or other nationally recognized fire service organizations.

Required training may include the Courage to Be Safe® course of the NFFF for all members and may also include the Leadership So Everyone Goes Home® course of the NFFF for all supervisors.

613.6 TRAINING RECORDS

The Training Officer is responsible for maintaining records of health, safety and survival training received by members. Records should include, but are not limited to:

- (a) The dates of the training sessions.
- (b) A list of the topics or a summary of the content of the training sessions.

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Firefighter Health, Safety and Survival Training

- (c) The names or other identifiers and job titles of the members who received the training.
- (d) The names, certificate numbers and qualifications of persons conducting the training.

The Training Officer should maintain the training records in accordance with established records retention schedules.

Live-Fire Training

614.1 PURPOSE AND SCOPE

The purpose of this policy is to protect the health and safety of members by providing guidelines and responsibilities for live-fire training.

614.2 POLICY

It is the policy of the Department to conduct live-fire training in a safe and effective manner that meets the standards of NFPA 1403 and any applicable state or local law.

614.3 MEMBER PREREQUISITES

Before participating in any live-fire training exercise, members shall, at a minimum, have completed training equivalent to the requirements of NFPA 1001, Firefighter I (655 I.A.C. 4-3-1).

614.4 TRAINING OFFICER RESPONSIBILITIES

The Training Officer shall be responsible for:

- (a) Scheduling live-fire training.
- (b) Confirming that the Deputy Fire Chief Training Division is notified when live-fire training is scheduled.
- (c) Ensuring that all live-fire training provided by the agency is conducted in accordance with state and local requirements (326 I.A.C. 4-1-3).
- (d) Providing a secure structure for the live-fire training consistent with the requirements of this policy.
- (e) Ensuring that all required permits and authorizations, if applicable, have been approved and received before conducting any training exercises.
- (f) Confirming that a sufficient number of instructors will be present for the live-fire training.
 1. In no event shall there be fewer than four instructors.
 2. There shall be no more than a 5:1 student-to-instructor ratio at any time.
- (g) Confirming that the number of instructors and instructor assignments are detailed in the live-fire training curriculum.
- (h) Designating a qualified safety officer for all live-fire training exercises.
- (i) Ensuring that all live-fire training is conducted using qualified instructors who meet the following requirements:
 1. For the lead instructor, NFPA and any applicable state requirements for Fire Instructor II
 2. For all other instructors, NFPA and any applicable state requirements for Fire Instructor I

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Live-Fire Training

- (j) Ensuring all injuries sustained during live-fire training are documented.

614.5 SAFETY OFFICER

A safety officer shall be designated for all live-fire training exercises and shall have the same qualifications as the lead instructor. The safety officer has the authority to intervene and control any aspect of the operations when a potential or actual danger, potential accident, or unsafe condition exists. The safety officer may require additional safety personnel as deemed necessary.

The safety officer shall not be assigned duties that interfere with their safety responsibilities.

The safety officer shall be knowledgeable about all the safety features at the training location.

614.6 TRAINING REQUIREMENTS

Before beginning any live-fire training, the designated safety officer shall be responsible for:

- (a) Inspecting all burn locations.
- (b) Ensuring that all members participating in the training meet the prerequisites for participation.
- (c) Inspecting each participant's personal protective equipment (PPE) and SCBA.
- (d) Ensuring that a pre-burn walk-through and briefing for all members and instructors has been conducted.
- (e) Ensuring an Emergency Medical Services (EMS) unit and advanced life support (ALS) crew capable of transporting a patient are on location.

In no event shall a person be used as a simulated victim during live-fire training exercises.

All structures used for live-fire training shall be inspected after use.

614.7 USE OF ACQUIRED STRUCTURES

An acquired structure should not be used for live-fire training unless there is no equivalent purpose-built structure or space for live-fire training (e.g., burn building) available.

Prior to using any acquired structure for live-fire training, the Training Officer shall:

- (a) Inspect the structure to determine whether it can be made sufficiently safe for live-fire training.
- (b) Facilitate the preparation of the structure for safe use (e.g., removal of all asbestos containing materials).
- (c) Confirm that the live-fire training will comply with all local, state, and federal regulations applicable to the open burning of buildings, including the Clean Air Act (42 U.S.C. § 7401 et seq.).

614.8 TRAINING RECORDS

The Training Officer shall be responsible for maintaining records of all live-fire training that is provided to members. At a minimum, the Department should document:

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Live-Fire Training

- (a) The dates of the training sessions.
- (b) A list of the topics or a summary of the content of the training sessions.
- (c) The names or other identifiers and job titles of the members who received the training.
- (d) The names, certificate numbers, and qualifications of persons conducting the training.
- (e) Documentation of injuries sustained during training exercises.
- (f)

The Training Officer should maintain the training records in accordance with established records retention schedules.

RESOLUTION #2025 – 0720
RESOLUTION ADOPTING OPERATION AND MAINTENANCE MANUAL
FOR MARTINSVILLE LEVEE

Comes now the City of Martinsville Board of Public Works and Safety(“BOW”) and, as the board of the City responsible for operating public works and public ways, and finding that the Martinsville Levee, in order to be properly operated and maintained, must have a manual which sets forth the rules and regulations in regards to the maintenance and operation of the Levee system, now implements and approves the operation and maintenance manual and accepts the manual in its entirety.

THERE, BE IT RESOLVED, that the operation and maintenance manual for the Martinsville Levee system is hereby accepted and the operational criteria including but not limited to all closer devices or mechanical systems for internal drainage, whether manual or automatic, must be operated in accordance with an official adopted operation manual, a copy which is approved herein, and is to be provided to FEMA by the operator when Levee or drainage system recognition is being sought or when the manual for previously recognized system is revised in any manner. All operations for the Levee system must be performed according to the jurisdiction of the federal or state agency, an agency created by federal or state law and/or an agency of the community participated in the National Flood Insurance Program.

This Resolution shall become effective upon its passage.

ALL OF WHICH IS RESOLVED this 8th day of December, 2025.

**City of Martinsville
Board of Public Works and Safety by:**

Name		Signature	
Kelly Bray, Member	Aye <input type="checkbox"/> Nay <input type="checkbox"/> Abstain <input type="checkbox"/>		
John Lillywhite, Member	Aye <input type="checkbox"/> Nay <input type="checkbox"/> Abstain <input type="checkbox"/>		
Kenny Costin, Mayor	Aye <input type="checkbox"/> Nay <input type="checkbox"/> Abstain <input type="checkbox"/>		
ATTEST			
Name	Signature		Date
Benjamin K. Merida, Clerk-Treasurer			

SEWER ADJUSTMENT APPLICATION

Please email application and receipts to hstaggs@martinsville.in.gov
Questions, call 765.342.2449

Account Number 4 00700 01 Date 11/17/2025

Name MSD of Martinsville (MSD Garage) Phone 765-342-6641

Email Address karen.taylor@msdmartinsville.org

Service Address 840 S Ohio St, Martinsville, IN 46151

Month of Excessive Bill April 2025 - October 2025 Excessive Bill Amount \$610.74

Did the water pass through the sewer? Yes No

Detailed description of leak We found and repaired a leak under our parking lot.

Repair Company Information (Please attach a copy of repair bill.)

Name Kleis Construction Inc Phone 317-882-3156

Address PO Box 1319, Greenwood, IN 46142

UTILITY DEPARTMENT USE ONLY

Number of claims filed in previous 12 months. 8
* 4/25 - 85 * 7/25 - 98 * 8/25 - 120 * 9/25 - 114 * 10/25 - 104 * 11/25 - 103.08 * 1/25 - 117.72 * 2/25 - 142.49 * 3/25 - 135.73
Excessive Usage * 10/25 - 104 Excessive Sewer Amount * 10/25 - \$124.47
Average Usage 42 Average Sewer Amount \$ 54.1010

Requested Adjustment Amount \$ 350.19

BOARD OF PUBLIC WORKS AND SAFETY USE ONLY

We, the Board of Public Works and Safety, approve this sewer adjustment request.

Kenneth Costin, Mayor Date _____

Kelly M. Bray, Member Date _____

John Lillywhite, Member Date _____

SEWER ADJUSTMENT APPLICATION

Please email application and receipts to hstaggs@martinsville.in.gov
Questions, call 765.342.2449

Account Number 1102170001 Date 10/30/25

Name A. Graue Terrell Phone 765-346-4030

Email Address graue.terrell54@gmail.com

Service Address 100 Massey Rd. Martinsville, IN 46157

Month of Excessive Bill Oct. Excessive Bill Amount _____

Did the water pass through the sewer? Yes No

Detailed description of leak leak in water pipe on extension of home.

Repair Company Information (Please attach a copy of repair bill.)

Name Axis Underground Phone 317-945-3536

Address 2569 Brandywine Lane Martinsville IN 46157

UTILITY DEPARTMENT USE ONLY

Number of claims filed in previous 12 months. 0

Excessive Usage 67 Excessive Sewer Amount \$ 82.81

Average Usage 32 Average Sewer Amount \$ 43.40

Requested Adjustment Amount \$ 39.41

BOARD OF PUBLIC WORKS AND SAFETY USE ONLY

We, the Board of Public Works and Safety, approve this sewer adjustment request.

Kenneth Costin, Mayor

Date

Kelly M. Bray, Member

Date

John Lillywhite, Member

Date