

**SPRINGWATER FIRE DEPARTMENT, INC.**

8145 South Main Street  
P.O Box 289  
Springwater, New York 14560

**APPLICATION FOR MEMBERSHIP**

Date: \_\_\_\_\_

Applying for (Please check one) Please read the bylaws for requirements (see attached)

\_\_\_ **ACTIVE** (Firefighter/EMS Responds to and Assists at Emergencies, has voice and vote on all Dept matters and elections, may hold civil and line offices)

\_\_\_ **ACTIVE STAFF (ACTIVELY)** Assists the Fire Dept in **NON** emergency events, may vote at meetings and elect civil officers, may hold civil offices)

\_\_\_ **RESTRICTED MEMBER** (14 to 17 years old, must submit written permission from parent or legal guardian. May participate in training and emergency situations under the direction of the Chief and Board of Fire Commissioners per the protocol set forth by the Boy Scouts of America. Cannot vote on any Dept matters or elections and may not hold any Dept offices.)

\_\_\_ **SOCIAL MEMBER** (Assists the Fire Dept in **NON** emergency events, has no voice and can **NOT** vote at any meetings or elections, can **NOT** hold any office.)

\_\_\_\_\_  
(Last Name) (First Name) (M.I.)

\_\_\_\_\_  
(Street Address) (Apt. /Suite No.)

\_\_\_\_\_  
(City, Town, Village) (State) (Zip Code)

Phone #: \_\_\_\_\_  
(Home) (Work) (Cell)

Do you have a valid New York State Drivers License? Yes \_\_\_\_\_ No \_\_\_\_\_

Drivers License #: \_\_\_\_\_ Date of Birth: \_\_\_\_\_  
(**MUST** provide a copy with application)

Social Security # \_\_\_\_\_ (required)

How long have you resided at the above address? Years: \_\_\_\_\_ Months: \_\_\_\_\_

How long have you resided in New York State? Years: \_\_\_\_\_ Months: \_\_\_\_\_

Are you 18 years of age or older? Yes \_\_\_\_\_ No \_\_\_\_\_ If No, state your age: \_\_\_\_\_

Is additional information about a change in your name or your use of an assumed name or nickname necessary to enable a check on your eligibility for membership? Yes\_\_\_\_\_ No\_\_\_\_\_

If "Yes", explain.

\_\_\_\_\_

Are you currently employed? Yes\_\_\_\_\_ No\_\_\_\_\_

If "Yes" give employer information below:

Name of Company: \_\_\_\_\_

Address: \_\_\_\_\_  
(Name and number of Street) (City) (State) (Zip)

May we contact your employer as a reference? Yes\_\_\_\_\_ No\_\_\_\_\_

Contact Person: \_\_\_\_\_ Phone: \_\_\_\_\_

Please indicate your availability to participate in normally required fire department activities such as meetings, drills and emergency calls. Please check all that apply.

Week Days: Days\_\_\_\_\_ Evenings\_\_\_\_\_ Nights\_\_\_\_\_

Weekends: Days\_\_\_\_\_ Evenings\_\_\_\_\_ Nights\_\_\_\_\_

Previous emergency services experience: Please include **ONLY** fire, rescue, police, and emergency medical service agencies.

Name of Agency: \_\_\_\_\_

Address: \_\_\_\_\_

Contact Person: \_\_\_\_\_ Phone: \_\_\_\_\_

Have you ever been a member of the United States Armed Forces? Yes\_\_\_\_\_ No\_\_\_\_\_

If the answer is "Yes" did you receive a dishonorable discharge? Yes\_\_\_\_\_ No\_\_\_\_\_  
(Dishonorable discharge is not an absolute bar to membership. This and other factors will effect a final membership decision)

If the above answer is **Yes**, please attach an **additional sheet** and give complete details and include the service branch and service dates.

Have you ever been convicted or pled guilty to a felony, misdemeanor, insurance fraud, arson, or a reduction of once of these offenses? Yes\_\_\_\_\_ No\_\_\_\_\_

(If **Yes**, please attach an **additional sheet** and give complete details)

Please list 3 personal references **other than members of this organization**, who have known you for at least 3 years.

Name: \_\_\_\_\_ Tel.# \_\_\_\_\_

Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

Name: \_\_\_\_\_ Tel.# \_\_\_\_\_

Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

Name: \_\_\_\_\_ Tel.# \_\_\_\_\_

Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

Please list the names of any acquaintances that are members of this organization:

\_\_\_\_\_  
\_\_\_\_\_

OSHA regulations require that you pass a physical examination before becoming an interior structural firefighter. The Fire District's designated physician will provide you with a free medical examination. Interior Firefighters have an Annual Physical Exam. Exterior Firefighters and EMS personnel have a biannual physical exam. Will you be willing to undergo a medical examination? Yes \_\_\_\_\_ No \_\_\_\_\_

**WITHIN THE FREEDOM OF INFORMATION LAW, ALL INFORMATION CONTAINED/OR OBTAINED HEREIN WILL REMAIN CONFIDENTIAL AND WILL BE USED ONLY FOR INTERNAL MEMBERSHIP PROCESSING**

In witness whereof, this application has been subscribed this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_ by the undersigned applicant who affirms that the statements made herein are true under the penalties of perjury.

Applicant signature: \_\_\_\_\_

Social Security Number: \_\_\_\_\_ (Mandatory for a background check)

Date: \_\_\_\_\_

Witnessed by: \_\_\_\_\_

Date: \_\_\_\_\_

## **PRIVACY NOTIFICATION**

**Section 94 of the Public Officers Law** (Personal Privacy Protection Law) requires that you be notified of the following facts when information which will be maintained in record system is collected from you. The authority to request and confirm personal information on you is found in **Article 6 of the Executive Law**. The information obtained will be:

- ❖ Used to determine your qualifications for the position for which you are applying for and released to the fire chief and your potential supervisors
- ❖ Maintained in your personnel file if you are accepted as a fire department member or in our resume file for six months if you are **not** accepted as a fire department member

Failure to provide the information or authorization will result in your application being withdrawn and it will not be considered for membership.

The information will be maintained by the Secretary of the Springwater Fire Dept, PO BOX 289, 8145 South Main Street, Springwater, New York 14560.

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## **APPLICANTS AUTHORIZATION FOR RELEASE OF INFORMATION**

In order to confirm the information I supplied on my application for membership with the Springwater Fire District, I authorize all licensing agencies, educational institutions, law enforcement agencies, present and former employers, and the military services to disclose their relevant records about me to the Springwater Fire District whether the information be of public, private or confidential nature; and I release them from any liability and responsibility from doing so.

Upon becoming a member, the Springwater Fire Department has my permission to use any photographs or videos that include me, in any form of advertising, website use, or any other legal forms of use as needed without any compensation to me.

This authorization, in original copy form, shall be valid for this and any future information, reports or updates that may be requested.

I understand that this form will accompany requests for official documents and confirmations of my credentials.

Applicants Name: \_\_\_\_\_  
(Please Print)

\_\_\_\_\_  
(Applicants Signature)

Date: \_\_\_\_\_

Witnessed by: \_\_\_\_\_  
Name and Title (Please print)

\_\_\_\_\_  
(Witness Signature)

Date: \_\_\_\_\_

**SPRINGWATER FIRE DEPARTMENT, INC**

PO Box 289  
8145 S Main Street  
Springwater, NY 14560

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**ACKNOWLEDGEMENT AND RECEIPT**

I have received a copy of the Bylaws of the Springwater Fire Department, Inc., and I have provided a copy of my New York State Drivers license (if you are licensed to Drive).

I acknowledge that the Springwater Fire Department Inc. will provide the information contained in this application and the driver's license information to the Springwater Fire District. The Springwater Fire District will use the driver's license to monitor driver's records for all members using the LENS program.

Name: \_\_\_\_\_  
(please print)

Signature: \_\_\_\_\_  
(Applicants Signature)

Date: \_\_\_\_\_

# **Springwater Fire Department, Inc. By-Laws** (May 2011)

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## **Amendments:**

These bylaws may be amended at any monthly meeting by a written vote of 75% of the eligible voting members present at the meeting, provided that the proposed amendment(s) to these Bylaws have been submitted in writing to the Secretary and read at the previous regular meeting of the Department. Such proposed amendment(s) will be posted in a conspicuous place in the Department to afford members further notice of the proposed amendment(s). Unless otherwise stipulated in the agreement, any amendment(s) to these Bylaws shall become effective immediately.

- Revision made to Article 7, Section E on May 4, 2011
- Revisions made to all Articles and Sections on July 1, 2009
- Addition made to Article V, Section 2, subsection b on November 5, 2008
- Revision made to Article V, Section 1, subsection b on January 3, 2007
- Revision made to Article XI, Section 2,3,4, and 5 on December 6, 2006

## **Article 1: Name, Objectives and Territory**

### **Section 1 – Name**

Springwater Fire Department, Inc. (Department)

### **Section 2 - Objectives**

- A. To protect persons and property from injury, loss, damage or destruction by fire.
- B. To provide emergency medical services.
- C. To render assistance during other emergencies.
- D. To promote social relations among its members.
- E. To acquire and own property for the benefit of the Department; providing suitable

- quarters for the membership use and to house fire apparatus/related equipment.
- F. To promote community interest in volunteer emergency services and encourage participation in the Department.

### **Section 3 - Territory**

Encompasses the Town of Springwater and surrounding areas as designated by contract with the Springwater Fire District.

### **Article 2: Meetings**

- A. Monthly Meeting. The Department will conduct a monthly meeting on the first Wednesday of every month commencing at 7 p.m. If the first Wednesday of the month is a holiday, the monthly meeting will be held on the second Wednesday of the month.
- B. Quorum. At any monthly or special meeting of the Department, 15% of the Active, Active Staff and Life Members in good standing will constitute a quorum.
- C. Voting. Only Active Members, Active Staff Members and Life Members in good standing can vote as described in these Bylaws.

### **Article 3: Membership**

#### **Section 1 - General**

- A. All applications for membership shall be submitted to the Secretary of the Department using the form provided by the Department.
- B. Membership shall be composed of
- Active Members
  - Active Staff Members
  - Life Members
  - Restricted Members
  - Social Members
- Description/qualifications of each category are found in Section 4 (Membership Classification) of this article.
- C. All members of the Department will be residents of the Springwater Fire District or a beneficiary thereof with the following exceptions:
1. An individual that **lives outside of the District** may apply to join the Department if their occupation or dwelling makes them available to render active service as a volunteer in the district. Application must be made to the Board of Directors (Board) via the Secretary using the application form for

membership. If The Board recommends approval of the application, it must be approved by 75% majority of members present at the next monthly meeting. Membership will cease when the member can no longer meet the requirements as stated.

2. An individual who **moves out of the District** but wants to remain active in the Department shall notify the Board via the Secretary in writing within 30 days of the move. The Secretary should be given a written statement from the member indicating he/she has moved out of the District but still intends to be available to render active service as a volunteer in the District. If the Board recommends approval of the application, it must be approved by a majority of members present at the next monthly meeting. Membership will cease when the member can no longer meet the requirements as stated.
- D. Nonresident membership will not exceed 45% of the membership of the organization.
  - E. Active, Active Staff and Life Members are entitled to wear the Class A uniform of the Department.

### **Section 2 - Member in Good Standing**

- A. A member in good standing is defined as:
  - An interior firefighter who has a current, comprehensive medical examination. The medical examination is paid for by the Fire District.
  - An active member who has completed all required OSHA/PESH training within the preceding twelve months.
  - An active staff member who has met the obligation of participation in three activities per calendar year.
  - A life member.
- B. Anyone failing to fulfill these requirements can be suspended from responding to emergencies by the Chief or President until such time as the good standing requirements have been fulfilled.

### **Section 3 - Leave of Absence**

- A. Any member may request a leave of absence by submitting a written request to the Board. Requests would include, but are not limited to; medical condition, military duty, business and educational commitments.
- B. The request for a leave of absence may be submitted to any member of the Board. The Board will act on the request at their next regularly scheduled meeting. A majority vote of the Board is needed to approve the request.



- C. If the leave of absence is for medical reasons, the Board will require the member to obtain medical clearance before returning to active status.
- D. Any member who is granted a leave of absence under this Article is prohibited from attending any emergency calls during such leave of absence.
- E. To return to active status, the member must request in writing reinstatement from the Board. The Board will act upon the request at the next regularly scheduled meeting. A majority vote of the Board is needed to approve the reinstatement. Reinstatement will be granted upon approval of the Board of Fire Commissioners.

#### **Section 4 - Membership Classification**

**Active Member** ~ A member in this category must be a person of good moral character and meet the following qualifications.

- A. 18 years of age.
- B. Ready and able to fulfill the full duties of volunteers; including but not limited to, service at fires, medical emergencies, other emergencies and attendance at meetings, drills, schools of instruction and parades.
- C. If qualified, has the right to hold any executive or firematic office.
- D. Has the right to vote on all Department matters if member is in good standing with the Department.

**Active Staff Member** ~ A member in this category must be a person of good moral character and meet the following qualifications.

- A. 18 years of age.
- B. Actively assists with goals, activities and functions of the Department.
- C. Must participate in at least 3 non-meeting functions or activities per calendar year.
- D. Has the right to vote on all Department matters if member is in good standing with the Department except as excluded in these bylaws.
- E. If qualified, has the right to hold executive office in the Department.
- F. Cannot hold any firematic office.
- G. May not attend or participate in any fire or other emergency duties.

**Life Member** ~ A member in this category must be a person of good moral character and meet the following qualifications.

- A. Completed 20 years of active service with the Department.
- B. Has the right to vote on all Department matters except as excluded in these bylaws.

**Restricted Member** ~ A member in this category must be a person of good moral character and meet the following qualifications.

- A. Must be at least 14 years old and under 18 years old.
- B. Parental or legal guardian written permission must be provided with membership application.
- C. May participate in training and emergency situations under the direction of the Chief and Board of Commissioners per the protocol set forth by the Boy Scouts of America.
- D. Does not have the right to vote on Department matters.

**Social Member** ~ A member in this category must be a person of good moral character and meet the following qualifications.

- A. 18 years of age.
- B. An individual who assists with Department activities (i.e., raffles or fundraising functions).
- C. May not attend or participate in any fire or other emergency duties.
- D. Does not have the right to vote on Department matters.

## **Section 5 - Membership**

### **General**

- A. Applications for membership are available from all Fire Department personnel.

### **Procedure**

- A. Applications for membership will be submitted to the Fire Chief.
- B. The Fire Chief will conduct a background check on all applicants and forward both the application and background check to the Board.
- C. Applications will be presented to the general membership at the next regularly scheduled meeting for action. No applicant will be present during a meeting of the

Board or the Department during any discussion or vote pertaining to the member's application.

- D. If approved for membership, the membership application will be forwarded by the Department Secretary to the Fire District Secretary.
- E. Membership will be established when the Board of Fire Commissioners of the Springwater Fire District grants final approval of the application.

#### **Article 4: Elections and Vacancies**

##### **Section 1 - General**

- A. Only voting members in good standing shall be entitled to nominate candidates and cast votes during an election process.
- B. Only Active members in good standing may vote for chief officers.
- C. Members have to be present at the meeting for their vote to be counted.
- D. The nominations of Executive Officers and Firematic Officers will be conducted at the November meeting.
- E. The election of Executive Officers and Firematic Officers will be conducted at the December meeting.
- F. All elections will be conducted by secret ballot.
- G. The Chief will serve no more than four (4) consecutive years.

##### **Section 2 - Nominations (November meeting)**

- A. The nominations for office will take place in the following order:
  - 1. Chief
  - 2. First Assistant Chief
  - 3. Second Assistant Chief
  - 4. President
  - 5. Vice President
  - 6. Treasurer
  - 7. Secretary
  - 8. Three Board members
- B. The presiding officer will call for nominations for each office in the order listed. Nominations for each office will remain open until three calls for nomination have been made by the presiding officer.

- C. All nominees at the meeting shall verbally accept or reject the nomination. Any nominee that is not present at the meeting will have provided written notification of their acceptance of the nomination to either the Secretary prior to the meeting or to the nominating member of the Department. Such written notification will be entered into the record at the meeting.
- D. Following the third call for each office, the presiding officer will close the nominations for that office. In the event that no candidate accepts the nomination following the third call, the nomination for that office will be reopened following the completion of the rest of the nominations listed in A of this section. If the nomination remains open, the office will be considered vacant and the Board will appoint any qualified member not currently holding an elected office to the vacancy.

### **Section 3 - Elections (December meeting)**

- A. The elections for office will take place in the following order:
  - 1. Chief
  - 2. First Assistant Chief
  - 3. Second Assistant Chief
  - 4. President
  - 5. Vice President
  - 6. Treasurer
  - 7. Secretary
  - 8. Three Board members
- B. The presiding officer shall appoint three (3) tellers before the start of the elections, one of whom shall be appointed chair. Tellers are ineligible to be a nominee to any executive or firematic office.
- C. The presiding officer will announce the candidates for each office in the order listed.
- D. Tellers will distribute and collect the ballots.
- E. Tellers will immediately count the cast ballots and report the total votes cast to the Secretary. The Chair of the tellers will then report the name or names of the candidates and the number of votes cast for each candidate.
- F. The candidate receiving the greatest number of votes cast, which must be a majority of the total votes cast, shall be declared elected. In the case of the Directors, the candidates with the highest three votes shall be declared elected.
- G. In the event that no single candidate (other than Directors) receives a majority of the total ballots cast; the candidate or candidates with the least number of votes cast will be removed from the ballot. The tellers will then conduct a reballot immediately for

those candidates remaining. This procedure will continue until all positions being voted upon have been filled by a majority vote of the total ballots cast.

- H. In the event of a tie vote, the tellers will immediately reballot for the election of only those candidates who are tied in the prior voting. Reballoting will continue until one candidate has a simply plurality.

#### **Section 4 - Vacancies**

- A. Vacancies in any Executive office will be filled by appointment by the Board upon a majority vote at its next regular/special meeting.
- B. Vacancies in any firematic office will be filled by the Chief. The Chief will notify the Board and Board of Fire Commissioners.

#### **Article 5: Executive and Firematic Officers**

##### **Section 1 - General**

- A. The Executive Officers of the Department will consist of President, Vice President, Treasurer, Secretary and three (3) Directors. These are all elected positions.
- B. The Firematic Officers of the Department will consist of Chief, First Assistant Chief, Second Assistant Chief, Fire Captain, Fire Lieutenant, Rescue Captain, Rescue Lieutenant, EMS Captain, EMS Lieutenant and Fire Police Captain. The Chief, First Assistant Chief and Second Assistant Chief are elected positions. The remaining named positions are appointed by the Chief.
- C. All executive and firematic offices will be for a term of one year commencing on January 1 of the year following the election or appointment and will continue through December 31.

##### **Section 2 - Qualifications**

- A. All elected and appointed officers will be Active/Active Staff members in good standing with the Department. Life members are eligible to hold executive office.
- B. All elected and appointed officers will have completed two (2) years of consecutive service prior to their election.
- C. Any active member in good standing for one (1) year in the Department and has a minimum of one (1) year documented prior service in another Fire Department can be appointed to a Captain or Lieutenant position.

- D. In addition to the requirements of this Article, the Chief must have served as an elected or appointed Firematic Office for at least two (2) years.
- E. Members elected/appointed as Chief, First Assistant Chief or Second Assistant Chief, must have satisfactorily completed Firefighter I or the equivalent as determined by the Board of Fire Commissioners.

## **Article 6: Duties of Executive and Firematic Officers**

### **Section 1 - Executive Officers**

- A. President
  - Preside over all meetings of the Department and of the Board.
  - Call special meetings when deemed necessary or upon the written request of five active, active staff or life members in good standing.
  - Appoint Department committees and serve as an ex-officio member on all committees.
  - Enforce bylaws of the Department.
  - Authorized to sign all checks and vouchers for the Department. (Three officers are authorized to sign—President, Vice President and Treasurer. Two signatures are required.)
  - Does not vote on any questions other than election of officers and members, except in the case with the President shall cast the deciding vote.
  - Submit a report at the regular meeting of the Department in December that includes recommendations for the upcoming year.
- B. Vice President
  - Assist the President in the discharge of duties.
  - If the President is unable to fulfill his/her duties, the Vice President shall assume the office of the President.
  - Custodian of all non-fire property of the Department. Report to the Board and Board of Fire Commissioners changes in the inventory.
  - Post and supervise all work details to maintain the Department's buildings and grounds.
  - Authorized to sign all checks and vouchers for the Department. (Three officers are authorized to sign—President, Vice President and Treasurer. Two signatures are required.)
- C. Treasurer
  - Receive all monies for the Department; provide receipt for same.
  - Pay all bills for the Department following authorization at any regular, annual or special meeting of the organization.

- Maintain an accurate, up-to-date written account of all receipts and disbursements.
- Submit accounts to the Department monthly and auditing committee upon request.
- Deposit all monies received in accounts as authorized and designated by the Board. All deposits will be made within seven (7) days of receipt. No funds can be withdrawn or disbursed from the Department's bank accounts unless authorized by a majority vote of the Board/general membership.
- Authorized to sign all checks and vouchers for the Department. (Three officers are authorized to sign—President, Vice President and Treasurer. Two signatures are required.)
- Report at the annual meeting of the Department for the past year.

D. Secretary

- Create and maintain a written record of all meetings of the Department.
- Create and maintain a written record of all meetings of the Board.
- Custodian of the records of the Department; keep and maintain all the books thereof and file the papers of the Department as directed by the Board.
- Maintain records of all correspondence for the Department.

**Section 2 - Firematic Officers**

A. Chief

- Exclusive control of the members of the Department at all fires, emergency calls, inspections, reviews and other occasions when the Department is on duty or parade.
- Supervision of all apparatus, equipment and other property used for the prevention or extinguishment of fire, emergencies and emergency medical services. When required by the Board of Fire Commissioners, the Chief will report to the Fire Commissioners the inventory and condition of apparatus and equipment of the Department, together with such information as may be required.
- Responsible to the Board of Fire Commissioners to insure the rules and regulations of the Board of Fire Commissioners are observed and that the orders of the Board of Fire Commissioners are duly executed.

- Hold all members, officers and employees of the Department strictly to account for any neglect of duty and may suspend them for improper conduct, subject to action of the Board of Fire Commissioners at its next meeting.
- Order drills on advance notice to members.
- Responsible for a complete and permanent record of fires, drills and other functions to be maintained by the Department. Submit a monthly report of the number and location of fires, drills and other activities of the Department.

B. First Assistant Chief

- First in command to the Chief.
- In the absence of the Chief, performs all duties of the Chief.

C. Second Assistant Chief

- Next in command to the First Assistant Chief.
- In the absence of the First Assistant Chief, performs all duties of the First Assistant Chief.

D. Captains

- Minimum qualifications and duties as established by the Board of Fire Commissioners.
- Appointed to their respective offices by the Chief.

E. Lieutenants

- Minimum qualifications and duties as established by the Board of Fire Commissioners.
- Appointed to their respective offices by the Chief.

**Article 7: Board of Directors**

- A. The Board will be comprised of the following members: President, Vice President, Treasurer, Secretary and three (3) Directors elected from the active membership of the Department.



- B. The Board will hold a regular monthly meeting on a day and time designated by the Board in the week preceding the regular monthly meeting of the Department.
- C.. The President will preside over all meetings of the Board and will cast a vote only in case of a tie. A majority of the Board will constitute a quorum.
- D. The Board will conduct special meetings if requested by two or more members of the Board. All special meetings will be called by the President or in his/her absence; the Vice President.
- E. The Board shall decide and determine immediate matters of the Department between regular meetings of the Department. This would include but is not limited to avoidance of late payment fees, emergency replacement repairs, maintenance of hall and grounds. The actions of the Board shall be reported at the next regular monthly meeting of the Department.
- F. The Board will create, implement and review policies and procedures for the Department in accordance with the bylaws. These policies and procedures should include but are not limited to hall usage, inventory controls, uniform policy, non fire equipment usage, etc.
- G. Establish the bond required for the Executive Officers of the Department. Costs associated with the Bond will be payable by the Department.

#### **Article 8: Committees**

- A. The President will appoint all committees of the Department. Unless otherwise designated, the first person named by the President will be the Chair of the committee.
- B. The committee chair or designee will report at the monthly meetings of the Department.
- C. All committees will continue to function until discharged by the President.

#### **Article 9: Discipline**

##### **Section 1 - Purpose**

- A. Ensure that all members are treated fairly and equitably; while maintaining the highest level of discipline to effectively and safely perform Department functions.
- B. Formal disciplinary action should be regarded as a drastic measure reserved for significant events. It is in the best interest of the Department to make every effort to resolve the matter prior to initiating formal disciplinary action.

## **Section 2 - Actions unbecoming of a Springwater Fire Department member**

- A. Illegal activity while on duty (i.e., reckless driving, DWI, etc.) or off duty that results in a conviction of a misdemeanor or felony involving dishonesty, violence or a sexual based crime.
- B. Physical force/altercation toward another individual.
- C. Sexual harassment/misconduct.
- D. Abuse/destruction of Department property.
- E. Misuse of Department funds.
- F. Disobeying Bylaws, policies of the Board of Directors, written standard operating procedures or policies of the Board of Fire Commissioners.
- G. Jeopardizing the safety of another member of the Department.
- H. Interfering with the duties of the Chief or Assistant Chiefs when the Department of any squad thereof is on duty.

## **Section 3 - Procedure**

- A. The Board of Directors shall preside over all discipline proceedings.
- B. The Chief and/or President is empowered to temporarily suspend a member violating any provision of the Bylaws. All suspensions will continue pending action by the Board.
- C. Members who have disciplinary actions brought against them will be given the opportunity to meet with the Board of Directors at an informal meeting.
- D. If, after the informal meeting, the Board of Directors determines that no further action is required, the matter will be dismissed.

- E. If, after the informal meeting, the Board of Directors determines that formal disciplinary action should be taken, the affected member will be notified in writing by first class mail and certified mail, return receipt requested. The written notification will include a date, time and location of a meeting with the Board to discuss the disciplinary action. The notice will include a description of the incident and relevant details. The Board of Directors will allow at least 72 hours notice to the involved parties. The Board of Fire Commissioners will be notified of this action via a copy of the document mailed to the affected member.
- F. The Board of Directors may request attendance by other members who have knowledge of the incident and would also extend the request on behalf of the affected member.
- G. By a majority vote of the Board, the resolution of the formal disciplinary meeting will be one of the following:
  - 1. The incident will be dismissed with no further action required.
  - 2. The incident is resolved with a written reprimand and retained in the member's personnel file with no further action.
  - 3. The incident is resolved with suspension for a length of time determined by the Board. The Board may also establish conditions governing the member's return.
  - 4. The incident is resolved with expulsion.
- H. If the member fails to attend the scheduled meeting by the Board or notifies the President of the Department in writing that the member objects to the charges, the Board will make a decision based on available information. The incident, relevant information and the Board's decision will be presented to the general membership at the next monthly meeting.
- I. At the above mentioned monthly meeting, the President will read the details of the incident outlined in the letter to the member and the determination of the Board. The affected member may also be heard. The general membership will vote on the decision of the Board. A majority of those present will be needed to uphold the Board's decision.
- J. No further action will be taken if the decision of the Board is not upheld by the membership.

#### **Section 4 - Members under Suspension**

- A. A member will not be credited with service time for the duration of a suspension.
- B. A member's suspension will commence upon the receipt of the written notice from the Board. The written notice will outline the terms and length of the suspension. Written notice will be delivered by first class mail and certified mail, return receipt requested.

#### **Section 5 - Expelled Members**

- A. Any member expelled from the Department will not be eligible to reapply for membership.
- B. Removal of a member will be effective upon receipt of written notice from the Board. Written notice will be delivered by first class mail and certified mail, return receipt requested.