

Conduct and Behavior

1013.1 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.

1013.2 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.

The Euless Fire Department shall:

- (a) Provide a proper and safe place to work and to provide safe equipment and proper materials.
- (b) Establish rules and regulations so that each employee will know what is expected of them and their fellow employees.
- (c) Insist that each officer or acting officer is held responsible for the enforcement of the rules and regulations concerning the conduct and safety of his employees. Further, each officer or acting officer will maintain necessary records of violations and corrective action taken with regard to employees under his/her supervision.

1013.3 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.

Members shall follow lawful orders from a higher ranking member. If a member believes that an order from a higher ranking member is unlawful then the member should contact the next higher ranking officer about the situation.

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.

Disorderly Conduct: An employee will not engage in disorderly conduct while on duty or on City property including provoking or engaging in fighting or horseplay. An employee will not exhibit threatening or intimidating conduct, to include verbal comments that would cause an individual to fear for his/her personal safety or the safety of family, friends and/or property.

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Fighting: An employee will not provoke a fight or engage in fighting. This is not meant to prevent an employee from defending himself or another. An employee will not engage in disorderly conduct while on duty or on City property.

Horseplay: An employee will not engage in rough or boisterous play while on duty, on City property, in City facilities, or in City vehicles.

An employee will not knowingly nor intentionally use fraudulent purchase orders (PO), the City of Eules purchasing system, or City credit cards in obtaining materials, property or services. Additionally, an employee will not use his/her position with the City to fraudulently order materials.

1013.4 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.

1013.5 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.

1013.6 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 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.

1013.7 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.

1013.8 DEROGATORY OR MALICIOUS STATEMENTS

Members should not be a party to any malicious gossip, report or activity which 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.

Lying and/or untrue speech or statements shall not be tolerated by any member of the department.

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1013.9 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.

1013.10 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.

1013.11 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.

1013.12 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.

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.

1013.13 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 Fire Administration 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.

1013.14 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 to another person their identification cards or badges, or permit their identification cards or badges to be photographed or reproduced without the approval of the Fire Chief.

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.

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1013.15 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.

1013.16 INCOMPETENCY OR UNSATISFACTORY JOB PERFORMANCE

- (a) **Readiness of Equipment:** All equipment will be kept ready for use. All necessary repairs will be reported immediately to his/her supervisor. All apparatus and equipment shall be kept clean and orderly at all times. On calls made after dark, cleaning of apparatus may be postponed until the following morning. During times of inclement weather, the cleaning of apparatus may be postponed until weather conditions have improved.
- (b) **Performance of Duty:** An employee will maintain sufficient competency to properly perform his/her duties and to assume the responsibilities of his/her position. Examples of incompetence include the inability or unwillingness to complete tasks or assignments by deadlines, the inability or unwillingness to produce sufficient work product during duty hours, the inability or unwillingness to effectively supervise employees, exercising poor judgment, the inability or unwillingness to effectively interact with co-workers and citizens, being absent without authorized leave, or having an unnecessary absence from the assigned work area during assigned hours of work. A written record of repeated disciplinary actions for infractions of City and/or departmental policies, procedures, rules, regulations, manuals, or directives, or repeated counseling or poor performance evaluation reports will be considered evidence of incompetence.
- (c) **Ignorance of Rules:** Ignorance of the rules and regulations is not an excuse or justification for any violation of them by an employee. An employee is responsible for his/her own acts. An employee will not attempt to shift the burden of responsibility for executing or failing to execute the employee's assigned instructions or responsibilities to any other person or entity.

1013.17 INEXCUSABLE NEGLECT OF DUTY

- (a) **Answering of Alarms:** All personnel on duty must respond to all emergencies to which his/her assigned apparatus is dispatched unless instructed not to do so by the station officer.
- (b) **Safety While Operating At:** The officer in charge at the emergency scene, shall at all times observe closely the conditions and shall order his or her crew out of any area which he considers to be unreasonable unsafe for the situation. In no case shall life or limb be unnecessarily jeopardized. One of the principal duties of all personnel is to look out for the safety of his or her crew at all times.

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- (c) **Abandonment or Neglect of Duty:** An employee will not neglect or abandon his/her duties or do anything that is detrimental to the proper performance of the functions of the City.

1013.18 UNAUTHORIZED DISCLOSURE OF INFORMATION

An employee will not make known any information concerning the progress of an investigation, a known or reported law violation, or any proposed law enforcement action to any person not authorized to receive such information. An employee who wants to know whether a person is authorized to receive information should seek clarification from his/her immediate supervisor. An employee will not release departmental information that is not public information unless authorized to do so by the employee's Department Director.

1013.19 DISHONESTY

- (a) **Abuse of Process/Withholding Evidence:** An employee will not, at any time, intentionally manufacture, falsify, destroy, or withhold information or evidence regarding disciplinary matters nor knowingly or intentionally make any false accusation or criminal charge.
- (b) **Fictitious Illness or Injury Reports/Deception:** An employee will not feign illness or injury, falsely report illness or injury or otherwise deceive or attempt to deceive any supervisor or official of the City as to the condition of the employee's health.
- (c) **Failure to Report Accidents:** An employee will immediately report personal knowledge of any accidents or personal injuries involving City property or on duty employees to his/her supervisor and/or to City personnel authorized to receive such reports.
- (d) **Answering Questions and Giving Statements:** Upon the order of a supervisor, an employee will truthfully and completely answer all questions asked the employee and render statements and materials related to the department or the City. This does not include a situation in which an internal affairs/criminal investigation is occurring where legal precedent protects the employee from self-incrimination.
- (e) **Giving Testimony as to Investigations:** An employee will not falsify or withhold evidence when an accident, claim, disciplinary matter, or other incident related to the City operation or authorized City personnel are investigating an employee's job. A City employee will not discuss a matter that could be or is included in any litigation involving the City without first obtaining authorization to discuss the matter from the employee's supervisor and City Attorney's Office with the exception of personal legal counsel or a Firefighters Association representative.
- (f) **An employee will be truthful at all times in oral or written reports, whether under oath or not.** No employee will knowingly omit a material fact from any report.

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1013.20 ANY VIOLATION OF THE CITY'S ALCOHOL AND CONTROLLED SUBSTANCES POLICY

- (a) Intoxicating Substances: Alcoholic beverages or controlled substances will not be allowed on or around fire department property, including apparatus. No personnel will report to work while under the influence of any intoxicating substance. Personnel will not report for duty or be on duty while taking prescribed medications that will impair their judgment or create a safety issue for any person. Controlled substances may not be consumed on or off duty except for medically prescribed drugs. Use of prescribed drugs may not impair the employee's ability to perform their duties. No personnel shall consume alcoholic beverages while in uniform. This includes all city/department issued clothing while on or off duty.
- (b) No person will be allowed to work that has an odor of alcoholic beverage on or about his or her person. When an off-duty employee, who has been partaking of alcoholic beverages is contacted to return for duty the employee will advise the caller of the situation and that they will not be able to report to Duty.
- (c) Refer to Eules Risk Management Policy; Drug and Alcohol Testing Policy, for further information on testing.

1013.21 VISITORS

Visitors, friends, or relatives will not be permitted in any fire station, except at such times as specified by the Shift Commander or the station officer. Neither shall employees sit in, or stand by, cars on the street or parking lot at fire stations and carry on lengthy conversations. A tour of the station is permissible, if authorized by the officer in charge. Visitors are limited to two hours and should leave city property by 2100 hours unless approved by the shift commander.

1013.22 RECOMMENDATIONS PERTAINING TO SERVICES

An employee will not recommend to non-city employees or officials or suggest in any manner, except as authorized by proper authority or in the transaction of personal business, the employment or procurement of a particular product, professional or commercial service (such as an attorney, doctor, ambulance service, towing service, plumber, mechanic, etc.). Except as permitted by applicable City ordinance. This section does not apply to recommendations made in the transaction of an employee's personal business.

1013.23 FAILURE TO SUBMIT TO MEDICAL

Upon the order of the Department Director and Director of Human Resources, an employee will submit to any medical, chemical, drug, intoxicants, ballistics, or other test, photograph, or fingerprinting and will sign any related forms necessary for the test or examination to be administered. All examinations carried out under this paragraph will be related to activities concerning the scope of employment and in accordance with the appropriate City policy.