1. **GENERAL POLICIES**
2. **Introduction to Public Employment:**

East Side Fire District (ESFD) is a political subdivision of the State of Idaho, though it is not a part of state government. The ESFD Board of Fire Commissioners (Board) serves as the governing body for ESFD, carrying out oversight and administrative duties and fulfilling other obligations as prescribed by State Statute in their duties as Commissioners. The Board establishes general policy for ESFD, and as such, has primary authority to establish terms and conditions of employment within the ESFD. The Board also appoints personnel to help carry out ESFD administrative responsibilities.

The terms and conditions set forth in this policy are subject to change at any time, without prior notice, at the sole discretion of the Board. For the purpose of this and all ESFD rules and policies, “employees” are defined as per Section III.

The terms and conditions set forth in this policy, and in the resolutions and policy statements which support it, cannot be superseded by any other official's authority, without the express written agreement of the Board. That is particularly true for terms or conditions which would establish a financial obligation for ESFD now or in the future. It is important that all employees understand the relationship between polices adopted by the Board and operational rules and procedures implemented by the Fire Chief.

1. **At-Will Employment:**

This employment policy is not an employment contract. ESFD does not offer tenure or any other form of guaranteed employment. Either ESFD or the employee can terminate the employment relationship at any time, with or without cause, with or without notice. This is called Employment At-Will.

This employment at-will relationship exists regardless of any other written statements or policies, other ESFD documents, or any verbal statement to the contrary*.*

While the ESFD may elect to follow its[progressive discipline procedure](https://www.thebalancecareers.com/what-progressive-discipline-1918092), ESFD is in no way obligated to do so. Using progressive discipline is at the sole discretion of EFSD in an employment at will workplace.

Contracts of employment with ESFD are not valid unless signed in accordance with proper procedures by a specifically authorized representative of the Board, and unless it is signed by and contains the name of the employee who would be benefited by the contract.

1. **Equal Employment Opportunity Statement:**

All selection of ESFD employees and all employment decisions, including classification, transfer, discipline, and discharge, will be made without regard to the race, sex, color, national origin, religion, age, mental or physical disability. No job, or class of jobs, will be closed to any individual except where a mental or physical attribute, gender, or age is a bona fide occupational qualification. It is the policy of the ESFD to comply in all respects with the Americans With Disabilities Act. All objections to application of ESFD policy in this regard shall be brought to the attention of the office of the Fire Chief, or in the case of objection to actions undertaken by the Fire Chief, to the Board of Fire Commissioners.

1. **Veteran's Preference:**

ESFD will accord a preference to employment of veterans of the U.S. armed services in accord with provisions of Idaho Code 65-502 or its successor. In the event of equal qualifications for an available position, a veteran who qualifies for preference pursuant to Idaho Code 65-502 or its successor will be employed.

1. **Preference for Hiring and/or Promotion from Within:**

Qualified individuals, including employees, who are already employees of ESFD will be given preference over outside applicants to fill vacancies in the work force.

1. **Forms to be Completed Upon Hire:**

1. Employment application form.

2. Immigration Form (I-9)

1. **Payroll Reporting Systems:**

Reports of hours worked and time on and off the job must be completed in a timely manner in accord with procedures established by the Fire Chief. Each report of employee time must be signed by both the supervisor and by the employee and shall contain a certification that it is a true and correct record of the employee's time and benefit usage for the time period covered.

1. **Distribution of Policies:**

At the time of employment, each employee shall be made aware of the personnel policy and all ESFD policies and their posted location on the ESFD web site. It is the responsibility of the employee to familiarize him/herself with all ESFD policies. All employees are required to review all policies and operating procedures annually.

1. **RULES OF EMPLOYEE CONDUCT AND PERFORMANCE**
2. **Personal Conduct:**

Employees are expected to abide by all ESFD employee policies and procedures whether they be written or issued verbally by an Officer.

A. **Personal Conduct:** (cont.)

The following are employee performance and behavior accountabilities. If ESFD determines an employee has failed to follow these policies and/or procedures, the employee may be subject to progressive discipline up to and including termination of employee status with ESFD.

1. **Appearance, Conduct:** Neat appearance, proper conduct and a helpful attitude are of utmost importance in sustaining favorable public opinion. Employees should always represent ESFD in a positive light. Employees shall avoid inappropriate individual personal and/or group behaviors which would create an unfavorable public impression of ESFD at any time while on ESFD property, while at an ESFD incident or while representing ESFD directly or when wearing ESFD apparel.
2. **Code of Ethics:** Employees shall accord respect and courtesy to co-workers, supervisors, and members of the public. Employees are expected to promptly notify the Fire Chief or Captain of all matters that affect the interest and welfare of ESFD. Information related to the business affairs of ESFD may not be released unless authorized by the Fire Chief, Board of Commissioners or as prescribed by law.
3. **Confidentiality:** Employees will follow all rules and regulations of the Health Insurance Portability and Accountability Act regarding patient confidentiality. No individual and/or personal medical information is to be shared by ESFD personnel inside and/or outside of ESFD unless previously authorized by the Fire Chief or Deputy Chief.
4. **Information Disclosure to the Public:** The Public Information Officer (PIO) will be the spokesperson for ESFD for all external communications. In the event the PIO position is not staffed, the Fire Chief will assume PIO responsibilities. ESFD personnel should not share or disclose any information related to ESFD in any public forum including social media without the prior approval of the PIO, Fire Chief, and/or a Commissioner.
5. **Conflict of Interest, Nepotism:** No person shall be employed by the ESFD when said employment would result in a violation of the anti-nepotism, conflict of interest provisions found in ESFD Policies and/or Idaho State and Kootenai County Codes or their successor.

ESFD employees, officers, volunteers and/or their immediate family shall not serve on any board or commission which regulates or otherwise affects the duties or personal interests of said officer in a way that could create an advantage for the officer, or create disadvantage for other officers, employees, volunteers or members of the public.

ESFD employees shall not be immediate family members of ESFD Commissioners, Fire Chief or Deputy Chief.

5. **Conflict of Interest, Nepotism:** (cont.)

For the purposes of this policy, immediate family members are defined as someone’s spouse, domestic partners, parents, grandparents, children, grandchildren, brothers, sisters, mother in law, father in law, brothers in law, sisters in law, daughters in law, sons in law, adopted, half and step members.

Employees shall not use the office, badge, or other official insignia of ESFD for the purpose of personal gain or in connection with other employment.

1. **Information Disclosure to the Public:**

If ESFD personnel choose to speak at any gathering or on social media without representing ESFD they will not identify themselves as ESFD personnel or wear fire district apparel.

1. **Criminal or Illegal Actions:** Criminal activity and/or fraud or the concealment of such will not be tolerated. If an employee is cited or arrested for breaking the law for any reason, the employee shall report this matter, in writing, to the Fire Chief as soon as possible but no later than five (5) calendar days from the date of the arrest or citation. Examples include, but are not limited to, motor vehicle citations, drug/alcohol related offenses, breaking and entering, public intoxication, etc. Failure to report such incidents in accordance with this requirement may result in disciplinary action, up to and including termination of employment.

All reports will remain confidential unless disclosure is required by law.

1. **Personal Computing Devices:** ESFD employees are not permitted to use personal computing devices including smart phones for conducting ESFD business without being previously signatory to the ‘Employee Personal Device Use Terms and Conditions’. This does not include receiving information from ESFD.
2. **Gifts and Gratuities:** No employee shall accept any gifts, services, or other privileges offered or given by any person or organization under contract with ESFD for provisions of goods and services. Gifts may be accepted with prior approval on behalf of ESFD.
3. **Use of Fire District Equipment and Facilities:** Employees shall not rent, loan, sell, give away or use District equipment for personal use without proper authorization (See P305). Employees shall not disclose the door lock combination to anyone who is not a member of the ESFD staff or an active employee unless under prior approval by the Fire Chief.
4. **Use of Intellectual Property Physical/Digital:** Photos, videos and or audio of ESFD activities should not be taken without prior approval. Any/all proprietary information related to ESFD or ESFD activities including incidents such as but not limited to; photos, logos, letterhead, audio, etc., is the property of ESFD and must be deleted from personal devices. The use, sharing of ESFD physical and/or digital information shall be prohibited.

A. **Personal Conduct:** (cont.)

1. **ESFD Email:** The ESFD email system is to be used for communication directly related to fire district business only. ESFD email distribution lists are proprietary to ESFD and are not to be used and/or shared by non-authorized ESFD personnel for commercial, personal, and/or political purposes.
2. **Fire District Apparel:** All ESFD apparel purchased for employees will be returned to the office or destroyed at the end of the garments useful life and will not be donated or otherwise distributed to the public.
3. **On-the-Job Injuries:** The Department pays Worker's Compensation premiums for employees covering related on-the-job accident medical expenses. The following procedure is to be followed in the event of an on-the-job accident:
4. Report immediately to their Supervisor or the Fire Chief.
5. Seek medical aid immediately as necessary. If the employee does seek medical attention, he or she shall inform the care provider that the injury is a ***State Industrial Injury.*** A Worker's Compensation form will be initiated at that time. If the employee will be off duty due to the injury, he/she must provide a doctor's certification identifying the length of time. Upon return to duty, the employee must provide a written release to return to duty.
6. If an ESFD vehicle is in any way involved in an accident, the employee must also notify the Police Department and notify the Fire Chief. The employee must also complete the Auto Accident Information Form found int the Run Book or glove compartment.
7. If medical aid has been received, ESFD must submit required forms to the State Insurance Fund. This form will be filled out by the Fire Chief or the Administrative Secretary. The employee will review and sign the form.
8. In the event of an injury or non-injury accident while on duty, the employee may be required to submit to drug/alcohol testing. The employee will be requested to sign a written consent to the test procedures and to the restricted release of the results.

Failure to sign written consent will result in immediate suspension, pending an investigation. Concerns associated with an injured worker’s status may be brought before the Fire Chief for review.

A. **Personal Conduct:** (cont.)

1. **Political Activities of Employees:** The use of ESFD offices or on ESFD owned/operated on property by ESFD employees for political activities shall be prohibited. No employee shall solicit, verbally or by letter, or in any other manner obtain contributions and/ or services for any political agendas from Fire District employees or volunteers.

Nothing herein contained shall be construed to restrict the right of employees to hold membership in and support a political party, to vote as he or she chooses, to privately express his/her or her opinions on all political subjects and candidates, to maintain political neutrality, and to attend political meetings after working hours.

1. **Soliciting:** No peddling, solicitation or sales for charitable or other commercial purposes by the employees shall be allowed in ESFD offices or on ESFD owned/operated on property.

ESFD employees may not endorse as a member of ESFD, any commercial enterprise for any purpose except as authorized by the Fire Chief or ESFD Commissioners.

1. **Accurate Record Keeping, Confidential Records:** Employees shall provide accurate and full information on employee applications, and other related documents or papers.

Employees are responsible to inform the Fire Chief or Administrative Staff of change of address and/or phone number within 7 days of the change.

Employees shall not disclose addresses, phone numbers, or other personal information of other employees or employees to the public without proper authorization.

1. **Employee Legal Liability:**

 Laws regarding responsibility and liability of employees of ESFD are complex (Idaho Code, Title 31, Chapter 14). For the most part, decisions regarding liability for accidents and injuries are based upon proven negligence. Employees of governmental agencies are not relieved of personal responsibility in cases of accidents or injury to the public when gross negligence on the part of the employee is evident, or when the injury or accident occurs outside the scope of the employee's duties

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| 1. **Harassment, Discrimination, Retaliation:** Employees are expected to refrain from conduct that may be reasonably considered offensive to others. Offensive conduct may be written or verbal. Offensive conduct includes but is not limited to: the use of profanity, sexual comments or images, racial slurs, gender-specific comments, or any comments that would offend someone based on his/her age, race, religious belief, national origin or disability. All employees are expected to treat their co-workers, volunteers and public with courtesy, respect and dignity.

19. **Harassment, Discrimination, Retaliation:** (cont.) Harassment, discrimination or retaliation actions toward another employee, volunteer or member of the public is prohibited regardless of whether or not it constitutes unlawful behavior or a hostile work environment. Harassment, discrimination and retaliation in any form constitute misconduct that undermines the integrity of the employment and volunteer relationship.  |

All forms of harassment, discrimination or retaliation are explicitly in violation of state and/or federal law and will not be tolerated by ESFD. . Employees are to immediately inform their supervisor or Fire Chief if they experience any/all forms of harassment, discrimination and/or retaliation.

Employees or volunteers found to be participating in any form of harassment, discrimination or retaliation against any employee, volunteer or member of the public shall be subject to disciplinary action up to and including termination from employment and/or volunteer status.

It is important to ESFD that all employee claims of discrimination, harassment or retaliation be thoroughly reviewed and investigated promptly so that appropriate steps are taken as necessary. The complaint will be kept confidential to the maximum extent possible. The results of the investigation shall be discussed with the complainant, but the investigation information shall not be considered public record.

ESFD and Federal law prohibit any form of retaliation against any employee or volunteer for filing a complaint under this policy or for assisting in a complaint investigation. ESFD recognizes that determining and/or knowing whether harassment, discrimination or retaliation has occurred requires a factual determination based upon all evidence bearing upon the issue. False accusations of sexual can have serious effects upon those accused and others in the workplace. Should ESFD determine as the result of investigation that an employee, volunteer or member of the public has provided false information regarding the complaint, disciplinary action may be taken against the individual who gave the false information.

**Harassment or Discrimination Includes:**

1. Engaging in abusive physical, intimidating, and/or humiliating conduct or the use of abusive language in the presence of fellow employees, volunteers, or members of the public. Abusive language shall include profanity, lurid and/or harassing speech. Harassment, discrimination involves conduct which by its nature creates an intimidating, offensive, or hostile working environment by such conduct.
2. Sexual harassment involves making unwelcome sexual advances or requests for sexual favors or other verbal or physical conduct of a sexual nature including making sexual favors a condition of employment, volunteer membership.

19. **Harassment, Discrimination, Retaliation:** (cont.)

1. The following are examples of prohibited sexual harassment:
2. Verbal: Sexual innuendo, sexually suggestive comments, insults, jokes of a sexual nature, or sexual propositions;
3. Non-verbal: Making suggestive or insulting noises, leering, whistling, making sexually-related gestures, posting sexually explicit pictures or drawings;
4. Physical: Touching, pinching, brushing the body, coercing intimate contact, sexual intercourse, or assault.

This list is not all-inclusive. Any/all conduct which might be deemed offensive by a fellow employee, volunteer or member of the public must be avoided.

All employees and volunteers are instructed to strictly follow the reporting procedures set forth in this policy and are required to maintain confidentiality in all matters pertaining to claims of sexual harassment.

1. **Drug Free Workplace:**

Workplace drug abuse is a major concern of ESFD. While the circumstances and conditions of drug abuse can be extremely complex with no easy solutions, ESFD believes it has a responsibility to its employees, volunteers and district residents to take measures to prevent drug abuse.

Abuse of alcohol or any other drug is a serious threat to both personal health and performance of duties. District employees are strictly prohibited from possessing, selling/transferring, consuming, or being under the influence of alcohol or drugs (except drugs prescribed or authorized by a physician), while performing duties for ESFD.

**The specifics of this policy are as follows:**

* 1. ESFD does differentiate between drug users and drug pushers or sellers. Any employee urging others to use illegal drugs, giving or in any way transferring such drugs to another person while on the job or on District property, will be subject to immediate action, including but not limited to, being terminated from ESFD and/or appropriate legal action.
	2. Any employee who possesses, uses or is under the influence of any illegal drug or alcoholic beverage while in the course of performing his/her employee duties, or while on a break during an incident or the workday, shall be subject to immediate action, including but not limited to, termination of employment.
	3. Depending upon the severity of the situation, the employee may avoid being dismissed from ESFD for the first offense, if the employee agrees to immediate enrollment in and ***satisfactory completion*** of a drug/alcohol assistance or rehabilitation program approved for such purposes by a federal, state or local health agency or other appropriate agency. This decision will be made solely by the Fire Chief depending upon the circumstances.

**B. Drug Free Workplace:** (cont.)

**The specifics of this policy are as follows:** (cont.)

* 1. The costs associated with any/all treatment plans will be the responsibility of the employee. The employee must give permission to their care provider to discuss their progress with the Fire Chief who will monitor the employee's progress in the rehabilitation program. The employee will be required to supply progress notes and a completion certification.
	2. Employees under the care of a licensed physician being treated with a drug or controlled substance, which may adversely affect their ability to perform their duties must inform their supervisor or the Fire Chief and provide a written physician's statement indicating the effects and suggested restrictions. Modification of duties may be necessary while he/she is undergoing treatment.
	3. Any employee who knows or believes that there is unlawful involvement with drugs, narcotics or alcohol contrary to this policy should refer the information to his/her supervisor. Evidence obtained by ESFD of unlawful sale or possession of drugs or narcotics will be turned over to the appropriate law enforcement agencies.
	4. It is the policy of the ESFD to make a good faith effort to maintain a drug-free workplace. ESFD strongly encourages employees with personal drug or alcohol dependency problems to seek assistance. Self-referral, and agreement to participate in a drug rehabilitation program, by itself, will not jeopardize continued employment with ESFD, provided the prescribed course of treatment is followed, and the employee has no further involvement with drugs or alcohol.
1. **Personal Performance:**

Each employee of ESFD is expected to perform his/her job in a manner which reflects positively upon ESFD. Each employee must recognize that serving the public requires employees to exercise the utmost integrity and care in the administration of their duties. Public employees are subject to additional public scrutiny in their public and personal lives. In order to accomplish the goals of the ESFD as a public institution, each employee is expected to scrupulously avoid personal behaviors which would bring unfavorable public impressions of ESFD and its officials.

In order to accomplish this, each employee will be expected to perform their duties in accordance with the following rules. These rules are not all-inclusive of behavior expected of ESFD employees.

**Each employee of ESFD shall:**

1. Give his/her best, honest efforts to accomplish the work of ESFD for public benefit in accordance with all ESFD policies, rules and procedures Each employee shall be subject to the administrative authority of the Fire Chief.

C. **Personal Performance:** (cont.)

1. Follow all direct instructions from supervisors and superiors. Insubordination will not be tolerated.

No employee shall be asked or required to follow the directive of a supervisor which violates laws of any local jurisdiction, the state, or nation.

1. Be prompt and regular in attendance at work or other required ESFDr functions. Follow rules regarding breaks and lunch periods, including provisions granting supervisors authority to adjust them. Timing of breaks or lunch periods may be changed to accommodate the completion of necessary work.
2. Comply with dress standards established by the Fire Chief, but in the absence of any dress standards, clothing shall be appropriate for the functions performed and shall present a professional appearance to the public.
3. Follow all rules for care and use of ESFD property to assure the public investment in equipment is protected and the safety of the public and others is maintained.
4. Follow all rules regarding safety in the workplace whether established formally by the district or by outside agencies. Employees are encouraged to suggest ways to make the workplace or work procedures safer.
5. Follow all rules for reporting accidents on the job. Each employee shall cooperate in the reporting and reconstruction of any job-related accident in order that workplace hazards can be eliminated, and proper consideration can be accorded to injured workers and the public.
6. Report any accidents observed to have happened on ESFD property or involving ESFD property. Each employee shall provide as much information as he or she can from the observations made in the course of activities associated with one's work. Such information should be reported to the employee's immediate supervisor as soon as physically possible and reasonable efforts should be made to assist those in need.
7. Compliance with State laws regarding maintaining a current driver's license (if operating vehicles) or state required identification.
8. Maintain active telephone (land line or mobile) and notify the Department immediately of any change in telephone number.

C. **Personal Performance:** (cont.)

1. Uphold state statutes or local rules regarding the inappropriate use, alteration, destruction, or removal of any public records required by law to be kept by the entity or by other public officials.

The foregoing list is not all-inclusive. Failure to perform job duties as required may result in progressive discipline outlined in Section IV.

**IV. EMPLOYEE CLASSIFICATION, COMPENSATION, AND BENEFITS**

1. **Classifying Employees For Policy Purposes:**

1. **Employment Status:** ESFD retains full authority, without prior notice, to modify the general terms and conditions of employment. Additional information may be obtained from the office administrator or by appointment with the Fire Chief.

1. **Compensation Policies:**
	1. **Establishment of Pay System:** ESFD compensates employees in accordance with decisions by the Board as budgets are set and tax levies are authorized. Pay for any given position is subject to the annual budgetary process and as such, may be subject to increase, reduction, or status quo maintenance for any time period.

The Fire Chief may make recommendations about salary compensation and other pay system concerns, but the final decision regarding compensation levels rests with the Board.

The Board reserves the right to make budget adjustments, and consequently pay adjustments, during the budget year in order to manage cash flow or to deal with other circumstances which they believe justify changes in ESFD expenditures.

* 1. **Compliance with State and Federal Pay Acts:** ESFD shall comply with all State and Federal pay acts respecting the compensation and benefits for employees in return for services performed in the public service.
	2. **Employee Classification:** The classification of the position held with ESFD may affect the status of obligations or benefits associated with employment. Benefits in excess of those required by law may be subsequently changed at any time by the Board of Fire Commissioners or the Fire Chief. The primary classes of employees and their respective status are outlined below:
1. **Regular Exempt:** (Salaried Administrative Employees)Employees whose hours and schedule comply with current Fair Labor Standards Act related to Exempt Employees. Regular Exempt Employees shall receive all employee benefits required by law and/or provided by ESFD as such benefits now exist.

3. **Employee Classification:** (cont.)

1. **Regular Non-Exempt:** (Hourly Administrative Employees)Employees working full or part-time. Regular Non-Exempt Employees shall receive all employee benefits required by law or provided by ESFD determined by their actual hours/days worked, as such benefits now exist.
2. **Temporary Non-Exempt, Casual or Seasonal Employees:** Employees who provide services for ESFD on an irregular or temporary basis, or whose scheduled hours of employment for the entity are typically fewer than 40 hours each payroll period are classified as Part-Time or Temporary Casual/seasonal Employees. These employees will not receive benefits except those required by law or those provided by express written authorization of the Board or Fire Commissioners and/or the Fire Chief
3. **Non-Compensated Employees**

Employees who receive no benefits, except those required by law, other than those designated by the Board of Fire Commissioners and/or the Fire Chief.

1. **Right to Change Compensation:** ESFD reserves the right to change general compensation for any reason deemed appropriate by the Board. Compensation may also be adjusted based upon job performance and the availability of funds to maintain a solvent entity budget.
2. **Overtime Compensation -** Compliance with Fair Labor Standards Act:In addition to the employee classifications set forth elsewhere in this policy, all employees are classified as exempt or non-exempt for purposes of the Federal Fair Labor Standards Act (FLSA) The FLSA is the Federal wage and hour law which governs the obligation of employers to pay overtime compensation. Certain employees are exempt from operation of this law because they hold positions which are primarily executive or administrative in nature. Most supervisory and/or professional positions qualify for such exemption. As such, exempt employees are not required to receive premium pay for hours worked beyond the limits provided by the statute.

Employees who serve as Firefighters will be subject to special exceptions found in the FLSA (See 207K). Please contact your department supervisor, or the Fire Chief, for further clarification of your FLSA status.

1. **Reporting and Verifying Time Records:** It is the responsibility of each employee to properly record time that he or she has worked during a payroll period. Each time sheet shall bear the signature of the employee with a statement verifying its accuracy and a counter signature by a supervisor indicating that the hours claimed were actually worked. These records shall be retained for a least four years following a pay period or the conclusion of an employee's service. Failure to carry out these duties may result in disciplinary action.

B. **Compensation Policies:** (cont.)

1. **Work Periods:** Employment with ESFD is subject to the Federal Fair Labor Standards Act as previously described. Each employee is responsible for monitoring the status of hours worked in each work period. Overtime will be allowed only when authorized by an appropriate supervisor or when absolutely necessary in an emergency.
2. **Promotions and Compensation:** Promotions and changes in status may be recommended and made by the Fire Chief, final authority regarding compensation leves rests with the Board.
3. **Payroll Procedures and Paydays:** Regular exempt employees are paid every month throughout the year. Paychecks are issued monthly by the payroll office, approved by the Treasurer and are available no later than Friday in the first full week following the previous month. Paychecks compensate employees for work performed during the month prior to when the check is issued.
4. **Payroll Procedures and Paydays (**cont.)

It is the obligation of each employee to monitor the accuracy of each paycheck received. Information shown on the employee's paycheck stub is provided for information only. The paycheck is generated by a computer program that does not have the capacity to think or to understand individual circumstances. Actual practices in the issuance of paychecks and allocation of employee benefits must be consistent with official policy of the entity. In the event of disagreement between the computer-generated paycheck stub and official policy as interpreted by the office administrator with the assistance of the Fire Chief, the policy shall prevail.

1. **Compensation while Serving on Jury Duty or as a Witness in Court Proceedings:**

Leave will be granted to regular non-exempt employees called to jury duty or to serve as a court witness in accordance with Board-adopted policy. Non-exempt employees will receive pay during the first three days of such service base on schedule hours worked. After the first three days, the employee may elect to use accrued vacation time, or unpaid leave of absence. Special allowance may be made by the Board or the Fire Chief upon a showing of inordinate hardship.

1. **Military Leave;** Unpaid leave of absence will be granted for a maximum of fifteen calendar days to participate in ordered and authorized field training under the National Defense Act. ESFD’s public entity employment policy will comply with provisions of Idaho Code 46-224, et seq., or its successor, as those Code provisions govern leaves of absence for military service. Regular employees will be allowed to exchange time as previously stated in this policy.
2. **Reduction in Force:** Employee assignments may be affected by reductions in force made due to economic conditions or to changes in staffing and workload. The Board and/or the Fire Chief reserves the right to make any changes in work force or assignment of resources that it deems to be in the organization's best interests. The Board and/or the Fire Chief may also specify at the time reductions in force are made what reinstatement preferences may accompany the reductions. Said reinstatement preferences may be tied to the classification of the employee or to specialized skills possessed by the employee.
3. **Payroll Deductions:** In accordance with Idaho Code 45-609 or its successor, no payroll deduction will be made from an employee’s paycheck unless authorized by the employee or required by law.
4. **Travel Expense Reimbursement:** An employee on ESFD business shall be reimbursed for expenses incurred in completing his/her work-related assignment in accordance with the policies established by the Board. Each employee is responsible for providing verified receipts for any expenses for which reimbursement is requested in accordance with Idaho Code 31-1501, or its successor.

C: **Attendance Policy:**

ESFD depends on the services and skills of all office employees in order to maintain office coverage during the regular hours of 8 a.m. to noon, Monday through Friday. It is necessary that all employees report to work in their area of responsibility by the scheduled shift time. Tardiness is defined as any time an employee is not at their assigned area of responsibility ready to perform work assignments at the designated shift time.

Any employee who will be absent must notify the appropriate supervisor as soon as he/she knows he/she will be absent from his/her assigned shift. The minimum requirement of notification is one hour before the scheduled shift.

Excessive unscheduled absences or tardiness will result in disciplinary action and possible termination. Following three (3) unscheduled/unapproved absence/tardy occurrences within a 90-day period, the supervisor must initiate corrective action. This standard applies whether or not the unscheduled and/or unapproved absence was reimbursed through sick leave or paid time off.

An employee who is absent from any shift without notifying the department supervisor will be considered to have abandoned his/her job and may be terminated from employment.

It is the department supervisor's responsibility to maintain accurate attendance records and assign the shifts for regular coverage.

1. **Employee Benefits:**

ESFD offers several employee benefits for regular employees. These benefit offerings are subject to change or termination at the sole discretion of the Board. Each is subject to the specific terms of its respective plan(s), if applicable, and/or official resolution of the Board.

 All benefits stated in hours and/or days worked shall be calculated based on the employee’s actual scheduled, paid hours per day and/or days per week.

1. **Vacation Leave:** Regular Exempt Employees (Administrative Salaried Personnel):

Vacation Leave is available to Exempt (Salaried) employees who have completed the equivalent of 1 year of regular employment. Vacation accrues from the start of employment in the following manner:

Length of Service Vacation Accrual

First through Second year 2 wks/year

Third through Fifth year 3 wks/year

Over 5 years 4 wks/year

Vacation Leave for regular Non-Exempt employees (Administrative Hourly Personnel) is accrued according to the formula applied to actual hours, days worked per week.

Vacation leave is to be used during the calendar year immediately following its accrual. Vacation leave can only accrue to a 4 week maximum. Any excess, over 4 weeksnot used during the calendar year immediately following the year in which it accrues will be forfeited, without right of compensation, at the conclusion of that calendar year in which it becomes excess. This rule may be subject to an exception for one year's additional accrual upon written permission of the Fire Chief and/or the Board. Vacation leave is to be scheduled with consent of the Fire Chief. Efforts will be made to accommodate the preference of the employee in vacation scheduling, but first priority will be the orderly functioning of the department.

2. **Holidays:** Eleven official holidays are provided for regular Exempt and non-exempt employees. Employees who have regular active status on the date of any holiday shall receive compensation, based on actual hours worked per day, for that day even though they do not work. Holidays which fall on Saturdays shall be observed on the preceding Friday. Those which fall on Sunday shall be observed on the succeeding Monday. The holiday schedule may be changed at any time by the Board.

2. **Holidays:** (cont.)

Exempt employees who must be scheduled to work on holidays shall be scheduled to receive a substitute holiday with pay within the current fiscal year.

Recognized Holidays:

New Year's Day Columbus Day

Martin Luther King Day Thanksgiving Day

Presidents’ Day Day after Thanksgiving

Memorial Day Veterans’ Day

Independence Day Christmas Day

Labor Day

3. **Bereavement Leave:** Up to three days, based on actual hours worked per day, of paid leave of absence for a death in the immediate family (spouse, parents, grandparents, children, grandchildren, brothers and sisters) will be made available to regular employees. Additional leave may be granted, upon approval of the Fire Chief, from accrued vacation leave or unpaid leave of absence.

4. **Leaves of Absence:** Up to thirty days, based on days worked per week, of unpaid leave can be granted by the Fire Chief for any justifiable purpose. Paid leave in any amount or unpaid leave in excess of thirty days shall require written approval of the Fire Chief and/or the Board.

5. **Reduction in Benefits:** ESFD, through its Board, reserves the right to change, condition, or terminate any benefits set forth in this section. No employee shall acquire any rights in any current or future status of benefits except as the law otherwise requires

**V. EMPLOYEE EVALUATION AND DISCIPLINE**

1. **Evaluation Procedures:**
2. **Standard Procedures:** Each employee may be evaluated on a semi-annual/annual basis to assess the performance of that employee in the job being performed for ESFD. Each evaluation will be given on the basis of the direct supervisor's observations of the employee's performance, the accuracy of the employee's work in addition to the quantity, and additional efforts expended by the employee on behalf of ESFD. Each supervisor is authorized to use necessary evaluation tools.

2**. Interviews:** (Evaluation) Each evaluation shall be concluded with an interview between the evaluated employee and the immediate supervisor in which the employee will be told what the findings of the employer's evaluation are. Each employee will be given an opportunity to respond to the evaluation both verbally, in which case notes may be taken by the supervisor, or the employee may submit a written response to the employer's evaluation to be placed in the employee's personnel file, provided that it is filed with the employer within ten (l0) days of the date of the verbal presentation of the evaluation.

1. **Employee Personnel Files:**
	1. **Record Keeping:** The official employee records for ESFD will be kept in the office of the Fire Chief. Within these personnel files will be kept all training certificates, employee status, and other relevant materials related to the employee's service with ESFD. Any supervisory personnel or the employee himself/herself may contribute materials to the personnel files deemed relevant to the employee's performance.
	2. **Record Keeping: (cont.)**

Each employee shall have the right to review materials placed in his/her personnel file at any reasonable time. Copies of materials in an individual's personnel file are available to that employee without charge. Personnel files shall not be removed from the premises.

* 1. **Access to Personnel Files:** It is the policy of ESFD to allow limited access to the personnel file for any employee. Those authorized to evaluate materials in a personnel file include; supervisory personnel in the relevant operating department, clerical payroll personnel, members of the Board and their staff, and the employee himself/herself. Based on the inherent confidentiality of personnel matters, access of others to personnel files shall be only with authorization of the Fire Chief and/or the Board.

Information regarding personnel matters will only be provided to outside parties with a release from the employee or in other circumstances where release is deemed appropriate or necessary with the concurrence of both the Fire Chief and the Board.

3. **Management of Information in Personnel Files:** Each employee shall be provided an opportunity to contest the contents of his/her personnel file at any time. This is to be done by filing of a written objection and explanation which will be included in the file along with the objectionable material. In the sole judgement of the Fire Chief, with the concurrence of the Board, any contested material may be removed upon a showing by the employee that it is inaccurate or misleading.

1. **Employee Discipline Procedures and Principles:**

The purpose underlying the discipline policy of ESFD is to establish a consistent procedure for maintaining suitable behavior and a productive working environment in the workplace. These procedures are directory in nature and minor variations of the processes set forth herein shall not affect the validity of any actions taken pursuant to this policy.

* 1. **Disciplinary System Framework**

ESFD adopts the following framework for actions to be taken in the event employment policies are violated by any employee subject to this manual. Progressive steps may be implemented in order to invoke disincentives to policy violations. ESFD reserves the right to take any of the prescribed steps in any order, in the event that the Fire Chief or Board of Fire Commissioners deems a policy violation or action of the employee to be serious enough to warrant a certain step. Such steps shall be documented in the record of the disciplinary action. Progressive discipline shall be applied only where the Fire Chief or Board believes the potential for improvement and curative behavior is possible.

C. **Employee Discipline Procedures and Principles:** (cont.)

1. **Hierarchy of Disciplinary Actions Available**

The following actions are among the progressive disciplinary steps which can be taken by the Fire Chief or Board of Fire Commissioners in response to personnel policy violations:

a. Verbal warning

b. Written warning or reprimand

c. Suspension with or without pay

d. Demotion

e. Probation

f. Termination

3. **Appeal Hearing:** The personnel policy of ESFD establishes the right to a hearing in the event of a discharge, demotion with change in pay, or suspension. The elements of procedure to be followed in any such hearing to be undertaken at the direction of the Fire Chief or Board of Fire Commissioners, unless waived by the employee, are the following:

1. The employee shall be provided the type of notice against him/her, and the time the hearing is to be conducted.
2. The employee shall be heard before the Fire Chief or the Board of Fire Commissioners, with the verbal hearing to last no longer than two (2) hours, unless otherwise approved by the Fire Chief or Board of Fire Commissioners.
3. There shall be a record maintained, including a tape recording of the hearing.
4. The employee shall have a right to an explanation of the conduct complaint.
5. The employee shall have an opportunity to be represented by legal counsel at his/her own expense.
6. The employee shall be provided an opportunity to present evidence and rebut the information which his/her charged misconduct or inadequate performance is based.

Every such hearing shall take place as soon as it can be accommodated by the schedules of those involved, but not more than seven (7) days after the action has been taken. Additional time may be granted at the request of the employee upon a showing that additional time is necessary to provide facts necessary to respond to the charges. Said decision shall set forth the reasons for the personnel action.

**VI. SEPARATION FROM EMPLOYMENT:**

1. **Reductions In Force:** (RIF)

When financial circumstances or changes of workload require, ESFD reserves the right to reduce forces in such manner as it deems necessary to maintain the effective functioning of ESFD services. Decisions about the functions to be reduced are not subject to the appeal procedure established by ESFD.

**VI. SEPARATION FROM EMPLOYMENT:** (cont.)

1. **Reinstatement Preference:**

Employees who leave ESFD employment due to a reduction in force shall retain a first right to return, in the event of work force rebuilding, for one year from the date of their separation. Employees shall retain a preference only for work for which they are fully qualified and for which available service requirements can be met.

1. **Final Evaluation:**

If an evaluation has not been performed within the most recent six-month period when an employee separates from the ESFD, the Fire Chief may conduct an evaluation of the individual's performance prior to separation from employment.

1. **Retirement Policy:**

The retirement policy of ESFD shall comply in all respects with Federal and State requirements respecting mandatory retirement. No employee shall be compelled to retire except in compliance with said acts.

1. **Exit Interview:**

Each employee who terminates from employment with ESFD, shall participate in an exit interview with the Fire Chief or Board of Commissioners, or in the event of involuntary, termination with the supervisor. In such interviews, the supervisor shall notify the employee when certain benefits will terminate and when final pay will be issued. The employee will inform the interviewer about his/her impressions of employment in such interviews.

1. **Resignation Policy:**

Voluntary resignations will only be effective if made verbally or in writing to the Fire Chief.

1. **Return of Department Property:**

Upon leaving the service of ESFD, the employee shall return all Department property in their possession, to their Captain, Deputy Chief or Fire Chief.