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## ***POLICY 12.1 ADMINISTRATION OF S.O.P.S***

The Fire Chief will have the power and duty to administer and enforce the policies and procedures contained in the personnel manual.

The Fire Chief may specifically delegate in writing the authority for the enforcement of rules and policies.

Each department head may establish additional District rules and procedures as may be deemed necessary for the efficient and orderly administration of the department. Such rules and procedures are subject to approval by the Fire Chief before becoming effective and must be consistent with the general policies, procedures, rules, or regulations established by the District. District rules and regulations may be more restrictive than general District policy. Copies of the applicable department rules and operating procedures will be made available to all employees in the department and will be filed at the District office.

The Fire Chief will provide a current copy of the personnel manual to each employee and will provide each employee with a copy of any revisions to this manual adopted by the District. As a condition of employment with the District, a new employee must receive and acknowledge in writing that he/she has received and reviewed the personnel manual. A copy of the executed acknowledgment will be placed in the employee's central personnel file.

## ***POLICY 12.2 DISTRICT MISSION, GOALS, PROGRAM REVIEW***

It is the policy of the Stayton Fire District to prevent, protect, and preserve life and property from hostile fire and to provide emergency medical services -- both services to be of the highest possible quality within the District's funding limitations.

Fire District goals will be:

1. To prevent hostile fire from starting
2. To reduce the number of fire and medical emergencies, per capita
3. To prevent injury, loss of life or property when hostile fire starts or other emergencies occur
4. To confine hostile fire to its starting place
5. To extinguish hostile fires
6. To provide emergency medical care
7. To increase delivery system capabilities and efficiency
8. To provide the most cost effective and highest level of service possible with available resources
9. To meet community fire protection and emergency service needs

The Board of Directors will establish annual planning priorities. Areas to be considered for priority status will be based on perceived community needs and recommendations of the Fire Chief.

Annual priorities will be incorporated within the long-range plan. Planning priorities will be part of the long-range plan until established goals have been met.

The number of concurrent planning priorities undertaken will be determined by the Fire Chief and will be based on the availability of resources, be consistent with regulations developed, and follow a logical cycle.

### **A. STANDARD OPERATIONAL GUIDELINE ORGANIZATIONAL STATEMENT**

1. Mission Statement  
*To Provide Outstanding Service With Commitment To Saving Lives and Property*
2. Training Statement

The Stayton Fire District will assure that all personnel have the opportunity to receive quality training in a safe environment. Our goal is to maintain and enhance the knowledge, skills and attitudes of the Fire District's personnel and to support the mission statement of the Stayton Fire District.

The Fire District will provide training as required each year in the following areas:

- Fire suppression
- Emergency medical training
- Workplace safety including bloodborne pathogens training

- Fire District orientation/policy training
- Hazardous materials awareness training
- Incident command and accountability training

*The method of training will be administered through Service Delivery, Task Performances, or Education and/or Training.*

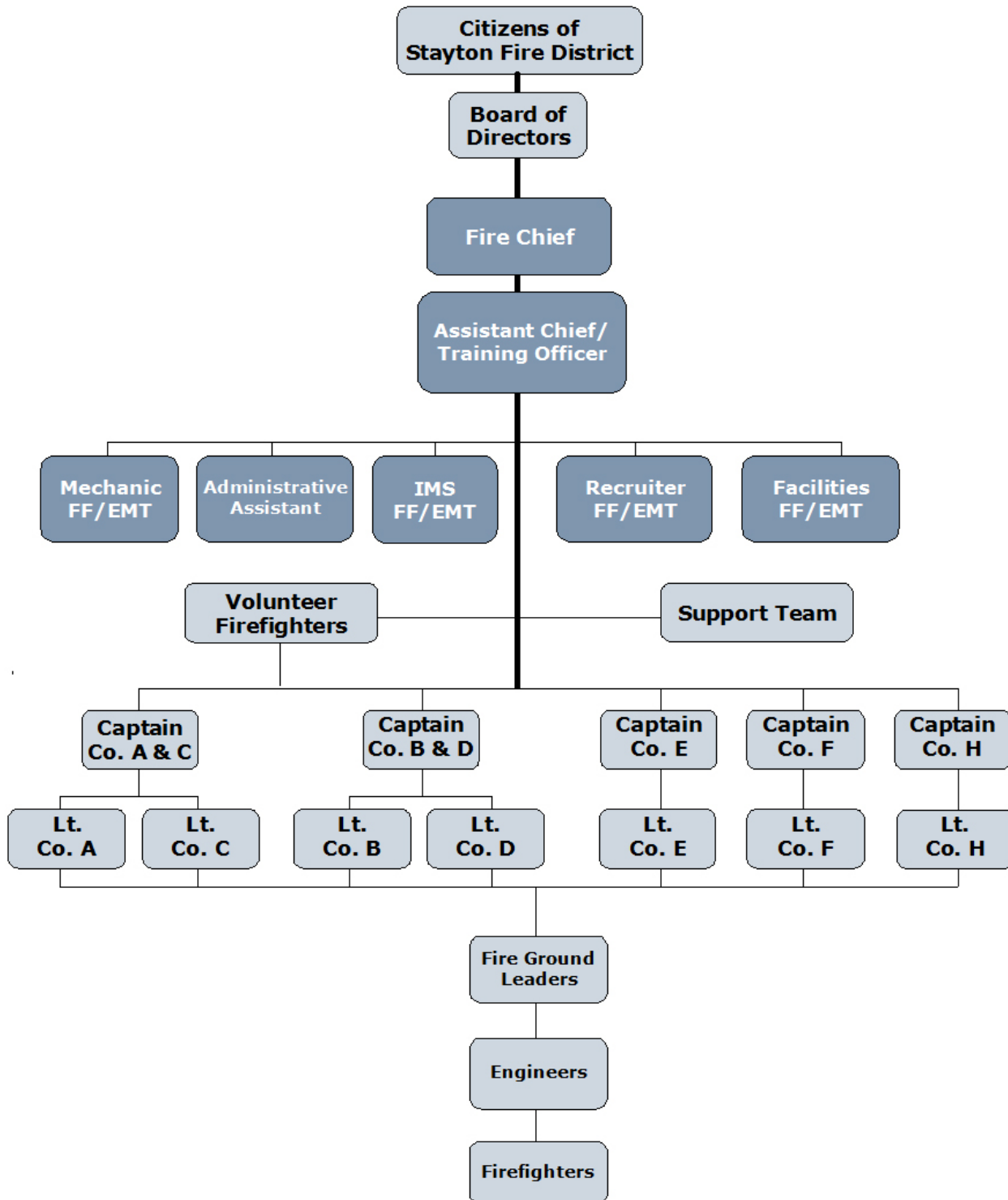
The training described above is for continuing education training and is not considered limiting. All entry level training will be completed before a member is allowed to respond to alarms as a participant.

### 3. Functions of the Organization

- The District will respond to hostile fires with the primary goal of preventing fire spread to nearby structures, and containing the fire to the area of origin.
- The District will respond to hazardous materials incidents to protect life, property, and the environment within its capabilities and training.
- The District will enter Immediately Dangerous to Life or Health (IDLH) environments to perform rescue, or to fight fires within its capabilities and training.
- The District will provide adequate apparatus and equipment to meet its functions.
- The District will provide training and protective equipment to its personnel to meet all of its functions.
- The District will respond to emergency medical incidents and provide basic life support.
- The District will investigate all hostile fires for a cause determination.
- The District will provide rescue within its capabilities and training. The District will rely on the mutual and automatic aid agreements to provide technical rescue capabilities.

B. ORGANIZATIONAL CHART

**Stayton Fire District**  
*Organizational Chart*



## ***POLICY 12.3 USE OF DISTRICT PROPERTY***

### **A. COMMUNITY USE OF DISTRICT BUILDINGS**

1. The specific use of the buildings will be that of Fire Stations housing fire trucks and equipment and serving as a meeting, training and gathering place for Volunteers of the District.
2. District buildings may be used for meetings or gatherings of community groups and non-profit organizations. Scheduled use by these groups may be granted following completion of a written request form and approved by the Fire Chief.
3. The District enacted a non-refundable room use fee, effective August 1, 1998 for every non-District sponsored function scheduled in any District facility.  
*Adopted: 7/13/1998*
4. Use of firefighting equipment or other fire related items by community or non-profit groups will not be permitted.
5. The Fire Chief may grant the use of a District building to a Volunteer Firefighter for a private function.

### **B. COMMUNITY USE OF DISTRICT EQUIPMENT WILL BE AS FOLLOWS:**

1. District equipment will not be loaned to private citizens or community groups.
2. District non-emergency equipment may be loaned to Volunteer Firefighters.
3. The Fire Chief will be the designated official to authorize the loan of any District Equipment.



## ***POLICY 12.4 MUTUAL AID AGREEMENTS & RESPONSE OUT-OF-DISTRICT***

### **A MUTUAL AID**

1. Upon request of any person or agency to provide fire protection of any sort, excepting natural cover type, which is extended to Clackamas-Marion Forest Protection District on a mutual aid basis, the Fire Chief shall provide same using whatever means he thinks is necessary.

The property owner shall be billed for the cost of manpower, supplies and equipment in accordance with OAR 837, Div. 130, State Fire Marshal Standardized Cost Schedules. *Adopted 2/11/75 Revised 9/13/93*

2. The District will participate in the Marion County and Linn County Fire Defense Board Mutual Aid Agreements. *Adopted: Marion 5/12/80 Linn 8/11/86*
  - a. The Fire Chief or his designee(s) will periodically review the Agreements to insure that the dates are current and that the procedures are being followed.
  - b. Major changes or updates to the Agreements will be approved by the Board of Directors.
  - c. Board approval will be required to terminate the Agreement.
3. The District may enter into Automatic Aid Response Agreements with neighboring cities and fire districts.
  - a. Automatic agreements shall be approved by the Board.
  - b. The Fire Chief or his designee(s) shall periodically review the agreements to determine if procedures used conform to the agreements.
  - c. Major changes to automatic aid response agreements shall be approved by the Board.
4. The District will provide for responsibility (command) for emergency incidents.

The Fire Chief or his designee(s) will establish guidelines to:

  - a. Insure that a command structure is established
  - b. Establish a framework outlining the authority and responsibility of command.
  - c. Fix the responsibility for command to a specified individual
  - d. Provide a system for an orderly transfer of command

### **B. RESPONSE OUT-OF-DISTRICT**

1. Stayton Fire District will respond to calls in designated unprotected areas (85E) for medical, rescue, and fire service to assist outside agencies until the agency/authority having jurisdiction arrives and assumes command or the situation is under control.

2. The designated unprotected areas will include Three Pools Day Use Area. Any other response to unprotected areas (82U and 85U) shall be by request only of the agency/authority having jurisdiction.
3. All responses outside Stayton Fire District boundaries shall be at the discretion of the Fire Chief or his/her designee based on available resources, expertise required and/or the duration of the incident.
4. Stayton Fire District will bill for services rendered in unprotected areas unless extenuating circumstances dictate otherwise. The Fire Chief will review all responses outside the Fire District for billing criteria.
5. Stayton Fire District shall use the Oregon State Fire Marshal's Conflagration rates to establishing billing fees for responses outside the District.
6. Stayton Fire District will use Appendix A of this policy (Guide for Response to Unprotected Areas) as the guide for response outside District boundaries and in unprotected lands.

**POLICY 12.5 VOLUNTEER MEMBERSHIP**

**A. VOLUNTEER FIREFIGHTER APPLICATION AND ACCEPTANCE PROCESS**

To initially qualify for application as a recruit Volunteer Firefighter, an individual shall meet the following criteria:

1. There must be a position available on the district roster at the time of acceptance.

The District Board of Directors sets the total number of volunteer firefighters for the district and only the Board may alter this amount. The maximum number of volunteer firefighters for the Stayton Fire District is set at 89. The suggested allocation for each station is:

Stayton	Station 800	40 positions
Mehama	Station 820	20 positions
Marion	Station 830	15 positions
Elkhorn	Station 850	14 positions

2. An individual shall be at least 18 years of age and no more than 60 years of age. If, in the opinion of the Fire Chief, an individual over the age limit is capable of continued active service, the upper age limit may be waived.
3. An individual shall be in possession of a valid Oregon driver’s license.
4. An individual shall have no record of criminal convictions, however, the District reserves the right to consider individual cases when requested, in writing, by the applicant.
  - a. No individual shall be considered for membership if he/she has a felony or Class A misdemeanor conviction.
  - b. Individuals with Class B or C misdemeanor convictions may be considered under the following circumstances:
    - i. If the individual has maintained an incident free history for a minimum of two years from date of conviction.
    - ii. The individual shall not have more than two Class B, Class C, or any combination of misdemeanor convictions in their history.
    - iii. The individual shall not be on probation resulting from a criminal conviction.
  - c. All cases will be judged on an individual basis with the final determination made by the Fire Chief.
  - d. Cause for termination: Any individual granted membership under the conditions listed above may be subject to disciplinary action up to and including termination if arrested and convicted during his/her tenure with the District.
5. An individual shall live within three (3) miles of his/her response station. An exception to this policy may be allowed if, in the opinion of the Fire Chief, an individual is within a *reasonable* distance for response.

6. All applicants shall complete the applicant routing checklist prior to being accepted as a recruit Firefighter. Until completion of this checklist, an individual may attend all meetings and drills, *but will not be allowed to perform any emergency service.*

An offer of membership shall be contingent upon an applicant's successful completion of a medical examination and the physician's certification that the applicant is capable of performing all essential functions of a firefighter without reasonable accommodation and without direct threat to the health or safety of the applicant or other persons. This examination will be provided by the District's physician at District expense. Any information gathered as part of the exam will be treated as a confidential medical record.

In order to insure continued qualification for membership, the District will request its members to submit to an unannounced, random test or post-accident test. *(Revised 6/8/09)*

7. Any member resigning from the District shall notify to that effect the Fire Chief or other Fire Officers. Every member resigning from the District shall surrender all District property in his/her possession to the Fire Chief or Fire Officer.

#### B. VOLUNTEER SUPPORT MEMBERSHIP APPLICATION AND ACCEPTANCE PROCESS

Support Volunteer is any volunteer other than a Volunteer Firefighter that wants to assist the Stayton Fire District. A Support Volunteer can assist with such things as, but not limited to: Fire Prevention Programs and Activities, District Events, Office Assistance, Photography, Child Care or various Fire Scene Activities. Support Volunteers will be eligible for all benefits of being a volunteer with the exception of points and LOS awards and subject to all rules and regulations of the District. An individual shall meet the following criteria:

1. Support Volunteers must be at least 16 years of age.
2. An individual shall be in possession of a valid Oregon driver's license.
3. An individual shall have no record of criminal convictions, however, the District reserves the right to consider individual cases when requested, in writing, by the applicant.
  - a. No individual shall be considered for membership if he/she has a felony or Class A misdemeanor conviction.
  - b. Individuals with Class B or C misdemeanor convictions may be considered under the following circumstances:
    - i. If the individual has maintained an incident free history for a minimum of two years from date of conviction.
    - ii. The individual shall not have more than two Class B, Class C, or any combination of misdemeanor convictions in their history.

- iii. The individual shall not be on probation resulting from a criminal conviction.
- c. All cases will be judged on an individual basis with the final determination made by the Fire Chief.
- d. Cause for termination: Any individual granted membership under the conditions listed above may be subject to disciplinary action up to and including termination if arrested and convicted during his/her tenure with the District.
- 4. All Support Volunteer Applicants shall complete the application procedures for support personnel prior to acceptance as a support volunteer.
- 5. Attend at least one district function per quarter to remain on the support roster. (i.e. drill, meetings, community events, work parties, etc.)

### C. UNIFORM POLICY

It is the policy of the Stayton Fire District to provide a standard uniform inventory to be maintained by all District personnel and worn when appropriate. It shall be the responsibility of the Fire Chief to ensure that all District personnel maintain the appropriate uniform inventory. District Chiefs shall ensure that District personnel display the appropriate uniform at all assigned times.

District personnel shall be issued the uniform items indicated by an asterisk (\*) for each classification. Other items are included as part of the uniform but will be provided by each member, as desired. Personnel shall be responsible for regular cleaning of issued uniform. The District shall assume responsibility for replacement or repair of District-issued uniform items when unserviceable. All personnel shall notify the Captain of the station to which they are assigned when replacements or repairs are required.

- 1. Jacket – navy blue service w/badge, patch placement same as shirt, service cross on left sleeve  
Firefighters (FF)
- \*2. Tie – black Fire Dept. style Firefighters
- \*3. Uniform Shirt - see Uniform Classes below
  - Med. blue, short sleeved, with epaulets FF, Engineers & Lt's
  - White with epaulets Capt's. & above
  - Support shirt Support Volunteers
- 4. Trousers - Black uncuffed All Personnel
- \*5. Tie Clasp - Fire Service style Firefighters
- \*6. Badges:
  - Firefighters: Silver w/standard emblem
  - Chief: 5 Trumpets on gold
  - Asst. Chief: 4 Trumpets on gold
  - Div. Chief: 3 Trumpets on gold
  - Captain 2 Trumpets on gold
  - Lieutenant: 1 Trumpet on silver

- |     |   |  |
|-----|---|--|
| *7. | Collar Insignias:<br>Silver S.F.D.<br>According to Rank   | Firefighters<br>All Officers                               |
| *8. | Hat - Regulation Fireman's Cap:<br>Navy Blue w/black rim, black visor, black chin strap, badge<br>Navy Blue w/black rim, black visor, silver chin strap<br>White w/black rim, black visor, gold chin strap<br>White w/white rim, white visor, gold chin strap | Firefighter<br>Lt's & Captains<br>Div. Chief<br>Fire Chief |
| 9.  | Belt, plain black   | All Personnel  |
| 10. | Ball Cap - District approved  | All Personnel  |
| 11. | Shoes - Black plain toe (slip on boots acceptable)  | All Personnel  |
- a. The dress uniform for firefighters shall be:
- i. A shirt as set forth above with badge attached and as approved
  - ii. District approved shoulder patch displayed on the left sleeve of the shirt, centered one inch below the shoulder seam, with appropriate medical patch centered under the District patch
  - iii. A U.S. flag patch displayed on the right sleeve of the shirt, centered one inch below the shoulder seam (any other patch approved may be centered below the flag). Only pins awarded by the District or meritorious ribbons may be worn on pocket flaps of uniform shirt
  - iv. Trousers as set forth above
  - v. Belt as set forth above
  - vi. Name badge above right breast pocket
  - vii. Shoes as set forth above

All personnel may wear an approved station cap, jacket, vest or shirt at times when a dress uniform is not required or when engaged in an activity that the Chief Officer deems appropriate for the wearing of such apparel.

A Drawing of uniform patch/badge placement will be posted in each station for reference.

**UNIFORM CLASSES: (Added 9/11/06)**

**Drill Uniform:**

1. Blue or red District Tee Shirt with logo on the front left crest and the back

**Class D:**

Commonly known as the "Duty Uniform" will consist of the following:

1. Blue or red District tee shirt with logo on the front left crest and the back
2. Black pants preferred, blue pants are acceptable, pants should be in good repair
3. Black shoes are preferred
4. Black or navy dress shorts may be worn for designated events (Fire Chief)

5. Blue District sweatshirt, screen printed or embroidered (optional)
6. Black or navy baseball caps (optional)

Class C:

1. Blue or white button-up dress uniform shirt (long or short sleeve)
2. Black pants are strongly suggested, blue pants may be worn, must be in good repair
3. Black belt
4. Black shoes preferred
5. Black or navy dress shorts may be worn for designated events (Fire Chief)
6. Black or navy baseball caps (optional)
7. Blue District sweatshirts, screen printed or embroidered (optional)

Class B:

1. Blue or white button-up dress uniform shirt (long or short sleeve)
2. Black tie (tie clasp optional)
3. Black dress pants
4. Black belt
5. Black dress shoes

Class A:

1. Blue or white button-up dress uniform shirt (long or short sleeve)
2. Black Class A dress uniform jacket
3. Black tie (tie clasp optional)
4. Black Class A uniform pants or skirt
5. Black belt
6. Black dress shoes
7. Class A uniform hat (optional)
8. Black full length rain coat (optional)

D. RULES OF CONDUCT AND DISCIPLINE

The Rules of Conduct and Discipline adopted by the Stayton Fire District are written with the intent to maintain morale and a harmonious interpersonal relationship with all members of the District. Any member of the District who violates a policy procedure or rule of conduct shall be subject to disciplinary action in keeping with the guidelines set forth.

Conduct:

1. In matters of general conduct, all members shall be governed by the ordinary and reasonable rules of behavior, and shall not commit any act while acting as an agent of the District that would discredit the District or its members.
2. No member shall willfully disobey any order issued by a superior officer that is reasonable and in the officer's power to issue.
3. No member shall willfully violate any policy or procedures of the District.

4. No member shall accept a reward, fee or gift from any person for services provided as a member of the District. Token gifts of appreciation with little value such as cookies, cakes or the like may be accepted. All such gifts should be reported to the Fire Chief as soon as reasonably practical, but in no event should reporting be delayed beyond five days.  
  
Money which is in the form of a donation to the District or Volunteer Association may be accepted. Such a donation must be immediately reported to the Fire Chief, or his/her designee, who will be responsible for issuing a receipt (if needed) and forwarding the donation to the proper party.
5. No member, on or off duty, or Volunteer, shall use the member's employment, membership or position with the District to gain entry to an event, or to purchase, charge or to initiate a discount for any item or services for personal gain, unless the Board of Directors is notified of such a program or discount, and all District personnel are eligible.
6. No solicitation, speeches or distribution of campaign literature for or against any candidate for elective office shall be permitted on District property, while a member is on duty or in uniform.
7. No member shall be a party to any malicious gossip or activity that would tend to disrupt District morale or bring discredit to the District or any of its members.
8. No member shall falsify any records, make any misleading entries or statements with intent to deceive, or willfully mutilate any District records, books, papers or documents.
9. All members shall promptly notify the District office of any changes in residence, telephone number, personal status or similar condition.
10. Members assigned a rank or position shall assume and discharge all reasonable authority, duty and responsibility of such rank. They shall be allowed all privileges of the rank or position and shall be obeyed and respected accordingly during the time they are acting in that capacity.
11. No member shall use District purchasing cards unless authorized to do so by the District Board of Directors or the Fire Chief.
12. All monies, jewelry or similar valuables discovered by any member at emergency scenes shall be protected and immediately reported to the officer in command of the scene (preferably face to face). The command officer will make a determination regarding the handling of such articles.
13. Any member receiving a complaint of theft or loss of valuables from an incident scene shall immediately notify the command officer, who, together with the Fire Chief or his/her designee, will conduct or order an appropriate investigation into such claims.
14. It is the responsibility of all members to protect all persons from any hazardous condition or situation that comes to their attention. The command officer and on-scene safety officer shall be notified immediately of all hazards involving emergency operations.



15. No member shall willfully and without proper authority remove or conceal any equipment or property of the District.
16. Any equipment, materials or property donated to the District shall become property of the District. The removal or sale of any such equipment, material shall be done in accordance with the applicable District policy.
17. All District equipment, materials and property are to be used to benefit the citizens of the District, or to enhance an individual's ability to carry out such duties.
18. At no time is any volunteer, employee, District Director or the general public allowed to possess, carry or store any type of firearm or other weapon, in any District facility or apparatus. *Exception: Section 18 of this policy does not apply to law enforcement personnel, when not acting as an agent of the District.*
19. All District personnel are charged with promoting a safe and positive influence on the community. Any person having a direct affiliation with the District (volunteer, employee, board member, etc.) and on or off duty, engages in illegal activity or behavior which is in direct conflict with the mission or policies of the Fire District, will face disciplinary action.

## E. RULES OF DISCIPLINE

### 1. Volunteers

#### a. Discipline Generally

Conduct of District Volunteers affects the ability of the District to serve its citizens and affects the taxpayer's impression of District government. Volunteer safety, productivity and morale are dependent upon the conduct of Volunteers.

Occasionally it is necessary for supervisors to resort to corrective action when other actions are inappropriate, or where a particular Volunteer fails to respond to informal guidance.

In order to provide a fair method of correction, and when necessary, of disciplining Volunteers, the District will use progressive discipline procedures when it deems such progressive procedures appropriate. Nothing in this policy shall be deemed to change the "at will" status of any Volunteer.

### 2. General Guidelines:

- a. Initiation of Discipline: Discipline may be initiated for many proper reasons, including, but not limited to, violation of laws or District policies, procedures, or work rules, insubordination or poor performance. The severity of the action generally depends on the nature of the offense and a Volunteer's work record, and may range from verbal counseling to discharge.

- b. Progressive Discipline: Progressive discipline for infractions may include:
- i. Verbal counseling
  - ii. Written counseling or warning, with or without a work plan or last change agreement
  - iii. Suspension
  - iv. Demotion
  - v. Discharge

Any or all of these steps may be utilized, depending upon individual circumstances and the nature of the infraction. Exceptions or deviations from the normal procedure may occur whenever the District, in its discretion, deems it appropriate in the circumstances of the particular case.

c. Application of Progressive Discipline

For performance deficiencies, Volunteers will normally be verbally counseled once before receiving a written warning. A supervisor may or may not choose to make the imposition of a verbal warning part of the Volunteer's personnel file.

There is no appeal from a verbal counseling or a written reprimand or warning. The Volunteer may place an explanatory statement in their personnel file.

Supervisors may issue verbal counseling and written reprimands or warnings. All other discipline shall be referred to the Fire Chief.

F. DISCIPLINARY MATRIX

1. The following listed disciplinary actions and matrix is to be utilized when determining what action can be taken by the Officer.

	REPRIMANDS				
	VERBAL	WRITTEN	SUSPENSION	DISMISSAL	
LIEUTENANT	X	*OA	**REC	**REC	
CAPTAIN	X	X	**REC	**REC	
DIVISION CHIEF	X	X	*OA	**REC	
ASSISTANT CHIEF	X	X	X	*OA	
CHIEF	X	X	X	X	
		*OA - On Approval		**REC - Recommend	

2. Officers shall not:
- a. Discuss or comment on any pending disciplinary action, except to those individuals directly involved with the investigation and/or disciplinary action

- b. Cause any investigation or disciplinary action to proceed in a less than timely manner
- c. Be influenced by a personal relationship in regard to determining action to be taken. If necessary, duty shall be relinquished to an Officer of equal rank or higher.

#### G. DISCHARGE PROCEDURES

If the Fire Chief deems it appropriate, for disciplinary reasons, to demote or discharge a Volunteer, the Fire Chief shall notify the Volunteer of the nature of the proposed discipline and of the specific reasons that the proposed discipline is being considered. The Volunteer shall be provided with the facts upon which the proposed actions are based. The Fire Chief shall afford the Volunteer a formal opportunity to refute the charges orally or in writing. If a pre-disciplinary conference is to be held, it will be scheduled and held within three (3) workdays after notice of the action has been given. The Volunteer will be given adequate time to develop a response and to see necessary outside assistance if needed. The time limits may be varied by the District to meet individual needs.

The Fire Chief will conduct the conference and decide whether to impose discharge or a lesser degree of discipline. The Fire Chief shall advise the Volunteer in writing of the decision, mailed to the Volunteer at the last official address the Volunteer provided to the District in writing.

A Volunteer will not participate in District operations after receiving a notice of dismissal until the Fire Chief reaches a final decision. During this period, the Volunteer shall be considered on a leave of absence for record keeping purposes.

Any volunteer who fails to attend 50% of the District's regularly scheduled drills may be dismissed at the Fire Chief's discretion, if the Chief determines that this lack of attendance detrimentally affects District operations. The volunteer will have four weeks, commencing from the date of notification, to demonstrate an improved attendance record to the Fire Chief. A record of this notice will be kept in the Volunteer's personnel file.

#### H. GRIEVANCE PROCEDURE:

1. The grievance procedure will be as follows:
  - a. The aggrieved member will have five (5) working days from notification of impending disciplinary action to do the following:
    - i. Complete the District grievance form (See Appendix)
    - ii. Appoint one (1) member of the District to serve on the Review Board (the Fire Chief or Assistant Fire Chief may not be appointed to fill this position)
    - iii. Submit grievance form and name of Review Board selection to the Assistant Fire Chief

- b. The Assistant Chief will have five (5) working days from receipt of grievance to do the following:
  - i. Notify all directly concerned members, either verbally or in writing
  - ii. Appoint one (1) member of the District to serve on the Review Board (the Fire Chief or Assistant Fire Chief may not be appointed to fill this position)
  - iii. Verbally notify aggrieved member of the selection to the Review Board
- c. The two (2) selected members will then have five (5) working days to select a third party to the Review Board. The third party selected will serve as the Board Chairperson.
- d. The Review Board will convene within fifteen (15) days of selection of the Board Chairperson.
- e. The Review Board will:
  - i. Review all facts
  - ii. Interview all members summoned
  - iii. Consider all testimony, pertinent facts and mitigating circumstances
  - iv. Submit in writing the Review Board's findings and decision to the Fire Chief within five (5) working days of the close of the Review Board meeting
- f. The Fire Chief:
  - i. Will study the Review Board's findings
  - ii. May modify disciplinary action to be implemented based on the finding of the Review Board
  - iii. May not overturn the Review Board's findings of guilt or innocence
  - iv. Will make notification to all concerned parties of the findings of the Review Board and modifications to be implemented within five (5) working days of receipt of the Review Board's findings.

## I. VOLUNTEER PERSONAL LEAVE OF ABSENCE

- 1. Volunteers who have been with the District for at least one (1) year, who are off probation, and are a member in good standing\* may request a personal leave of absence for a reasonable period up to ninety (90) days. Requests for leave of absence will be considered on an individual basis and on the volunteer's length of service, performance, the reason for the request, and prior requests.

\*Member in good standing: A member of Stayton Fire District who is not in violation of district policies or SOP/SOGs.

2. Requests must be submitted in writing and must be approved in writing by the Fire Chief before the leave begins. Requests for extensions of leave must be submitted in writing and approved in writing by the Fire Chief before the extended period of leave begins. It is the volunteer's responsibility to report to the District at the end of the approved leave. A volunteer who fails to report to the District after the leave expires will be considered to have voluntarily resigned.

## ***POLICY 12.6 APPARATUS OPERATOR STANDARDS***

### **A. ENGINEER CERTIFICATION POLICY**

The following steps are required to become an Engineer with the Stayton Fire District:

An Engineer candidate must:

1. Be a member of the District for 18 months. Outside certification will be reviewed by the District Apparatus Operator Examiner and the Training Officer. The Station Commander may waive this requirement upon written request.
2. Hold the rank of BPSST Basic Firefighter for at least six (6) months. The District Apparatus Operator Examiner and the Training Officer will review outside Certification.
3. Meet the requirements of the District insurance carrier and the Engineer Motor Vehicle Record (MVR) standard, as adopted by the District.
4. Complete a DPSST Driver and Pumper Operator course. Outside certification will be reviewed by the District Apparatus Operator Examiner and the Training Officer.
5. Must be able to demonstrate to the Apparatus Operator Examiner knowledge of equipment location and identify all equipment carried on apparatus for which certification is requested.
6. Document a minimum of ten (10) hours driving and pumping time while accompanied by a District certified Engineer or Apparatus Operation Instruction. Documentation is the responsibility of the candidate.
7. Successfully pass the District Driving and Pumping Test, based on BPSST Task Performance TP 3008 and TP 7.

Apparatus Operator classes and Engineer promotional examinations will be given on an as-needed basis, as determined by the Apparatus Operator Examiner and the Training Officer.

### **B. ENGINEER RECERTIFICATION PROCESS**

The District Apparatus Operator Examiner and the Training Officer shall be responsible to oversee the recertification process. For annual recertification as a District Engineer, the Engineer shall:

1. Successfully complete the four-part recertification criteria, which includes:
  - a. Attend the classroom presentation of driving laws, policies and procedures.

- b. Engineers will be given a performance-based evaluation annually. One task will be selected and the Company Officers will evaluate the rated engineers of their station.
  - c. Participate and pass the annual apparatus rodeo as given by the District Apparatus Examiner within two (2) attempts.
  - d. Upon completion of the testing procedure an MVR will be obtained to compare against the Engineer standards policy.
2. Upon successfully completing the four part criteria for recertification the Engineer will be considered re-certified and a certificate will be entered into the training record.
  3. If the Engineer fails any part of the four-part process it will result in the loss of certification for one (1) year. Following the one-year suspension, the fire fighter may re-enter the recertification process. Failure of the MVR report results in Engineer status removed.

### C. GENERAL EMERGENCY VEHICLE OPERATOR REQUIREMENTS

#### *Requirements for Vehicle Operators Under Age 21:*

1. Due to the lack of general driving experience and considering the limited amount of training and related activities available to a young member of an emergency service organization, all members under the age of eighteen (18) shall not be allowed to drive emergency vehicles ***under any circumstances.*** There will be no exceptions!
2. All new candidates to become driver trainees shall be subject to periodic medical evaluation as determined by the governing body of the Stayton Fire District. The purpose of the physical examination is to determine if the candidate has the physical ability to adequately perform his or her duty as an operator of emergency vehicles.
3. Any candidate between the ages of eighteen (18) and twenty-one (21) who has demonstrated exceptional abilities with their personal driving may become an emergency vehicle operator trainee. The individual shall remain on the trainee list until the age of twenty-one (21). During this time, candidates will meet the requirements of a training program established by the Training Officer.

The training program should include, but not be limited to preventative maintenance, record keeping, legal requirements, defensive driving and unusual circumstances, training for specific vehicle functions such as vehicle systems, pumps, tanks, aerial devices, hydraulics, etc. as determined by the Fire District.

Candidates will also demonstrate their driving ability to the Apparatus Operator Examiner with the following conditions:

- a. The trainee's driving of emergency vehicles shall be limited to training and non-emergency activities. If an emergency situation occurs and

there is no certified operator present at that time, if the trainee meets the requirements of the training program of the District and approved by the Officer in charge for the trainee to act in this capacity, the trainee may respond in the vehicle to the emergency “Code 1”.

- b. Detailed training records shall be kept on all trainees during their training period. The training records should include hands-on experience and classroom time on theory.
- c. A Department of Motor Vehicles check should be done on every trainee upon initial entry into the training phase and annually thereafter until the trainee turns twenty-one (21). This report is to be secured from local sources by the District. This report should reflect no conviction for a Class B or higher traffic misdemeanor within the last three (3) years upon application and never during the Engineer’s tenure as an Apparatus Operator.

#### *Requirements for Vehicle Operators Aged 21 to 65 Years*

1. All new candidates for or existing operators of emergency vehicles shall be subject to periodic medical evaluation as determined by the governing body of the Stayton Fire District. The purpose of the physical examination is to determine if the candidate or Engineer has the physical ability to adequately perform their duty as an operator of emergency vehicles.
2. A Pumper Operator class is required training for all new engineer training candidates. Periodic classroom training for experienced operators should be performed at the discretion of the Training Officer.
3. New candidates should have sufficient hands-on training to effectively demonstrate their capability of handling the emergency vehicles necessary to perform their duties. Annual hands-on training will be a minimum of ten (10) hours.
4. All candidates for operators of emergency vehicles shall meet the requirement of a training program established by the Stayton Fire District. The training program shall include preventative maintenance, record keeping, legal requirements, defensive driving and unusual circumstance driving, specific training of vehicle functions such as vehicle systems, pumps, tanks, aerial devices, hydraulics, etc. as determined by the Training Officer.
5. A Department of Motor Vehicles check should be done on each individual every year. No conviction for a Class B or higher traffic misdemeanor is allowed for any Engineer within the last three (3) years upon application and never during the Engineer’s tenure as an Apparatus Operator. Engineers are allowed up to two (2) convictions for Class C traffic misdemeanors or two (2) “moving” traffic infractions or one (1) chargeable\* accident or the combination of one (1) citation and one (1) chargeable accident within any three (3) year period. Instances in excess of this allowable standard will be cause for a review by Staff Officers and possible disqualification as an



Engineer for a period of three (3) years. Reinstatement will be considered upon receipt of proof of a driving record that qualifies under current standards for the immediate past three (3) years and agreement to undergo the recertification process for an Engineer.

*\*The term "chargeable" refers to any accident appearing on an MVR that does not fall into one of these categories - 1) driver is the victim of a hit-and-run; 2) driver is rear-ended while stopped; 3) driver is reimbursed on behalf of or by the other party; 4) the other driver is cited as the cause of the accident. Adopted 9/11/95*

6. The Stayton Fire District driver training program and procedure will be based upon current recognized safety standards and policies, as well as manufacturers' suggested procedures.

#### *Requirements for Vehicle Operators Age 65 Years and Older*

Drivers over age sixty-five (65) shall not be permitted to drive emergency vehicles in emergency situations. If it is necessary for an individual over sixty-five (65) to operate emergency vehicles, the following must be adhered to:

1. Meet all requirements for operators in the twenty-one (21) to sixty-five (65) year class (see evaluation requirements).
2. An annual physical shall be completed by a licensed physician stating the operator is physically capable of driving an emergency vehicle in an emergency situation. A signed copy of the completed physical examination must be kept in the member's file. The physical shall include, but not be limited to, the following:
  - a. No impairment of the use of foot, leg, hand, arm or fingertips, or any other structural defect or limitation likely to interfere with safe driving
  - b. Does not have diabetes mellitus to a degree presently requiring the use of insulin for control
  - c. No heart condition likely to cause loss of consciousness or sudden death
  - d. No respiratory ailment likely to interfere with safe driving
  - e. No arthritic, rheumatic, muscular or vascular condition which interferes with ability to drive safely
  - f. No epilepsy or any other condition likely to cause sudden loss of consciousness or loss of ability to control a vehicle
  - g. No mental, nervous, organic or functional disease or any psychiatric condition likely to interfere with safe driving
  - h. Meet the following minimum vision requirements - At least 20/40 (Snellen) in each eye and in both eyes together, with or without glasses; at least seventy (70) degrees side vision in each eye; the ability to distinguish red, green and yellow (amber).

- i. Meet hearing requirements by perceiving a forced whisper at five (5) feet with the better ear, or meet specified requirements as measured by a testing device, with or without a hearing aid.
  - j. Evaluate any medication taken to determine if any chemical impairment would result and interfere with the ability to operate an emergency vehicle.
  - k. Must not be diagnosed as an alcoholic.
4. A copy of the physician's certificate must be forwarded to the insurance company providing coverage on all District vehicles and apparatus.

***POLICY 12.7***

***FISCAL POLICIES***

**A. BUDGET ADMINISTRATION**

1. The adopted budget is the financial plan developed to carry out the programs supporting the District's goals and objectives.
2. The District's Budget Document is the District's purchasing plan for the fiscal year. All purchases must be in accordance with the District budget appropriations and expenditure account definitions.
3. The Fire Chief is responsible for the procurement of all goods and services and for establishing procedures to sell goods and services.
4. The Fire Chief shall develop and publish procedures for the purchase and requisition of materials and services.
5. The Fire Chief is authorized to approve expenditures for any supply and equipment items valued under \$10,000, provided that they are within approved budget item totals.
6. The District recognizes that effective purchasing practices can cause significant savings. It supports the integration of effective private sector purchasing with the statutory requirements of public sector purchasing. The Public Contracting Law will prevail when a conflict develops between the two.
7. Only persons designated by the Fire Chief are authorized to commit the District for materials, equipment, supplies and services.
8. The Board of Directors recognizes that volume purchasing results in cost savings and supports consolidated purchasing, warehousing and distribution. Since volume purchasing benefits the District, service charges will not be added to goods sold to participating agencies.
9. Standardization of supplies, materials and equipment is to be achieved whenever possible.
10. District intent is to achieve standardization through attrition. Consideration must be given to cost of installation and operation commitments when replacing non-standard items.
11. The Board will be provided financial reports on a monthly scheduled basis in which actual revenues and expenditures will be compared with the budget.

**B. DEPOSITORIES**

1. The depositories for the District income shall be designated by the Board at the first business meeting of each fiscal year. Bank signature authorizations and other required forms will be signed by the new Board Officers at the first Board meeting of the fiscal year.

2. All receipts will be deposited to the proper account as soon as possible after they are received.

#### C. PURCHASE AND SALE OF REAL PROPERTY

1. The purchase of all real property must have the prior approval of the Board of Directors.
2. The Fire Chief shall project site needs in advance and the Board, with advice and counsel of the Fire Chief, shall select sites prior to immediate need. Such sites shall be chosen with a view to the best service of the residents and properties of the whole District and will be based on demographic data, growth projections, emergency response items, availability and cost of land.
3. Selection of a specific site will depend upon county planning requirements concerning accessibility and relationship to the street system, availability of utilities, topography of the land and ease of exit and entry of emergency equipment.
4. Sites that become surplus to the District's needs shall be declared as such by the Board and shall be considered for trade or sale.

#### D. INVESTMENT OF FUNDS

1. The Stayton Fire District maintains a policy of investing a maximum of surplus available funds as is reasonably prudent, while having available cash on hand to meet daily operating needs.
2. The Fire Chief is the portfolio manager and shall receive direction from the Board of Directors.
3. The portfolio manager shall adhere to the rules set forth in Oregon Revised Statutes 294.035 and 294.040 and the guidelines that follow.
  - a. Long-term investment objectives are set by the Board of Directors.
  - b. The following diversification guidelines will be adhered to:  
Money Market Accounts - Local Bank - 100% Maximum  
Local Government Investment Pool - 100% Maximum

#### E. BORROWING

1. The Board shall determine the limit for the total amount of short-term loans at the first business meeting of each fiscal year.
2. The District is authorized to contract for short-term loans for the purpose of meeting current expenses. Two members of the Board of Directors shall sign these notes.

F. PAYING FOR GOODS AND SERVICES

1. All payments for goods and services must be in accordance with ORS 279.
2. All payments for goods and services must be authorized by budget commitment or by prior Board action.
3. All payments for goods and services must be in accordance with procedures for payment that will be approved by the Board.

- a. An original invoice for each purchase must be provided with the payment request. The invoice must have the vendor's complete name and mailing address. It must clearly show that the goods or services were provided to the Fire District, clearly describe the goods or services provided by the vendor and contain the accurate and total price to be paid.

Should the original invoice be lost or destroyed, the vendor shall be contacted by the responsible individual and asked to provide a duplicate invoice that clearly states it is a replacement.

In the event that the vendor provides only monthly statements in lieu of an invoice, the statement may be used as the paying document only if it describes the goods and services provided.

The following items do not require an invoice:

- i. Rent or lease of property and equipment made under contract
  - ii. State, County and City licenses, permits and fees; however, documentation must be provided to the District office as soon as possible
  - iii. Registration to seminars and conferences will be processed if a properly completed form and a flier describing activities and costs are provided.
4. A payment document is an essential part of the clear and complete accounts payable files required to meet GAAP standards. Therefore, the following procedure must be adhered to without fail:
    - a. Before an invoice is authorized for payment, it must be directed to the Administrative Assistant for coding.
    - b. The Administrative Assistant will forward the invoice to the Fire Chief for approval.
    - c. Before an invoice is to be returned to the Administrative Assistant for payment, it must be approved by the Fire Chief.
    - d. The invoice shall not be paid until the Board of Directors has approved a list of all invoices referred to as "Monthly Accounts Payable".
    - e. Since many vendors allow a trade discount when bills are paid within a specific time frame, it is District policy to take the discount whenever possible.

- f. It most cases, checks are to be disbursed as soon as possible after they are approved and signed by the Board; however, large disbursements are not to be made until the due date. If the disbursement is to be mailed, it shall be mailed sufficiently ahead of the due date so that it reaches its destination by the due date.

## G. SYSTEM OF ACCOUNTS

1. The District shall adopt and maintain a standardized accounting policy that will correlate with GAAP, GAAFR and NCGA practices where practical.

GAAP - Generally Accepted Accounting Principles

GAAFR-Governmental Accounting Auditing and Finance Reporting

NCGA - National Council of Governmental Accounting

2. The District uses the following funds to account for its revenue and expenditures:

General Fund: This interest-bearing fund resides in the Local Government Investment Pool (LGIP) and is the primary account into which tax revenue is deposited directly by Marion and Linn Counties. Transfers to the District checking account and other funds as directed by the budget are made from this fund.

Debt Service Fund: This fund resides inside the General Fund and is set aside under its own account number to accumulate funds required for principal and interest payments on the District's bonded debt.

Equipment Reserve Fund: This interest-bearing fund resides in the Local Government Investment Pool and was established to accumulate budgeted transfers for the purchase of fire equipment to maintain the approved Apparatus Replacement Plan.

Building Fund: This interest-bearing fund resides in the Local Government Investment Pool and was established to accumulate budgeted transfers for the acquisition of land for future expansion of fire service facilities and approved building projects.

Length of Service Fund: This interest bearing money market account resides in U.S. Bank and was established to accumulate budgeted transfers to present monetary awards based on rank and training to long-term Volunteers, upon their retirement.

Training Fund: This fund resides in a local bank as a non-interest bearing, business checking account and was established to process revenue and training expenses for scheduled classes, seminars and live fire exercises.

## H. AUDIT

1. The Administrative Assistant will work with the Board designated auditor each year to accomplish the objective of the annual audit.

## I. SELECTION AND DUTIES OF THE AUDITOR

1. At a regular Board meeting in the first quarter of every third year the Board shall select an auditor.
2. The auditor shall:
  - a. Examine the accounts of the District at the close of every fiscal year in accordance with ORS
  - b. Include such tests of the accounting records and such other auditing procedures as are necessary in the circumstances
  - c. Render an opinion on the financial statements prepared at the close of the fiscal year
  - d. Prepare financial statements for publication required by law
  - e. Make recommendations to the Board concerning its accounting records, procedures and related activities
  - f. Perform such other related services as requested by the Board

## J. PROPERTY INVENTORY

1. The District shall maintain a formalized program of accountability and controls over all inventories of furniture, fixtures and equipment. The purpose of the inventory will be to satisfy reporting requirements for insurance coverage, to aid the administration in the management of equipment and to assist in budgeting for replacement and to affix the control responsibility for the custody of equipment.
2. The inventory shall be reviewed annually by the Fire Chief.
3. The criteria to be used to conduct the inventory shall be included in the administrative regulations.

## K. SELECTION OF ARCHITECTS

1. Prior to any construction project requiring an architect, the Board shall approve the employment of architects from recommendations prepared by the Fire Chief.
2. The Fire Chief or his designee shall have the specific responsibility for screening applicants and developing recommendations for Board approval.

Selection criteria shall be developed and placed in the administrative regulations.

L. RISK MANAGEMENT AND INSURANCE PROGRAM

1. The Board shall provide for a program of risk management consistent with legal requirements pertaining thereto and with the ability of the District to finance it.
2. The Board shall purchase the necessary insurance or set aside adequate reserves to self-insure. Coverage shall be adequate to protect:
  - a. Itself as a corporate body
  - b. Its Board of Directors
  - c. Its individual members
  - d. Its appointed officers
  - e. Its employees

These groups are to be insured against financial loss arising out of any claim, demand, suit or judgment by reason of alleged negligence or other act resulting in accidental injury to any person or damage to property within or without the District while the above named insured are acting in the discharge of their duties within the scope of their obligations as Board members or as employees carrying out their duties. Under no circumstances will Board members be held personally liable for consequences of their actions and decisions in fulfilling Board responsibilities.

3. The Board shall purchase insurance to cover or self-insure:
  - a. All real and personal property of the District
  - b. Losses due to employee dishonesty, injury or death
  - c. A program of benefits for employees to the limits established from time to time by the Board.
4. The Fire Chief shall develop and maintain procedures and regulations to carry out this policy and may designate District employees to administer and supervise the program.
5. The person(s) so designated shall be guided by the Prudent Man Rule and shall:
  - a. Identify and measure those risks
  - b. Evaluate physical properties owned or leased by the District
  - c. Establish accounting records to reflect values of such property
  - d. Establish procedures to maintain property and designate security personnel to protect property



- e. Establish procedures for good housekeeping and safe environmental conditions for employees and members of the public
- f. Establish procedures for handling of funds and record keeping
- g. Utilizing the services of the District's Insurance Consultant and/or Broker to determine which risks can normally be assumed as a property business risk and which risks shall be ceded to professional risk bearers considering:
  - i. Frequency and magnitude of loss, and
  - ii. The ability of the District to replace damaged property

M. AGENT OF RECORD

1. The District will retain an agent of record for casualty and property insurance and bonds as well as an agent of record for employee benefits.
2. The Board will designate the agent for a period of three years with an annual review in January of the type and quality of service.
3. The agent is responsible for assisting the District with the development of a sound risk management program and for writing and servicing all necessary policies and statutory bonds.
4. The means of selection, the minimum qualifications and responsibilities of an agent of record are developed and placed in the contract and the administrative procedures.

N. PROPERTY APPRAISAL

1. The District shall maintain an up-to-date appraisal of all buildings, including improvements, fixtures and fixed contents.
2. An appraiser who is certified or has a history of successful experience in the field shall conduct the appraisal. The District's insurance agent of record may perform this appraisal.
3. Effective in 1988, a physical re-appraisal of replacement values on property and improvements shall be conducted no less than each ten (10) years. All values of all buildings shall be updated at least annually or more often if necessary.

O. DISPOSAL OF SURPLUS OR OUTDATED EQUIPMENT AND PROPERTY

1. The District shall dispose of surplus or non-usable property using the monetary policies required by Oregon State Statute or Board Policy, with sales being conducted in a manner that will not invite criticism.
2. Items declared surplus or non-usable may, upon approval of the Fire Chief, be sold or disposed of as authorized by the Board to fire departments or other governmental agencies.

3. Where possible, sale of surplus firefighting equipment shall be made available to fire departments with which the District may expect to have mutual aid agreements and/or support.

P. PETTY CASH FUNDS

This fund was established using consistent practices outlined in ORS 465. Amounts requested to reimburse petty cash for expenditures shall not be made more often than once each month and no less often than once each quarter. Amounts of more than fifteen dollars (\$15.00) shall not normally be paid from petty cash funds. *Adopted April 1, 1990*

1. Full legal responsibility for the petty cash fund will rest with the Fire Chief of the District, but full financial responsibility for the fund will rest with the Administrative Assistant.
2. When reimbursement is required, the Administrative Assistant shall complete a reconciliation form. The receipts and other substantiating documents shall be attached to this reconciliation. Requests should be submitted at a time when the fund balance will allow reimbursement within the established accounts payable vendor cycle.

Expenditures made from the account are subject to the same budget and fiscal control requirements as are regular expenditures of the District and must be appropriately substantiated by the following types of documents:

- a. An original invoice or receipt which clearly shows the vendor's name, type of goods or services provided and the amount. The document should clearly be marked "paid". A cash register receipt will be considered an original receipt if this information is machine printed.
- b. A properly completed non-receipted disbursement form. This form should be used only for those transactions for which receipts are normally not provided, for example:
  - i. Cab, city bus or subway fare
  - ii. One-time personal services for which receipts are not normally available
  - iii. Disbursements made at coin-operated machines, such as laundromats, telephones and parking meters
  - iv. Unidentified cash discrepancies (over and short) in the petty cash fund
- c. The reimbursement check shall be made payable to Stayton Fire District Petty Cash
- d. The following items are expressly not authorized as expenditures from the petty cash fund:
  - i. Transactions where the individual did not obtain a receipt

when a receipt was available

- ii. Cashing of personal checks
- iii. Expenditures and travel expenses substantiated by cash register and credit card receipts that exceed fifteen dollars (\$15.00)
- e. The Administrative Assistant or the Fire Chief shall be the only personnel authorized to make expenditures from the petty cash fund.
- f. Procedures shall be established to insure the safety and security of the account. The petty cash fund, when unsecured, should never be left unattended and should be locked in a secure location when it is not practical for an attendant to be present.

## ***POLICY 12.8 EMERGENCY MEDICAL SERVICE & RESCUE***

Stayton Fire District will provide Basic Life Support (BLS) medical response for Emergency Medical incidents within the fire district boundaries and those areas adjacent that have been identified by district policy.

### **Response**

Response shall include trained medical personnel with minimum license of Emergency Medical Responders (EMR). The district will support personnel through Emergency Medical Technician and recognize personnel up to Paramedic.

Support means providing training and equipment to perform at the EMT scope

Recognize means utilizing their skills when Advanced Life Support services are on scene. The district will provide necessary equipment needed for the EMR and EMT Scope of Practices as approved by the Supervising Physician.

### **License**

The district requires ALL response personnel to be trained to minimum EMR and ALL Rehab members to be trained to minimum First Aid/CPR/AED at no cost to the individual for training, initial license and bi-annual license renewal.

The district will support response personnel to be trained to EMT at some cost to the individual for training, and at no cost for initial license and bi-annual license renewal. (See cost tables below). The district will not reimburse personnel for license renewal levels above EMT and/or specific classes to those levels.

### **License Renewal**

The district will only recognize and support Oregon licenses and renewals. Individuals are responsible for training and cost associated with maintaining National Registry EMT (NREMT) certification. Individuals who do not recertify on time are responsible for late fees and associated cost.

### **Training**

The district will provide regular training on drill nights and other days throughout the year, which will offer hours required for bi-annual license renewal. Additional opportunities to attend classes, conferences and seminars are also available to all members throughout the year.

The district will reimburse personnel for successful completion of EMT courses, initial license fees and bi-annual renewal. Reimbursement shall occur as follows: 100% of the course upon a copy of certification presented to the district; 100% of renewal upon copy of renewal to the district. Member must be in good standing with the district. If a member leaves the district prior to one year of service to the district after reimbursement for the course, a graduated scale based on the year will be applied for the individual to reimburse the district.

<b><i>DISTRICT PAYS WITH PRIOR APPROVAL BEFORE TAKING COURSE</i></b>	<b><i>DISTRICT DOES NOT PAY FOR</i></b>
EMT Test fees	Books
Tuition	Uniforms
Refresher training	Reimbursement for other expenses such
Written test	as travel, lodging, meals associated
Some immunizations	

***POLICY 12.9 EMERGENCY CONFLAGRATION ACT***

If it appears imminent that the District will be required to participate under requirements of the Emergency Conflagration Act, the Fire Chief is enabled to assess the budget, equipment and personnel of the District and to review the minimum level of fire protection required to protect the District under conditions created by the emergency. *ORS 476.510 - 476.610 and ORS 192.640*

A. The Fire Chief shall:

1. Develop and implement a plan to bring the District into conformity with the Emergency Conflagration Act
  - a. Maintain a current inventory of personnel and equipment committed as firefighting resources
  - b. Establish a command post and provide for ready communication with the Fire Defense Board Chief and the State Fire Chief
  - c. Develop communications that are compatible with the statewide radio fire communications network
2. Designate an alternate(s) to be in command in the event he is absent, disabled or otherwise unable to perform.
3. Keep accurate records of units dispatched, personnel and time employed, distances traveled, motor fuel consumed, supplies and repairs required, losses suffered and other expenses incurred due to the emergency operation.
4. Submit a bill to the appropriate State agency for reimbursement within thirty (30) days after the end of the emergency.
5. The cost schedule for reimbursement of expenses shall be the State Fire Service Mobilization Plan hourly rate (OAR 83, Div 130 7/95)

## ***POLICY 12.10 FEES AND COST RECOVERY***

Note: All references to Fee Schedule are directed to the current District Fee Schedule in this policy.

### **A. SUPPRESSION OF UNLAWFUL FIRES**

1. The costs associated with providing firefighting apparatus and/or personnel required to respond and be used actively or on a stand by basis in connection with the extinguishment or control of a fire that has been started or allowed to spread in a willful violation of ORS 478.960 (1) to (5) shall be recovered from the responsible party:
  - a. Costs shall be paid in any case where fire is started or allowed to spread and firefighting equipment and/or manpower of the District are required to respond to extinguish, control or patrol the fire.
  - b. Actions shall be pursued against and costs recovered from the person responsible for starting or allowing a fire to spread. The action shall be prosecuted in the name of the District and the District shall request the Court to determine and assess a reasonable amount as attorney fees for the District in prosecuting the action on behalf of the District.
2. This cost recovery policy will be governed by the following guidelines:
  - a. No one within the boundaries of Stayton Fire District shall cause or permit to be initiated or maintained on his own property, or cause to be initiated or maintained on the property of another, any open burning of commercial waste, demolition material, domestic waste, industrial waste, land clearing debris or field burning without first securing permission from the Fire Chief of the District and complying with their direction.
  - b. The Fire Chief shall prescribe conditions upon which permission is granted and which are necessary to be observed in setting the fire and preventing it from spreading and endangering life or property or endangering the air resources of this state. The Department of Environmental Quality (DEQ) notifies the district of the type and time for burning to be allowed on each day under schedules adopted pursuant to ORS statutes. The Fire Chief or their designee shall grant permission only in accordance with the schedule of DEQ, but may reduce hours to be allowed for burning if necessary to prevent danger to life or property from fire. The State Fire Marshal may refute, revoke or postpone permission when necessary in their judgment to prevent danger to life or property from fire, notwithstanding any determination by the Fire Chief.
  - c. Nothing in this section relieves a person starting a fire from responsibility for providing adequate protection to prevent injury or damage to the person or property of another. If such burning results in the escape of fire and injury or damage to the person or property of another such escape and damage or injury constitutes prima facie evidence that the burning was not safe.

- d. Within the Stayton Fire District, no person shall, during the closed season, operate any power equipment in forest harvesting operations unless each piece of equipment is provided with a fire extinguisher of sufficient size and capacity and with such other tools and firefighting equipment as may be reasonably required by the Fire Chief of the District.
- e. No person shall dispose of any building or building wreckage within a district by fire without having first secured permission therefore from the Fire Chief or their designee. No person shall refuse to comply with any reasonable requirements of the Fire Chief to safeguard the spread of such a fire.
- f. Whether the established criteria of this policy are met shall be determined by the District's responding Duty Officer and may be made by on-site investigation or reliance upon reports of other persons.
- g. Upon determination by the Duty Officer that the established criteria of this policy have been met, the Duty Officer shall cause to be dispatched such available personnel and apparatus as may be available to Stayton Fire District.
- h. Charges for services provided by the District may include services provided by a contractor upon determination by the Duty Officer that such services are required and exceed the services provided by the District.
- i. Stayton Fire District shall use the Oregon State Fire Marshal's Mobilization Plan rates to establish billing fees for suppression of unlawful fires.
- j. Any District charges shall be exclusive of and in addition to those charges that may be imposed by a private contractor or other entity.
- k. No charge shall be made for mutual aid assistance provided to another district or city or to the Oregon Department of Forestry pursuant to a Mutual Aid Agreement where the District has agreed to make no such charge for service or where the District has agreed to another or different charge rate for such services.
- l. The Fire Chief of the District is responsible to determine the application of the cost recovery policy.
- m. A billing statement will be issued for services, regardless of whether or not the property owner placed the call for assistance.

The Fire Chief is authorized to settle, reduce, cancel or dismiss any claim for service if warranted by the circumstances.

Statements shall be issued in the following manner:

- i. First bill for cost recovery must be issued within thirty (30) days of the incident
- ii. Second bill for cost recovery must be issued within sixty (60) days of the date of the first bill



- iii. Registered letter will be sent seventy-five (75) days after the first bill if no negotiation is underway
  - iv. Settlement must be obtained or negotiated within ninety days of first billing
  - v. Referral to a collection agency may be initiated immediately following the ninety-day period
- Resolution 97-03*

The Board of Directors will review only those cases that the Fire Chief deems necessary.

**B. COSTS INCURRED ON TRANSPORTATION ROUTES:**

1. In accordance with ORS 478.310, when the district responds to a call for assistance arising from an incident involving an airplane crash or an occurrence on a transportation route within district, the district may recover from the person or property receiving the direct fire or safety services as a result of the incident, any cost incurred for the following:
  - a. Apparatus, equipment and personnel used; and
  - b. Other expenses or costs reasonably incurred in furnishing the assistance, as adopted by the District.
2. Actions shall be pursued against, and the costs recovered from the person or property receiving the direct fire or safety services. In any event that it shall be necessary to apportion the costs of direct fire or safety services provided between two or more properties, the District shall prorate the costs incurred in proportion of the number of the properties involved. The action shall be prosecuted in the name of the District.
3. Stayton Fire District shall use the Oregon State Fire Marshal's Mobilization Plan rates to establish billing fees for fire or safety costs incurred on transportation routes.
4. Definitions: As used in this section, "transportation route" means a roadway, waterway or railroad right of way against which no taxes or assessments for fire protection are levied by the district or city.
5. Billing statements will be issued as outlined in the previous section.

**C. BILLING FOR MUTUAL AID AND UNPROTECTED AREA OUT OF DISTRICT RESPONSE**

Stayton Fire District will bill for services rendered in unprotected areas unless extenuating circumstances dictate otherwise. The Fire Chief will review all responses outside the Fire District for billing criteria.

Stayton Fire District shall use the Oregon State Fire Marshal's Mobilization Plan rates to establish billing fees for responses to unprotected areas outside the District.

**D. FEES FOR PUBLIC RECORDS**

In order to recover costs for responding to public records requests, the following applies:

1. No charge will be imposed on resident or property owner when requesting a basic incident report involving their residence or property.
2. All requests for copies of general documents, sound recordings, maps or other nonstandard documents, etc. will be charged according to the rules in this policy and fees in the Fee Schedule
3. Research Fees: If a request for records requires District personnel to spend more than 30 minutes searching or reviewing records prior to their review or release for copying, the person requesting the records will be charged the minimum fee per hour with a minimum charge for one hour. The District shall estimate the total amount of time required to respond to the records request, and the person making the request shall make payment for the estimated cost of the search and copying of the records in advance. If the actual time and costs are less than estimated, the excess money shall be refunded to the person requesting the records. If the actual costs and time are in excess of the estimated time, the difference shall be paid by the person requesting the records at the time the records are produced.
4. Additional Charges: If a request is of such magnitude and nature that compliance would disrupt the District's normal operation, the District may impose such additional charges as are necessary to reimburse the District for its actual costs of producing the records.
5. Reduced Fee or Free Copies: Whenever the Fire Chief determines that furnishing copies of public records in the District's possession at a reduced fee or without costs would be in the public interest, the Fire Chief may so authorize. ORS 192.324(5).
6. Stayton Fire District personnel will refer to the current District public records process and request form.

**E. PHOTOCOPY AND FAX FEES**

Fees will be charged according to Fee Schedule for photocopies and faxes other than those required by the District or Volunteers.

**F. FACILITY USE FEES**

Facility and AV equipment use fees are per current Fee Schedule

G. FEE SCHEDULE

Suppression of Unlawful Fires.....State Fire Marshal Mobilization Plan  
with additional \$25 Administrative fees

Incidents on Transportations Routes.....State Fire Marshal Mobilization Plan  
with additional \$25 Administrative fees

MutualAid&Response to Unprotected Areas Out of Dist. ....State Fire Marshal Mobilization Plan

Public Records:

Public Records: (includes electronic and paper standard one-sided letter size, emailed,  
faxed or mailed in response to request)

..... \$1 per page/ minimum charge \$5

Fire/Incident Reports for resident or owner ..... No charge

Sound Recordings of meetings ..... \$15/copy

Maps and Other Non-Standard Formats ..... Actual cost including Research Fees

Research Fees: minimum fee .....\$25/hour

Photocopies ..... \$.10/copy

Fire Service organizations with District membership..... \$.03/copy

Fax ..... \$.10/page

Facility Rental.....Fee Schedule

Fees are for each four (4) hour time block - Payment required in advance Groups or agencies using the facility for any period up to 4 hours will be charged the minimum rate for 4 hours.

Prorated fees will be charged for every hour the meeting/event extends beyond 4 hour periods.

\*Cleaning deposit is refundable when room is restored as originally found. Any costs for damage/ repairs or special cleaning for extensive soiling will first be deducted from the Cleaning Deposit and the balance will be invoiced to the organization or individual responsible for payment of the user fee.

<u>User Category</u>	<u>All Stations Training Room</u>	<u>Stayton Station Conference Room</u>
Cleaning Deposit*	\$ 40.00	\$ 40.00
Civic & Private	\$ 20.00	\$ 10.00
Commercial	\$ 40.00	\$ 20.00
A/V assistance	\$ 25.00	

*Updated Aug 2018, Aug 2019*

**POLICY 12.11 VOLUNTEER POINT FUND**

This fund was established by the Board of Directors and is funded as a line item expenditure in the General Operations Budget of the District. The amount of the expenditure is determined by the budget process each year. All monies allocated by the budget process will be disbursed each fiscal year on an annual basis, on approximately December 1 of each year, to each Volunteer who has accumulated points in accordance with the point formula. A point value will be assigned each year by dividing the amount of money allocated to the Volunteer Point Fund by the total number of points earned by all Volunteers.

The District will remain custodian of these funds until the Volunteer is compensated for the expenses with non-employed compensation. The District will issue a W-2 to each Volunteer.

Points will be allotted by membership attendance at drills, training and activities and emergency responses based on the following rate:

<u>Rank (District Levels)</u>	<u>Point (PT)</u>
Recruit Non-Entry / Recruit Entry	1.5
Firefighter/NEFF/Support	3
Engineer	3.5
Fire Ground Leader	4
Lieutenant	4.5
Captain	5
Activity Point (AP)	3

**Points** are those points issued for all operational functions at which District Officers are the primary authority directing the function. Those functions include, but are not limited to, calls, drills, training, and meetings.

**Activity Points** are those points issued for any non-operation function at which District Officers are not the primary authority directing the function. Functions such as the Halloween Safety Fair, Toys for Joy, Golf Tournament and any related meetings for example, are functions with committees and/or chairpersons that overseeing the activity.

**No Points** are issued under the following situations: when the function is intended to raise funds for the Volunteer Association, when the activity is part of a function that has already been awarded a point, or when staff or volunteers are being compensated by the District.

**Bonus Bucks:** While the District encourages volunteers to record time spent supporting the District and the Volunteer Association it is understood that not all time and/or activities will be assigned points or compensation.

The District, through determination by the Fire Chief, maintains the right to evaluated activities on an individual bases.

**POLICY 12.12 VOLUNTEER INCENTIVES & AWARDS**

**A. YEARS OF SERVICE AWARDS**

An award program was established for years of service in order that District personnel might be recognized for their time in service to the District and the Community. Each member shall be recognized for his or her time in service after completing the time blocks.

A District Achievement Award certificate will accompany all years of service awards:

Time in Service

- 5 Years
- 7 Years
- 10 Years
- 15 Years
- 20 Years
- 25 Years
- 30 Years

**B. INCENTIVE AWARDS**

Other incentive programs may be designed from time to time to enhance participation in District activities.

***POLICY 12.13      LENGTH OF SERVICE***

The Stayton Fire District established a length of service award program in 1991 to be administered by the Fire Chief of the District to promote increased length of service among Volunteers.

**A.      Eligibility**

1.      A Firefighter will become eligible for the length of service award after ten (10) years of Volunteer service in good standing.
2.      Volunteer firefighters must adhere to the 50% training attendance requirement and be an active member of the district.
3.      Leave of absence time will not be counted unless it exceeds more than 90 days during the volunteer's length of service. Leave of absence time beyond 90 days will be adjusted in the volunteer's years of service.
4.      District permanent full-time career staff will not be eligible for this program.

**B.      AWARD**

1.      Application for the award must be made within ninety (90) days after retirement. Award will be available following the next regular scheduled District Board of Directors meeting.
2.      The following will be used to calculate the amount of the award:
  - a.      \$100.00 per year of service up to twenty (20) years of service
  - b.      \$200.00 per year of service from twenty-one (21) and thereafter
3.      Eligible award benefits shall be distributed upon the death of an eligible volunteer to his/her beneficiary.
4.      All awards will be subject to IRS reporting.
5.      The Fire Chief shall administer the program.

**C.      HONORARY MEMBERSHIP**

To provide the District a consistent means of recognizing individuals, groups, or organizations that have rendered outstanding service to the District or Volunteer Association.

Honorary Membership may be conferred on any person, group, or organization that has rendered outstanding service to the District or Volunteer Association provided that such membership has been recommended by the Volunteer Association or the District and approved by the Fire Chief.

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Honorary Members shall be entitled to participate in District and Association events as invited.

Honorary Members, when present, shall be recognized and introduced at District Board meetings, Volunteer Association meetings, and other appropriate District and Association events.

Honorary Members shall be awarded "I support Stayton Fire District" sport apparel (tee-shirt and/or sweatshirt) and an Honorary Membership Certificate at the time of induction as an Honorary Member. Every effort shall be made to perform induction at an appropriate District or Volunteer event such as a Board meeting, Volunteer Association meeting or awards banquet.

### D. LIFE MEMBERSHIP

To provide the District a consistent means to recognize individuals who have rendered outstanding service to the District or Volunteer Association.

Life Membership may be conferred on any member, who has rendered outstanding service to the District or Volunteer Association for a period of ten (10) years, provided such member has been recommended by the Fire Chief and approved by the Board of Directors of the District.

Life Members shall be entitled to participate fully in District and Association events. They can attend Association meetings but may not be an officer of the Association or vote on Association matters.

Life Members, when present, shall be introduced and recognized at District Board meetings, Volunteer Association meetings, and other appropriate District and Association events.

Life Members shall be awarded a shadow box with their Stayton Fire District badge, name plate, name tag, collar insignia, rank insignia, helmet shield and other individual items as available, displayed inside. Life members shall also receive a framed Life Member Certificate at the time of induction as a Life Member. Every effort shall be made to preform induction at the District's next annual awards banquet following the member's retirement from service to the District. Immediate family members of inductee may be invited to presentation at the District's discretion.

**POLICY 12.14**

**COMMUNICATIONS – PUBLIC & MEDIA**

**A. THE BOARD DIRECTS THE FIRE CHIEF OR HIS DESIGNEE TO:**

1. Keep the public informed of the policies and directions of the District by furnishing full and accurate information together with interpretation and explanation of District plans and programs to the public.
2. Provide citizens, news media, civic organizations, business and industry opportunities to raise questions, express views and discuss District issues with the Board and staff.

**B. NEWS MEDIA RELATIONS**

**1. Public Meetings**

- a. The Board encourages representatives of the media to attend and report on all its regular and special meetings. Staff is to notify media of meeting schedules and agenda items and to provide appropriate background to assist in factually reporting proceedings of the Board.
- b. Under provisions of ORS 192.660, media representatives may attend Board executive sessions except when collective bargaining issues are under discussion and upon agreeing not to publish any information concerning the actions, recommendations, deliberations or discussions taken or given consideration at the session, unless specifically and expressly agreed otherwise at or after the executive session, or to communicate such information to a third party.
- c. For the purpose of ORS 192.660(5):
  1. “Employees of a news media organization” means a person who is paid wages or a salary by a news media organization
  2. “Contractor of a news media organization” means a person who contracts to perform work for a news media organization.
  3. “Agent of a news media organization” means a person who is authorized to act for or in place of a news media organization
- d. Proof of Status:
  1. Representative of the news media must have preapproved media credentials
- e. Attendance:
  1. Representatives must give advanced notice that a representative of the news media is attending; representative may be excluded for not giving advance notice.



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2. Notification Involving Emergencies
  - a. The District will issue notification of significant emergencies as they are occurring.
  - b. News releases will be issued in a timely manner to all media requesting same concerning emergencies to which the District responds.
3. Notifications Involving Non-Emergencies
  - a. News releases will be issued as necessary, time dated as appropriate, to all media concerning District programs, policy and activities.

C. COMMUNICATIONS FROM PUBLIC AND STAFF

1. District patrons and staff wanting to be on a Board agenda must confer with the Fire Chief prior to the meeting so the Chief may collect and prepare appropriate and necessary information for the Board's consideration.
2. The Board can give status or special recognition to any individual or group of individuals in the performance of their District duties and to members of the community who distinguish themselves by performing an act of assistance or heroism for another.

D. INFORMATION CONCERNING ELECTIONS

1. Prior to District elections, the Board will provide the public background information on measures that concern or involve the District. Where appropriate, the Board will state its position on said measure(s).

E. GIFTS AND DONATIONS

1. The District may accept gifts, grants, donations and title to property and, upon receipt, shall have sole and complete control of it. The Board shall recognize the receipt of gifts and donations.
2. The Board shall recognize presentations of memorials or other awards without such recognition being considered as a testimonial or endorsement by the District.

F. INTERGOVERNMENTAL COOPERATION

1. Whenever feasible, the District will attempt to develop cooperative agreements with local governmental agencies to promote the efficient use of resources by sharing facilities and avoiding duplication of services.
2. To implement said policy, written agreements will be developed which include provisions related to responsibilities, payments, descriptions of the

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property or services, insurance, liability and necessary coordination of activities involving the cooperative agreement.

3. Intergovernmental agreements will be submitted to the Board for approval.

***POLICY 12.15                      MAINTENANCE DIVISION***

**A.        GENERAL**

The Board supports strong, cost-effective maintenance programs designed to protect the taxpayers' investment in plant and equipment.

**B.        RESPONSIBILITY AND AUTHORITY**

The Chief is delegated the responsibility and authority to develop the maintenance programs and levels necessary to protect the District's investment in plant and equipment.

**C.        PREVENTATIVE MAINTENANCE**

The primary emphasis of the District's internal maintenance effort will be preventative and predictive maintenance programs and activities.

**D.        STANDARDS**

Equipment and facilities will be maintained and upgraded as necessary to insure that they comply with current federal, state, and local building codes, safety standards, or the appropriate standards, such as NFPA.

**E.        CONTRACTS WITH OUTSIDE AGENCIES**

The District may contract to provide maintenance service to other governmental agencies provided it has the capability and provided it is cost-effective.

**POLICY 12.16 TRAINING DIVISION**

**A. TRAINING DIVISION FUNCTIONS AND ACTIVITIES**

1. The Board directs the Fire Chief or his designee to develop and administer training programs that will insure personnel are properly trained. To accomplish this, the following programs and activities are authorized:
  - a. Volunteer Program
  - b. Accreditation Programs
  - c. Testing and Evaluation Programs
  - d. Continuing Education Programs
  - e. Career Development/Promotional Program
  - f. Educational Program
2. Training Division Activities
  - a. Planning - Goals and Objectives
  - b. Budgeting
  - c. Administration of Programs
  - d. Records
  - e. Educational Involvement in Community Colleges and State Colleges
  - f. Association Participation

**B. VOLUNTEER PROGRAM**

1. Realizing the value of volunteer service, the Board directs the Fire Chief or his designee to utilize volunteer assistance as best serves the interest of the Fire District.

**C. ACCREDITATION PROGRAMS**

1. The Board directs the Fire Chief or his designee to create and administer an accredited training program that meets all minimum standards established by the Oregon Board of Public Safety Standards and Training.

Training Officer - Accredited training programs are required to be under the direction of a qualified training officer.

Instructors - Instructor resources must be adequate to present the proposed training. Instructors are to complete at least 20 hours of instructor training as outlined in Instructor I accreditation requirements, Subject #35-01, Instructor Training.

Subject Outline - Appropriate subject or course outlines and a suitable method for scheduling training are required.

Basic Text - Where applicable, the basic text for the prescribed training will be, but not limited to, the appropriate IFSTA manual.

Evaluations - Appropriate written and/or task performance evaluations will be periodically conducted to determine each individual's success in the program. Supervision of the examination process will be conducted by the Training Officer to insure credibility.

Records - Maintenance of a personal record for each individual's training and education is required for at least five (5) years.

Task Performance Evaluations - As time permits, task performance evaluations shall be conducted for Firefighters in accordance with testing criteria developed by the Board on Public Safety Standards and Training. The following evaluators are acceptable: **Assistant Chief, Division Chief, Captains, Lieutenants, and Fire Chief Designee.**

Personnel Accreditation - Applications for accreditation of fire personnel will be submitted on the appropriate form. Credit will be given where documented past experience and training clearly indicates that the specific requirements have been met. Individuals with three (3) or more years' experience may take a written examination administered by the Board on Public Safety Standards and Training to gain credit in specific subjects where documented training cannot be shown.

Notice of Personnel Action - Notification to the Board of Public Safety Standards and Training will be submitted within thirty (30) days after the termination of any accredited personnel.

Program Changes - Notification to the Board on Public Safety Standards and Training can be submitted within thirty (30) days of any changes in the program and subject outlines.

Board Access and Monitoring - Allow access by Board on Public Safety Standards and Training examiners to the unit's personnel training records to verify training received by personnel seeking accreditation and to monitor testing processes.

"Live Fire" - All conditions of the Board of Public Safety Standards and Training "live-fire" training standards will be implemented. The Board on Public Safety Standards and Training will be notified prior to each scheduled "live -fire" training event through submission of Form PTE-10 (Notice of Proposed Training or Evaluation)

#### D. TESTING AND EVALUATING PROGRAMS

1. The Board directs the Fire Chief or his designee to create and administer, on a continuing basis, testing and evaluation programs designed to measure the readiness and preparedness of District functions and services. Functions and services with low proficiency are to be corrected.

E. CONTINUING EDUCATION PROGRAMS

1. The Board directs the Fire Chief or his designee to develop and implement continuing educational programs. These could include:
  - a. Ongoing in-service training and maintenance (i.e. tactical pre-plan, Firefighter I, EMT I certification, etc.)
  - b. Classes and/or practical programs to keep personnel aware of new technologies (i.e. incident command classes, modern day supervision and leadership classes, etc.)

F. CAREER DEVELOPMENT/PROMOTIONAL PROGRAM

1. The Board directs the Fire Chief or his designee to create and maintain a Career Development Program. The goal of the program is to foster the growth and development of the District and its employees.

G. EDUCATIONAL PROGRAM

1. The Board supports and encourages the concept of professional development throughout an employee's career with the Fire District through a program of continuing education. Therefore, the Board directs the Fire Chief or his designee to create and administer an educational reimbursement program that addresses District approved continuing education programs and employee accountability.

***POLICY 12.17 FIRE PREVENTION DIVISION***

**A. FIRE PREVENTION DIVISION FUNCTIONS AND ACTIVITIES**

1. The mission of the Fire Prevention Division is to develop and implement the optimum level of loss control services, and to prevent the cause and spread of hostile fires, recognizing and utilizing all available resources.
2. The Fire Prevention Division has four major performance areas:
  - a. Public Education
  - b. Fire Investigation
  - c. Code Enforcement
  - d. Community Development
3. Support activities include:
  - a. Training
  - b. Research
  - c. Administration
  - d. Records and Statistics
  - e. Appeals
  - f. Associations

**B. PUBLIC EDUCATION**

1. The Fire Prevention Division is charged with responsibility to meet the public's demand for information regarding what can be done in their homes and work places to minimize the incidence of fire.
2. It is also responsible for training high risk groups in fire survival techniques.

**C. C. FIRE INVESTIGATION**

1. The Division will thoroughly investigate each fire to determine if the fire occurred by accident, design or code violation; following regulations required by state statutes.
2. The primary objective of fire investigation is to prevent fires through more effective fire prevention education activities, better codes and built-in fire protection.

**D. CODE ENFORCEMENT**

1. The fire protection elements of the codes at existing non-residential premises will be enforced.

2. The Division will:
  - a. Identify fire hazards and bring all hazardous conditions to the attention of individuals responsible.
  - b. Assure that proper exits, interior finishes, fixed fire protection equipment and other related fire safety features remain place and/or operable.
  - c. Compliance with occupant load requirements at public assembly occupancies will be investigated and verified.
  - d. The Division will enforce the application of appropriate fire safety practices by property owners/managers and occupants. *Legal Reference ORS 478.910 et. seq.*

E. COMMUNITY DEVELOPMENT

1. The Division will make certain that fire prevention and life safety features required by applicable codes are provided for and properly installed in new construction projects.
2. The Division will facilitate, as early as possible, the identification of actual and/or potential fire hazards thus making it simpler and more cost-effective for the developer to amend the property/structural plans to comply with the codes. *Legal Reference ORS 478.927 et. seq.*

F. FULFILLMENT OF OBJECTIVES

1. Division staff shall be specialists who have sufficient training, experience and knowledge to render equitable and rational judgments as they enforce the fire prevention code, state statutes and fire and life safety protection requirements of the Building Code.
2. The Division will develop annual budget-related goals and objectives to aid in monitoring its effectiveness.



**POLICY 12.18 FIRE FIGHTER DEATH**

The investigation of a line-of-duty death may serve several different purposes. The most important objective, in every case, is to prevent the same situation from occurring in the future. We should never be satisfied until we can be sure that we are doing everything in our power to prevent accidents, injuries, occupational illnesses and line-of-duty deaths.

**A. PRIMARY OBJECTIVES**

1. To determine the direct and indirect casual factors, which resulted in a line-of-duty death, particularly those factors that could be used to prevent future occurrences of a similar nature, including:
  - a. Identifying inadequacies involving apparatus, equipment, protective clothing, standard operating procedures, supervision, training, or performance
  - b. Identifying situations that involve an unacceptable risk
  - c. Identifying previously unknown or unanticipated hazards
2. To ensure that the lessons learned from the investigation are effectively communicated to prevent future occurrences of a similar nature. (When appropriate, this should include dissemination of the information through fire service organizations and professional publications.)

**B. ADDITIONAL OBJECTIVES**

1. To satisfy the requirements of the Public Safety Officer Benefits (PSOB) program and other entitlements
2. To identify potential areas of negligence and casual factors that could result in criminal prosecution or civil litigation.
3. To ensure that the incident and all related events are fully documented and evidence is preserved to provide for additional investigation or legal actions at a later date.
4. To provide factual information to assist those involved who are trying to understand the events they experienced.
5. To provide the information to other individuals and organizations that are involved in the cause of fire service occupational safety and health.

### C. COMPLICATION FACTORS

1. Factors and situations that could cause the investigation team to lose sight of the true objectives and damage the credibility of the completed report often complicate investigations. The investigators must have a firm understanding of their mission and must have the support and independence necessary to perform a thorough and unbiased investigation.
2. The investigation team may be placed in the uncomfortable position of investigating the actions of friends, co-workers and superior officers. There may be pressure to find a particular individual or one isolated act or omission responsible for the fatal incident. There may also be a desire to absolve an individual of responsibility or to protect the reputation of the fire department. Emotional reactions are natural when a fatality occurs and they can be magnified when accusations are made or when an individual feels personal responsibility. The investigation should attempt to separate the emotions from the facts and present an unbiased analysis of the incident.
3. The mission of the investigation team must be directed and limited to finding facts and developing recommendations that are based only on the facts. Any instruction that attempts to alter the mission is inappropriate and any suggestion that a bias or cover-up is involved is a serious accusation.
4. A report that is based on factual information should speak for itself. The facts should be documented and available for review and the conclusions and recommendations should be clearly supported. In most cases a series of contributing factors will be found, leading to a number of recommendations.
5. Accusations of negligent acts and determinations of personal responsibility or liability are beyond the scope of a fact-finding report. If the report presents facts that lead to a conclusion of this nature, it is up to administrative, regulatory, or legal bodies to initiate appropriate actions.
6. There are times when significant facts cannot be determined with certainty. The actions of the victim may have been based upon circumstances that only the victim could describe. Other factors may be subject to conflicting theories or contradictory evidence. In these situations it is up to the investigation team to investigate as thoroughly as possible and to differentiate, in the report, between established facts and speculation or expert opinion. A report should never be based on unsupported assumptions.
7. A further complication may arise if there are any suggestions of criminal responsibility for an incident. In these situations it is essential to work closely with the appropriate law enforcement agencies to coordinate activities and share information during the investigation. This will depend on the nature of the

suspicion and the relationship between the investigation agencies. In most cases, it is possible to develop a positive working relationship that allows the investigation of both aspects of the situation to proceed.

#### D. INVESTIGATION TEAM

An investigation of a line-of-duty death is not a job for one individual. A thorough investigation will usually require at least 3 to 5 individuals and may involve a larger team. The fire department should have a plan that identifies an investigation team that will be immediately activated when an incident occurs. Designated team members should respond to the scene of the incident to begin the investigative procedures as soon as possible.

The plan should identify more than one potential team leader and several potential team members. The assignment process should be planned and documented based on the availability of designated individuals and the particular circumstances of the incident. The team member should be immediately reassigned from their regular duties to devote their full efforts to the investigation. In larger departments there may be a duty roster system or a primary designated individual and a number of potential alternates. Smaller departments may plan to work together, assembling a team from a mutual aid group or from more than one agency.

The ideal team leader should be thoroughly familiar with fire department operations, with health and safety issues, and with investigative techniques. Because few individuals possess true expertise in all three of these essential areas, the team should be assembled to combine the abilities of different individuals who can contribute to the project. The Fire Department Safety Officer should be a member of the team and may be the best choice to be the team leader. The team leader should be the individual who is most capable of managing and leading a group effort with these and other needed abilities.

#### E. INVESTIGATIVE AUTHORITY

One of the important considerations in appointing the team leader is to delegate the necessary authority to conduct a complete and thorough investigation. While the Fire Chief has the ability to assign and delegate the authority to any member of the department, a Team Leader who holds command or management level rank can usually function more efficiently in gaining cooperation and coordinating team efforts. The individual should also be respected for expertise, impartiality and conscientious work. No other officer should have the authority to interfere with the investigation.

#### F. TEAM MEMBERS

A list of potential team members should be maintained, based on individual abilities and qualifications. At least one member of the team should be trained and qualified in investigative procedures, preferably with specialized training in accident and injury investigation. A trained and qualified fire investigator or accident investigator can provide

the other team members with guidance on the proper collection and preservation of evidence, managing interviews and preparing investigative reports.

The team should include members who are very familiar with the type of activities and hazards that were involved in the incident, with the safety procedures that should apply to the situation, and with the organization and operations of the department. Additional capabilities that may be needed include photographers, video specialists, and experts in other areas that may apply to the particular situation. Some of these individuals may not need to be assigned to the team on a full time basis if their skills are available when needed.

It may not be possible to find all of these qualifications within the fire department. For example, a traffic accident involving fire apparatus will require an individual who is qualified to investigate accidents involving heavy trucks. This individual may have to be necessary to contract with a private investigator.

One of the first concerns of the Team Leader will be to identify the individuals or the particular capabilities that will be needed to investigate the incident. The plan should identify individuals who would be called upon, depending on the specific situation. If the plan does not identify anyone with expertise in the particular area of concern, one of the highest priorities will be to locate and engage the services of a qualified individual. The plan should provide a mechanism to quickly arrange for the services of any outside assistance that could be needed. The local law enforcement agency may be able to provide valuable assistance, particularly in managing and documenting evidence.

The plan should provide for the immediate response of a designated or provisional team leader and at least one or two additional team members when a fatal incident occurs. The remaining team members should be reassigned from their regular duties to the investigation team within 12 to 24 hours.

#### G. IMMEDIATE ACTIONS

There are several actions that should be implemented immediately when a line-of-duty death or a serious accident or injury occurs.

**THE INCIDENT COMMANDER SHOULD DIRECT THE FOLLOWING ACTIONS:**

##### 1. ISOLATE THE SCENE

The scene of the incident should be secured and guarded; only those individuals who have a specific reason to enter should be allowed inside the perimeter. An officer and as many members as are necessary should be assigned to secure the scene. Police assistance may be necessary to establish and maintain scene security. Senior officers should respect the need to preserve the scene for the investigation team and not use their privilege of rank to violate the perimeter.

The sooner that isolation is implemented, the easier it will be to investigate the scene and to account for any disruptions of the physical evidence. The only reason to violate this rule would be to provide medical treatment in an attempt to save the victim or to control a fire that could destroy the evidence. If an obviously dead body is present, the scene should be left undisturbed for the investigators. The scene should be maintained until all physical evidence has been documented, photographed and measured.

## 2. IMPOUND EVIDENCE

All items that could have a bearing on the investigation should be impounded and protected until they can be turned over to the investigation team. In the case of a fire fatality, items such as protective clothing and breathing apparatus will be extremely important in the investigation. Physical evidence should be handled in the same manner as evidence from an arson investigation or criminal investigation. A qualified fire investigator would usually be the most appropriate team member to manage the physical evidence.

Every reasonable effort should always be made to rescue, treat, and transport a victim to a hospital, if there is any possibility of preserving life. In this process protective clothing, breathing apparatus and other items may be removed from the victim and could be easily misplaced. The Incident Commander should immediately assign someone to take custody of any items that are removed from the secured area and to turn them over to the investigation team. Any necessary movement of evidence should be noted and recorded.

## 3. DOCUMENT THE CONDITION OF SAFETY EQUIPMENT

Information relating to the performance of protective clothing, breathing apparatus and other safety equipment is extremely significant in fatalities that occur during fire suppression operation and hazardous materials incidents. Written notes, supported by photographs, should document this information. If the victim must be moved, or if it is necessary to remove protective clothing and equipment before the investigation team arrives, it is important to note the condition of pertinent items.

### QUESTIONS ON THE CONDITION OF SAFETY EQUIPMENT:

#### **BREATHING APPARATUS**

Was the victim wearing SCBA?

Was the mask in place?

Was there pressure remaining in the air cylinder?

Were the valves in their normal positions?

Were straps and other components in their normal use configuration?

Was there any visible damage to the SCBA?

Were any components missing?

Where were they found?

How old was the SCBA?

When was the last test?  
If needed, were the repairs made?

**PERSONAL ALERT SAFETY SYSTEM (PASS) AND RADIO**

Was the victim carrying a PASS device?  
Was it turned on, and how do you know?  
Was it functioning when the victim was found?  
Did the victim have a portable radio or any other equipment?  
Where was it found?  
Was it in operable condition?

**PROTECTIVE CLOTHING**

Was the victim wearing full protective clothing?  
Was any protective clothing damaged?  
Had the victim removed any item of protective clothing?  
Where was it found?  
Did the victim have/wear all the required personal protective equipment?

\*Note: This list would apply to a firefighter who died in a fire suppression incident. A similar set of concerns would apply to any other type of situation.

**THE INVESTIGATION TEAM SHOULD IMPLEMENT THE FOLLOWING STEPS:**

**1. PHOTOGRAPH THE SCENE**

The scene should be diagrammed and photographed in the same manner that a crime scene would be documented. Large color prints are the preferred method of documentation. If the fire department does not have a qualified photographer, a police photographer should be requested to provide this service, under the direction of the Team Leader. All photographs should be delivered to the Team Leader. All photographs should be delivered to the Team Leader.

**2. ARRANGE FOR AN AUTOPSY**

An autopsy should be conducted for every line-of-duty death. If the death is fire-related, the medical examiner should be requested to look particularly at blood gases, including carboxyhemoglobin levels and other products of combustion. An alcohol level test is also necessary to meet the requirements of the Public Safety Officer Benefits Program (see Cooperation with other agencies).

**3. IDENTIFY WITNESSES**

It is often impossible for the investigation team to interview all of the witnesses at the scene or immediately after the incident. The immediate priorities should be to obtain

essential information from individuals who were directly involved and to identify witnesses for later follow-up.

## H. SECOND STATE ACTIONS

The immediate actions will generally require several hours and should be conducted according to a documented and established plan. The second stage will usually begin on the following day, when the full investigation team meets to plan the remainder of the investigation and to make assignments for different functions. It is up to the team leader to identify the resources that will be needed and to establish a plan to manage the investigation. There will be information to gather and analyze, witnesses to be interviewed, references to be checked and a report to be prepared.

### 1. CONDUCT INTERVIEWS

Full interviews should be conducted with every fire department member involved in the event. At a major incident this may have to be confined to those who were in any way involved with the victim before or during the event. All interviews should be recorded, with the consent of the witness (record that, too), and notes should be documented. The list of witnesses to interview will often grow as different leads are followed. Anyone who has information that could be significant should be encouraged to inform the investigation team and every contact should be interviewed, including members of the general public.

One objective should be to locate and interview anyone who makes a statement reported in the news media. These statements often confuse the issues in the early stages of an investigation; finding the person who made a statement is usually the best way to determine its accuracy. The team should obtain and review copies of all news broadcasts and published accounts of the incident. The reporters themselves should be interviewed, if their reports suggest some factor not consistent with the information found by the team. These individuals should be approached as any other witness-by requesting their assistance in determining exactly what happened.

### 2. OBTAIN RECORDS OF THE INCIDENT

The compilation of records, radio tapes and other data should allow the Team to establish a basic time line for the incident. The time line establishes the sequence of events chronologically, sometimes to the second. Additional information should be added to the time line as it is obtained, until the time line can be used to fully describe:

*.....who did what, and who saw what,  
.....at what location, and at what time?*

This is one of the basic building blocks of an investigation process.

In establishing a time line it is important to synchronize the time base for different records. Misleading information may result if times are compared from different sources, assuming

that the clocks were synchronized at the time of the incident. The investigation team should verify the times that are recorded for a verifiable simultaneous event and apply the appropriate correction factor to all other time measurements.

### 3. EXAMINE PHYSICAL EVIDENCE

All physical evidence, including protective clothing and equipment that was impounded at the scene, should be thoroughly examined by qualified personnel. All findings should be thoroughly documented and photographed. It may be necessary to have certain items inspected or tested by qualified experts or by testing laboratories. It is important to maintain the chain of custody for all physical evidence as different individuals examine it and to ensure that reports are obtained and the items are returned to a secure area.

### 4. RESEARCH DOCUMENTS

All existing departmental standard operating procedures, training materials, and similar sources of guidance that would apply to the situation should be reviewed to determine:

- a. How the situation “should” have been handled.
- b. Whether or not it was handled in the expected manner.
- c. Whether or not this would have had an impact on the outcome.

Records should be examined or determine if the individuals involved had received the proper training in the relevant topics.

All applicable NFPA standards, ANSI standards OSHA regulations and similar information that could relate to the events should also be studied. NFPA annual reports on fire fighter deaths and injuries should be consulted to determine if similar situations have occurred in other departments and the conclusions from those reports from those incidents should be obtained.

Where equipment or apparatus is involved, specifications and maintenance records should be obtained. Operators should be asked if any problems were previously noted and a determination should be made if required inspections and repairs had been completed on schedule. Talk to the maintenance crew.

### 5. EXPERT ASSISTANCE

There are several situations that will require the assistance of qualified experts. Mechanical engineers and metallurgists who are qualified to determine the specific cause of the failure should examine apparatus failures, particularly those that involve aerial devices. Breathing apparatus should be examined and tested, if it was involved in any manner.

Expert assistance is available in many different areas. If the needed expertise is not available within the fire department, it is an excellent investment to find the best individual



to assist the team in specific areas or to be part of the entire investigation. Where an incident has become extremely controversial, it may be advisable to have a recognized independent investigator participate in the investigation or review the evidence to develop an independent report.

## 6. OBTAIN LEGAL ADVICE

Legal issues will involve nearly every aspect of a line-of-duty death investigation. Where potential criminal action is a possibility, the safety investigation should be independent, but must be coordinated with the appropriate law enforcement agencies. Issues of potential liability, including product liability and possible violations of occupational health and safety laws, will be a consideration in almost every case. These factors should not be allowed to restrict the investigation, but it is advisable to consult an attorney and to have the report reviewed by the fire department's attorney before it is released.

### I. ANALYSIS & REPORT DEVELOPMENT

There is no magic formula for how to compile and analyze all of the data necessary to conduct a thorough investigation and prepare a report. It requires time and effort to fully understand, prepare, and develop a comprehensive report on a complicated situation. The team members should work toward a full understanding of the events that occurred, the responsibilities and actions of key individuals, the factors that made the department vulnerable to a fatal incident, and the actions that should have been taken or should be implemented now to prevent a similar occurrence in the future.

Every component of the "puzzle" should be followed back to its root cause. For instance, the evidence may suggest that an individual was not properly trained to handle a particular situation. This should be followed back to determine if the training was available, if the individual was trained, was trained in an improper procedure, or had taken action that was inconsistent with training that had been provided. This could lead to a recommendation for refresher training, for training in a new area, for a change in the procedure that training is based upon, or for a system to ensure that members attend all training classes.

Every contributing or suspected contributing factor should be followed back to a conclusion and tied in with all of the other factors to develop a complete report. The investigation team should continue its efforts until the team members are satisfied that they fully understand what happened, why it happened, and what steps need to be taken to prevent a similar occurrence in the future.

The information should be compiled into a written document, supported by photographs, diagrams, and supporting data to fully present the facts of the incident. Additional supporting information should be maintained in the investigation files.

The report should be presented to the Fire Chief as a completed document. In most cases, the presentation of the document should occur at a meeting with all of the team members present. The Team Leader should present an overview of the report, including all conclusions and

recommendations, using audio-visual aids to illustrate the presentation. The Fire Chief and other staff members should be prepared to ask questions of the team members.

The report should also be presented to the fire department Health and Safety Committee. In most cases the majority of the investigation team members will be members of the Health and Safety Committee or directly involved with the committee's functions. The Health and Safety Committee should be involved in the development of the investigation procedure and plan.

The Health and Safety Committee should review the full report, paying particular attention to the recommendations to prevent future occurrences of a similar nature. As a representative body, the Health and Safety Committee adds credibility to the investigative process and to the final report. The committee should be asked to endorse the recommendations of the investigation team. The Health and Safety Committee should have the option to request the Fire Chief to refer the report back to the investigation team, if the report is considered inaccurate or inadequate or if the recommendations are not feasible. The ultimate responsibility is the Fire Chief's.

A special presentation of the report for the members who were involved in the incident should be considered. This should be discussed with the critical incident stress team to determine if there are individuals who would have a difficult time attending such a presentation. In most cases, the presentation and discussion of the report with the members involved will help to bring closure to the situation. The final report should then be released to the department. This may involve printing and distributing a document or a presentation by the team at a training session. Every member of the department should see the final report or a presentation of its major points.

Under most state laws, the release of the completed report makes it a public document, accessible to the news media and any interested party. Supporting documents and evidence that remains in the investigative file may or may not be accessible. If there is a known media interest in the report, copies should be made available to reporters who have requested it. Copies should also be sent to organizations that are involved in fire fighter health and safety, including the United States Fire Administration, National Fire Protection Association, and International Association of Fire Chiefs. Copies should also be sent to other Fire departments that have requested information on the incident and to all individuals and organizations that provided assistance in the investigation.

#### J. RESTRICTING RELEASE

While one of the basic principles contained in this procedure is the value of conducting an open investigation and sharing the results for educational purposes, there will be cases where the possibility of litigation being brought against the department is a major concern. In these cases the attorneys representing the fire department will probably be strongly opposed to releasing any potentially damaging information. Anything that the investigation team finds in its investigation could potentially be used against the department and under litigation discovery procedure, the department can be forced to release all observations and reports, including all evidence compiled in the investigation. The department may be forced to release information even if it has proven to be inaccurate through the internal investigation. There may be certain privileges or other restrictions regarding release information even if it has proven to be inaccurate through the

internal investigation. There may be certain privileges or other restrictions regarding release of the report. These privileges may arise from privacy laws and be applicable to the description of the decedent and bar release to any but the decedent's representatives, or bars release if the report bears upon a criminal investigation, or under certain limited circumstances if the report is produced as a result of a critical self-analysis designed to identify methods of improving operations. Any restrictions on the release of the report should be coordinated with the department's attorney.

The concern over discovery should never restrain a fire department from taking corrective action to avoid another incident. The courts have generally found that taking action based upon knowledge gained from an adverse incident to prevent a recurrence of an event is not an admission of responsibility for the original event. Conversely, corrective action that was recommended, but not implemented, prior to the incident may be construed to be evidence of negligence and possibly even gross negligence. The decision of when to release a final report will have to be determined through discussions between the Fire Chief and the attorneys.

#### K. NEWS MEDIA

The news media often generate an atmosphere of tension around an investigation, fueled by the speculation and accusations that may surround an incident. The possibility that an individual may have been negligent or that some inappropriate act may have caused a death makes an excellent news story, particularly when fire department members are willing to be quoted. These same feelings may come to the surface when an investigation report is released. Accusations that an investigation is a "cover up" or a "witch hunt" do not help any situation.

Media inquiries should be directed to the team leader or the department's public information officer. While the investigation is in progress, it is appropriate to provide information on how the investigation is being conducted. No findings should be released until the full report is completed and reviewed. Certain information, such as the Medical Examiner's report will be released as public records at the same time they are available to the investigation team.

When the time comes to release the final report, copies should be made available to the news media through the Public Information Officer. The PIO may recommend a press conference or for the Team Leader to be available for interviews, if there is a high level of news interest in the report.

In some cases it will be necessary to interview reporters who covered the incident as witnesses. News photographs and videotape have been valuable in several investigations and most news organization will provide copies if the department will make an official request with assurance that they will be used only to support the investigation and subsequent training objectives.

#### L. COOPERATION WITH OTHER AGENCIES

A line-of-duty death will require a high level of cooperation among the fire department investigation team and other agencies and organizations that will be involved in investigation or seeking information on the incident. This may include organizations that have a statutory

authority or responsibility to investigate the incident and others that have legitimate reasons to be involved or to be interested in the results. There may also be organizations that are requested to assist the fire department investigation team. The best policy is to be extremely cooperative with other agencies that have a recognized reason to be involved in the investigation.

The investigation team assigned by the Fire Chief should be the authority having jurisdiction over the internal investigative process. If the incident is a fire, the investigation team should be on the scene before fire department operations are completed and should retain control of the scene as long as is necessary to conduct the investigation. If it is not a fire incident, control of the scene may fall within the jurisdiction of another agency and the investigation team will have to seek their cooperation to complete its on scene research.

If the incident is a vehicle accident or a situation where some other agency has primary jurisdiction for the investigation, the team leader will have to establish a close liaison with that agency. Most public agencies will recognize the need for the fire department to conduct an investigation and will work cooperatively with the investigation team.

#### M. FIRE CAUSE INVESTIGATOR

A fire cause investigation may be carried out concurrently with the safety investigation. If there is evidence of arson or other criminal acts, the situation will become much more complicated. The investigation of the safety factors involved in the incident must continue, while a high level of coordination is provided with fire investigation and law enforcement investigators. The fire department should retain custody of the scene until both sets of investigators have completed their examination and gathering of evidence.

The best approach to a situation that involves parallel fire cause and safety investigations is to meet with the law enforcement agencies and establish a cooperative relationship. There is no reason to compromise a fire cause investigation, particularly where there is a possibility that criminal activity is responsible for the death of a firefighter; nor should a criminal investigation stand in the way of the safety analysis. The two activities can sometimes be completed independently, where the area of origin and the area where the death occurred are physically separate. In other cases the investigations can be mutually supportive.

Where a possible arson investigation is involved, the investigation team may have to carefully control evidence and limit the release of information until the law enforcement authority having jurisdiction is comfortable having it released. In most cases the criminal issues, particularly the specific cause of a fire, will not be critical issues in the safety investigation and the release of a safety report should not compromise a criminal prosecution.

#### N. MEDICAL EXAMINER

In most areas the medical examiner or coroner has the responsibility to make the official determination of cause of death and may send an investigator to the scene. The on-scene investigative responsibility is sometimes delegated to the police agency. These investigators are

generally not experts at investigating fires or fire deaths and will usually be pleased to work with the fire department team to gather their information.

The remains of the deceased should be turned over to the medical examiner for an autopsy. The Public Safety Officer Benefits program requires certain tests to be reported by the medical examiner and the list should be provided before the autopsy should be incorporated into the investigation report.

The US Fire Administration is developing a standard protocol for a fire fighter autopsy, which should be available sometime in 1993. The objective of this procedure will be to focus on the specific causal factors that are of concern in a line-of-duty death, particularly relating to toxicity and thermal injuries. It is a good idea to establish a relationship with the medical examiner when developing the investigation procedure, since the pace of events when an incident occurs makes this a poor time to explain the need for a special autopsy.

#### O. OSHA

The employer is usually required to notify the state agency that is responsible for occupational safety and health, or the Occupational Safety and Health Administration of the federal government, of any line-of-duty death. (This will depend on the relationship between the state agency and the federal Occupational Safety and Health Administration.) In most cases this agency will send an investigator to prepare a report on the incident. The orientation and approach of the investigating agency varies considerably from one state to another.

The role of OSHA is primarily to investigate the employer on behalf of the employee. The investigation is intended to determine if the employer was in violation of occupational safety and health laws in a manner that could have caused or contributed to the death or injury of the employee. The employer is usually considered to be responsible for any violation, even if the victim's own negligence caused the accident, because it is presumed to be the employer's responsibility to ensure that employees comply with all health and safety regulations. The employer may be fined or subject to other penalties if violations are found.

The OSHA investigation may take one of several courses. The OSHA Investigator will usually invite the union to participate in any discussion relating to the investigation as the representative of the employee. The situation in industry is often an adversarial relationship, with a union encouraging the investigator to find fault with the employer. In many fire departments, the union and the department have a joint commitment to an effective health and safety program and share and equal interest in determining causal factors and corrective actions. Where there has been labor management conflict, particularly over health and safety issues, an OSHA investigation may become a tense situation for management.

The OSHA investigator may not be extremely familiar with fire department standard operating procedures and may have to rely on fire department members to explain the standard operating procedures and to help interpret the regulations that apply. The best policy is usually to be open and cooperative, to demonstrate to the investigator that the department is not trying to conceal anything and is dedicated to a full and open investigation. In many cases, an open invitation to

participate and to share in the conclusions of an investigation has created a positive relationship with OSHA investigators.

An OSHA investigator may insist on conducting a completely independent investigation or may refuse to work with management investigators. In some cases the investigator may appear to be committed to finding fault with the department for violations ranging from minor to major. This can create a very difficult situation for the investigation team and requires sound legal advice. This should not deter the fire department from conducting its own thorough and honest investigation and from being willing to share the results with other investigating agencies, although the city attorney may insist on reviewing any report before it is released.

Unfortunately, in some cases, the OSHA report has cited the fire department for violations that were insignificant or imagined because of investigators who were unfamiliar with fire department operations and applicable standards. In other cases major violations have been overlooked. These situations are often difficult to avoid and even more difficult to correct, particularly when the reports are released to the public.

#### P. INSURANCE CARRIER

Many cities and fire departments are insured by private insurance carriers, while others are self-insured and have their own loss management offices. The insurer's organization may be able to assist the team in obtaining expert assistance in particular areas or in conducting some forms of research to support the investigation. The insurers may also have training materials, guides, forms, and other materials that can assist the team in conducting or preparing to conduct an investigation.

In the case of a line-of-duty death the insurance carrier and/or the city's loss management department will almost definitely want to be kept informed on the progress of the investigation. The insurer may send its own investigator to meet with the fire department's investigation team, particularly where there will be a claim to be paid. The investigator who represents the department's insurance carrier should be supportive of a good internal investigation and should be looked upon as an asset to the investigation team. The extent of the insurer's direct involvement will depend on their relationship with the fire department and their experience in the type of situation under which the incident occurs.

#### Q. USFA

The United States Fire Administration and the National Fire Academy are both very concerned with fire service health and safety issues. The Fire Administration has requested to be notified immediately of any line-of-duty death and to be sent a copy of all investigation reports. The Fire Administration also serves as a point of contact for the Public Safety Officer Benefits program.

The Fire Administration contracts with a private sector investigative organization to prepare reports on incidents of national interest and significance; this includes most incidents of multiple fire fighter deaths and could include single fatalities in unusual circumstances. The Fire Administration does not have any investigative authority and the primary objective is to report

and disseminate information that would be of interest to the fire service and other agencies, as well as supporting the Fire Administration's health and safety projects. The report is for informational purposes only and is always submitted to the local jurisdiction for review and approval before it is released. In some cases the Fire Administration will request copies of the fire department's investigative reports or send a contractor to gather information from the local jurisdiction's investigation team.

If requested by the fire department, the Fire Administration has the ability to dispatch a contracted investigator to assist or advise the local jurisdiction in conducting the investigation, in some cases within hours of the occurrence. Most of the USFA contracted investigators are well qualified to assist the investigation team and are probably involved in more line-of-duty death investigations than any other investigators. The request should be made directly to the USFA by calling 301-447-1000.

#### R. NFPA

The National Fire protection Association is a continuing interest in firefighting health and safety, particularly as it relates to the development of NFPA standards. For many years NFPA has sent investigators to prepare reports on major incidents and often to assist local investigators. The NFPA investigation reports are primarily informational and often describe the relationship between NFPA standards and the incident. They are carefully limited to a factual discussion of the incident and are often published in NFPA periodicals and presented at NFPA meetings.

NFPA has no investigative or enforcement powers and participates in investigations only at the invitation or with the approval of the authority having jurisdiction. If requested by the local jurisdiction, NFPA is usually willing to send an investigator to assist the fire department investigation team. NFPA also has a staff of specialists in several different areas of fire protection that are available for consultation on unusual cases.

#### S. OTHER INVESTIGATORS

It is not unusual for a line-of-duty death to become the focus of multiple official and unofficial investigations in addition to those mentioned above. One of the characteristics of our current society is intense interest in establishing fault or blame for an incident. This may extend as far as accusations of criminally negligent acts and demands for criminal prosecution of individuals who are considered to be responsible for a line-of-duty death. While such charges are very rarely filed against fire department or against individual officers or members, the accusations have caused many difficult situations.

In some cases law enforcement agencies and prosecutors have launched their own investigations into incidents, adding unwanted pressure and complexity to an already tense situation. When these situations occur, the best policy for the fire department is to continue conducting its own investigation and to offer to share its findings with other investigators. Whether or not to invite the other agencies to participate along with the fire department's internal investigation team will depend on several factors, including jurisdiction and the relationship between the organizations. The accusers may attempt to discredit the internal investigations and use their legal authority to

conduct their own investigation. At these times it is important to have good legal advice and a well-established plan for conducting a thorough and honest internal investigation.

There may also be attempts by attorneys representing surviving family members, owners of the property where the fire occurred, or other interests to intervene in the investigative process. Participants who do not have official status should politely refer these requests to the fire departments attorney, who should understand the need for the department to conduct an internal investigation without intervention.

T. PSOB

The Public Safety Officer's Benefits Act (Public law 94-430) is intended to pay a sum in excess of \$120,000 to the survivors of any fire fighter who dies or is permanently disabled in the line of duty. A claim must be made to the Department of Justice, either by the survivors or by the involved fire department on their behalf. The responsibility rests with the claimants to submit the necessary documentation to support a claim, so that a determination of eligibility can be made. The PSOB staff should be contacted at 202-307-0635 as soon as possible after a death occurs to ensure that the proper documentation is assembled and submitted.



**POLICY 12.19**

**RESPIRATORY PROTECTION PROGRAM**

Stayton Fire District has developed the following respiratory protection program to provide for respiratory safety of personnel within the district, meet state standards, and provide a means of record keeping and re-evaluation of the program on a regular basis.

**A. PROCEDURES FOR SELECTING RESPIRATORS**

1. By assessing the hazards that personnel are exposed to, it is revealed that respiratory hazards are encountered during frequent alarms and occasionally during various training activities. Because of these hazards, SCBA shall be worn anytime a hazardous exposure may occur.
2. The accepted industry standard is open circuit SCBA. The Fire District agrees that self-contained breathing apparatus offers the highest level of respiratory protection and still allows personnel to work safely and efficiently.
3. At the present time the District provides MSA high pressure, mask mounted regulator (MMR), self-contained breathing apparatus (SCBA) to all personnel who may be exposed to respiratory hazards while performing their duties.
4. Company Officers, Duty Officers, and Safety Officers will continually monitor all respiratory hazards to be sure that personnel are using the appropriate respiratory protection. Changes will be made as soon as possible if current protection is deemed inadequate.

**B. MEDICAL EVALUATION**

1. Personnel of the District will undergo a medical evaluation before they may wear SCBA. This evaluation will be done prior to fit testing or any SCBA use.
2. The District's Physician or Other Licensed Health Care Professional (PLHCP) will review all medical evaluations. The evaluation will contain the same information as in Sec. 1&2, part A of Appendix C of 29 CFR 1910.134(e) under 2(ii)
3. The medical questionnaires will be administered by District Administration during regular working or meeting hours.
4. The PLHCP will make recommendations to the District regarding the ability of each person to wear and use SCBA.
5. Personnel will have the opportunity to discuss the questionnaire and the examination results with the PLHCP.
6. Based on the PLHCP evaluation of the medical questionnaire, further testing may be required. Additional testing will be discussed with personnel on an individual basis by the PLHCP. **INFORMATION IS KEPT CONFIDENTIAL.**
7. An additional medical evaluation may be required if:
  - PLHCP recommends it

## Stayton Fire District

- Personnel report medical signs and symptoms related to the ability to wear SCBA
- Observations during fit testing indicate the need for further evaluation
- Workplace conditions change
- The respirator style is changed
- Positive answers are given to questions on the medical evaluation

### C. FIT TESTING REQUIREMENTS

1. Personnel who may, in the course of their duties, be required to use SCBA will undergo and pass a quantitative fit test before they are required or allowed to use the respiratory protection supplied by the District. The Fire District will provide each individual a SCBA mask after successfully passing the fit test administered by the District. District Personnel who require corrective glasses will be provided the frames and lenses to be used inside the SCBA mask by the District.
2. The quantitative fit test will be performed with the proper size mask and will be based on comfort and seal.
3. Personnel will be tested annually or whenever required by 29CFR1910.134(f).
4. Stayton Fire District will perform a Quantitative Fit Test (QNFT) as outlined in Item J of this respiratory standard.
5. Additional fit testing may be required if:
  - Personnel report that the respirator is unacceptable
  - Personnel have undergone physical changes
  - The PLHCP recommends it
  - The program administrator recommends it

Note \* - *Re-tests will be done at the earliest opportunity to assure compliance*
6. If personnel are unable to maintain an adequate fit with the masks currently in use, alternatives will be made available by the District.
7. Fit test results will be recorded on the District Respirator Fit Test Record.

### D. USE OF SCBA FACE PIECES (MASKS)

1. The District shall not permit face pieces with tight fitting masks to be worn by personnel who have facial hair that comes between the seal of the mask and the face or that interferes with the face to mask seal or valve function.
2. Corrective glasses, goggles, or other personal protective equipment shall not interfere with the seal of the mask to the face of the user.
3. Seal checks will be performed each time SCBA is used. Masks will be donned by proper methods that are implemented in training and suggested by the manufacturer. When the mask has been donned and properly tightened, a seal check will be performed by placing an ungloved hand over the intake opening

where the MMR attaches. The user will then attempt to inhale. No leakage around the mask seal should be detected. If there is leakage, re-adjust and re-tighten the mask and perform the seal check again. Once the seal had been verified, the MMR can be attached.

4. The District will continually observe personnel while working on incidents and in training to determine if SCBA is providing adequate respiratory protection and/or whether workers are experiencing discomfort from contaminants.
5. Personnel will immediately leave the work area if there is any malfunction or if leakage is detected. Personnel will proceed to a safe area (rehab, decon, etc.) before removing SCBA. The SCBA will be replaced if condition continues.
6. Atmospheres that are encountered in firefighting are considered to be Immediately Dangerous to Life and Health (IDLH). Therefore on any incident involving fire, toxic atmospheres, or oxygen deficient atmospheres where personnel are involved in hot zone activities, SCBA will be worn. Some examples include:
  - Visible smoke or particulate matter is present
  - Any interior structural firefighting
  - Oxygen levels are less than 19.5% or greater than 23.5%
  - Any hazardous materials release while operating in the hot zone
  - Carbon monoxide levels are 25 ppm or greater
  - Any time the Incident Commander determines that SCBA needs to be worn
7. The 2 in 2 out rule will be observed. When personnel are working in a hazardous area, they will work in teams of two (2 in), always remaining in visual or voice contact with one another and other personnel outside the hazard area. At least two additional personnel will remain outside the hazard area (2 out) in a rescue mode, with full personal protective equipment (PPE). At least one of the two personnel just outside the hazard area will remain in radio contact with the team inside the hazard area. This standard is not meant to prevent firefighters from rescuing victims from a life-endangering situation immediately. Rescuers must always work in teams of at least two. In most situations, four personnel qualified to perform firefighting duties are to be on scene before any interior structural attack, confined space, or hazardous materials mitigation takes place.

#### E. MAINTENANCE, CARE, CLEANING, INSPECTING AND REPAIR

1. SCBA shall be cleaned and disinfected after each use. This includes alarms, training, and fit testing.
2. After masks have dried, they are placed in designated bags and stored with each Firefighter's turnout gear.

## Stayton Fire District

3. The District shall ensure that SCBA packs are inspected monthly, per the manufacturer's instructions. SCBA shall be checked for function before and after each use.
4. Individuals that are issued masks are responsible for inspecting and maintaining their own equipment before and after each use. Inspections will be conducted annually with the proper paperwork being turned into the respiratory program coordinator.
5. Monthly SCBA inspections shall include checking for face piece function, tightness of connections, conditions of various parts including but not limited to the valves, connecting hose, and proper function of regulator and warning devices.
6. Air cylinders shall be maintained in a fully charged state and shall be recharged when the pressure falls below 90% of the manufacturer's recommended pressure level.
7. Inspections shall be recorded and initialed by personnel performing inspection. The District shall maintain SCBA Log Records.
8. If repairs are needed, the SCBA will be taken out of service and tagged with an out of service tag. It will be placed on the repair bench. Repairs will be made as soon as possible and the breathing apparatus will be placed back in service. Repairs and adjustments are to be made by appropriately trained personnel with NIOSH approved parts. Repairs will be made according to manufacturer specifications. (Outlined in the Field Maintenance Manual)
9. There are certain repairs that can only be done by an MSA representative. If this is the case, an authorized MSA repair facility will be contacted and arrangements made for repair.
10. SCBA shall be flow tested by manufacturer certified personnel annually.
11. Batteries located throughout the SCBA and mask will be changed annually.

### F. BREATHING AIR QUALITY

1. The District will provide air of high purity for use in self-contained breathing apparatus.
2. Compressed breathing air will be at least grade "D" as described in ANSI/Compressed Gas Association Commodity Specification for air. 29 CFR 1910.134(I)(1)(ii)(A through E)
3. Only compressed air will be used for breathing apparatus. Breathing air couplings are not compatible with oxygen equipment. Oxygen content will not exceed 23.5% in SCBA bottles.
4. Only approved SCBA bottles will be used with breathing apparatus. Breathing air containers are marked with NIOSH certification labels.

## Stayton Fire District

5. Cylinders will be tested and maintained as prescribed in the Shipping Container Specification Regulation of the Department of Transportation (CFR 49 part 173 and part 178).
6. Air quality will be monitored semi-annually (every six months). Air quality results will be kept on file
7. Moisture content in cylinders shall not exceed dew point of -50 degrees F at 1 atmosphere.
8. The compressor shall be situated to prevent contaminated air from getting into the system. The compressor will be set up to minimize moisture content of breathing air.
9. The breathing air compressor shall be equipped with appropriate in line air purifying sorbent beds and/or filters that are maintained or replaced following manufacturer's instructions.
10. The breathing air compressor will be tagged with information on most recent filter change date and signature of person authorized by the District to perform the change.
11. The District shall use a high-temperature or carbon monoxide alarm, or both, to monitor carbon monoxide levels in oil-lubricated compressors. If only high-temperature alarms are used, the air supply shall be monitored at intervals sufficient to prevent carbon monoxide in the breathing air from exceeding 10 ppm.

### G. SCBA TRAINING AND INFORMATION

1. Prior to SCBA use and annually thereafter, the District shall ensure that each member can demonstrate knowledge of the following:
  - Why the face piece is necessary and how improper fit, usage, or maintenance can compromise the protective effect of the face piece
  - What the limitations and capabilities of the SCBA are
  - How to use the SCBA properly in emergency situations in which the SCBA malfunctions
  - How to inspect, don, doff, use, and check the seal of the face piece
  - What procedures are used for maintenance and storage of the face piece
  - How to recognize medical signs and symptoms that may limit or prevent the effective use of the SCBA
2. Training shall be conducted in a manner that is understandable to all personnel
3. The District shall provide training prior to requiring that personnel use a face piece in the workplace.
4. Retraining shall be administered annually and when the following situations occur:
  - Changes in the workplace or the type of SCBA render previous training obsolete

- Inadequacies in individual knowledge or use of the SCBA indicate that an individual has not retained the requisite understanding or skills
- Any other situation arises in which retraining appears necessary to ensure safe use.

#### H. PROGRAM EVALUATION

1. The District will conduct annual evaluations of the work site or scene to ensure that the written respiratory program is being properly implemented.
2. Personnel will be consulted to ensure that they are using SCBA properly and to get their views and opinions on the SCBA and the program. This information will be recorded on the Respiratory Program Evaluation Form.
3. Any problems identified are to be assessed and corrected. Factors to be assessed include but are not limited to:
  - Face piece fit
  - Appropriateness of SCBA used
  - Proper use of SCBA under work or training conditions
  - Proper SCBA maintenance.

#### I. RECORD KEEPING

The District will retain all written information regarding equipment, personnel records, training records, medical evaluations, fit testing, the respiratory program, SCBA checks, flow testing, and compressor maintenance information.

##### Equipment:

Inventory of all SCBA packs (frame and regulator)  
Inventory of all cylinders (hydro test dates)  
Fill log for fill station  
Fill log for all cascade systems  
Monthly and annual equipment checks  
Inventory of individual masks  
Compressor service record (posted)  
Air quality test results  
Pak flow test (annually)

##### Personnel – “CONFIDENTIAL” – Kept for 30 Years:

Medical evaluations  
Medical examinations  
Exposure records (as needed)

##### Training:

Annual fit test (separate from medical file)  
Annual SCBA and fill procedure training  
Use of air monitoring equipment  
Annual personnel program evaluation

## J. SCBA FACE PIECE FIT TESTING PROCEDURES

The use of Self-Contained Breathing Apparatus is a vital part of a Firefighter's job. It is important that the Firefighter's mask fits properly so that the Firefighter's respiratory system is not subjected to contaminate from doing his/her job in a hazardous atmosphere (IDLH).

The Stayton Fire District will conduct annual fit testing of all its personnel who may be subject to use of SCBA. Personnel will be fit tested with the same make, model, style and size of face piece/mask that will be used in IDLH atmospheres.

The Fire District will use an appropriate quantitative fit test (QNFT) to test for proper fit. The fit test will be administered using an OSHA-accepted QNFT protocol. The OSHA-accepted QNFT protocol and procedures are contained in the **"Fit Testing Procedures"**.

The Fire District will conduct an additional fit test whenever personnel report, or the employer, PLHCP, supervisor, or program administrator makes visual observations of changes in a Firefighter's physical condition that could affect face piece fit. Such conditions include, but are not limited to, facial scarring, dental changes, cosmetic surgery, or an obvious change in body weight.

The Firefighter must first go through the standard operating guideline for medical evaluation for face piece use before being fit tested. The Firefighter will then be fit tested using the Quantitative Fit Test.

Fit test records will be recorded and forwarded to Administration to be kept on record in the member's personnel file.

### General Requirements

#### 1. Fit Testing Procedures

The Stayton Fire District will conduct fit testing using the following procedures. They apply to all OSHA-accepted fit test methods.

- a. The test subject shall be allowed to pick the most acceptable face piece from a sufficient number of face piece sizes so that it is acceptable to, and correctly fits, the user.
- b. Prior to the selection process, the test subject shall be shown how to put on a face piece, how it should be positioned on the face, how to set strap tension and how to determine an acceptable fit. A mirror may be available to assist the subject in evaluating the fit and positioning of the face piece. This instruction may not constitute the subject's formal training on face piece use, because it is only a review.
- c. The test subject shall be informed that he/she is being asked to select the face piece that provides the most comfortable fit. Each one will provide adequate protection with various degrees of comfort.

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- d. Assistance in assessing comfort can be given by discussing the points in the following item e. If the test subject is not familiar with using a particular face piece, the test subject shall be directed to don the mask several times and to adjust the straps each time to become adept at setting proper tension on the straps.
- e. Assessment of comfort shall include a review of the following points with the test subject and allowing the test subject adequate time to determine the comfort of the face piece:
  - i. Position of the mask on the nose
  - ii. Room for eye protection
  - iii. Room to talk
  - iv. Position of mask on face and cheeks
- f. The following criteria shall be used to help determine the adequacy of the face piece fit:
  - i. Chin properly placed
  - ii. Adequate strap tension, not overly tightened
  - iii. Fit across bridge of nose
  - iv. Face piece of proper size to span distance from nose to chin
  - v. Tendency of face piece to slip
  - vi. Self-observation in mirror to evaluate fit and face piece position.
- g. The test subject shall conduct a user seal check, either the negative and positive pressure seal checks described in “User Seal Check Procedures” of this section or those recommended by the face piece manufacturer, which will provide equivalent protection. Before conducting the negative and positive pressure checks, the subject shall be told to seat the mask on the face by moving the head from side-to-side and up and down slowly while taking in a few slow deep breaths. Another mask shall be selected and retested if the test subject fails the user seal check tests.
- h. The test shall not be conducted if there is any hair growth between the skin and the mask-sealing surface, such as stubble beard growth, beard, mustache or sideburns, which cross the mask-sealing surface. Any type of apparel, except the Fire District’s approved glasses, which interferes with a satisfactory fit shall be altered or removed.
- i. If a test subject exhibits difficulty in breathing during the tests, he/she shall be referred to a PLHCP, as appropriate, to determine whether the test subject can wear a face piece while performing his/her duties.



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- j. If the test subject finds the fit of the face piece unacceptable, he/she shall be given the opportunity to select a different face piece and to be retested.
- k. The fit test shall be performed while the test subject is wearing any applicable safety equipment that may be worn during actual SCBA use, which could interfere with mask fit.
- l. The District shall ensure that persons administering the QNFT are able to calibrate equipment and perform test properly, recognize invalid tests, calculate fit factors properly, and ensure that test equipment is in proper working order.
- m. The District shall ensure that the QNFT equipment is kept clean, and is maintained and calibrated according to the manufacturer's instructions so as to operate at the parameters for which it was designed.
- n. Test Exercises:

The following test exercises are to be performed for all fit testing methods. A separate fit testing exercise regimen is contained in the CNP protocol. The test subject shall perform exercises, in the test environment, in the following manner:

- i. Normal breathing: In a normal standing position, without talking, the subject shall breathe normally. After the exercise, the subject needs to hold head straight ahead and hold his/her breath for 10 seconds during the test measurement.
- ii. Deep breathing: In a normal standing position, the subject shall breathe slowly and deeply, taking caution so as not to hyperventilate. After the exercise, the subject needs to hold head straight ahead and hold his/her breath for 10 seconds during the test measurement.
- iii. Turning head side to side: Standing in place, the subject shall slowly turn his/her head from side to side between the extreme positions on each side. The head shall be held at each extreme momentarily so the subject can inhale at each side. After the exercise, the subject needs to hold his/her head to left and hold breath for 10 seconds during test measurement. Repeat again with head to the right.
- iv. Moving head up and down: Standing in place, the subject shall slowly move his/her head up and down. The subject shall be instructed to inhale in the up position (i.e., when looking toward the ceiling). After the exercise, the subject needs to hold head up and hold his/her breath for 10 seconds during test measurement. Repeat again with head down.

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- v. Talking: The subject shall talk out loud slowly and loud enough so as to be heard clearly by the test conductor. The subject can read from a prepared text such as the Rainbow Passage, count backward from 100, or recite a memorized poem or song. After the exercise, the subject needs to hold his/her head straight ahead and hold breath for 10 seconds during test measurement.
  - vi. Grimace: The test subject shall grimace by smiling or frowning for 15 seconds.
  - vii. Bend and touch toes: The test subject shall bend at the waist and touch toes. After the exercise, the subject needs to hold his/her head straight ahead and hold breath for 10 seconds during test measurement.
  - viii. Normal Breathing: Same exercise as 1.o.1)(a).
  - ix. Each test exercise shall be performed for one minute. The test subject shall be questioned by the test conductor regarding the comfort of the respirator upon completion of the protocol. If it has become unacceptable, another model of respirator shall be tried. The respirator shall not be adjusted once the fit test exercises begin. Any adjustment voids the test, and the fit test must be repeated.
2. Ambient aerosol condensation nuclei counter (CNC) quantitative fit testing protocol. (Portacount)
- a. Portacount Fit Test Requirements
    - i. Check the face piece to make sure the sampling probe and line are properly attached to the face piece and that the mask is fitted with a particulate filter capable of preventing significant penetration by the ambient particles used for the fit test per manufacturer's instruction.
    - ii. Instruct the person to be tested to don the face piece for approximately five minutes before the fit test starts. This purges the ambient particles trapped inside the face piece and permits the wearer to make certain the face piece is comfortable.
    - iii. Complete a final inspection for proper fit and perform a seal check, using methods described throughout this policy.
    - iv. Follow the manufacturer's instructions for operating the Portacount and proceed with the test.
    - v. After the test exercises, the test subject shall be questioned by the test conductor regarding the comfort of the face piece upon completion of the protocol. If it has become unacceptable, another size of mask shall be tried.

b. Portacount Test Instrument

- i. The Portacount will automatically stop and calculate the overall fit factor for the entire set of exercises. This is what counts. The Pass or Fail message will indicate whether or not the test was successful. If the test was a Pass, the fit test is over.
- ii. Since the Pass or Fail criterion of the Portacount is user programmable, the test operator shall ensure that the Pass or Fail criterion meet the requirements for minimum face piece performance.
- iii. A record of the test needs to be kept on file with the District, assuming the fit test was successful. The record must contain the test subject's name, overall fit factor, make, model, style, and size of face piece used; and date tested.

iv. User Seal Check Procedures

The individual who uses a tight-fitting face piece is to perform a user seal check to ensure that an adequate seal is achieved each time the face piece is put on. Either the positive and negative pressure checks listed in these procedures or the respirator manufacturer's recommended user seal check method shall be used. User seal checks are not substitutes for qualitative or quantitative fit tests.

a. Mask Positive and/or Negative Pressure Checks

- 1) Positive pressure check. Close off the exhalation valve and exhale gently into the mask. The face fit is considered satisfactory if a slight positive pressure can be built up inside the mask without any evidence of outward leakage of air at the seal. For most respirators, this method of leak testing requires the wearer to first remove the exhalation valve cover before closing off the exhalation valve and then carefully replacing it after the test.
- 2) Negative pressure check. Close off the inlet opening of the canister or cartridge(s) by covering with the palm of the hand(s) or by replacing the filter seal(s). Inhale gently so that the mask collapses slightly and hold that breath for ten seconds. The design of the inlet opening of some cartridges cannot be effectively covered with the palm of the hand. If so, the test can be performed by covering the inlet opening of the cartridge with a

thin latex or nitrile glove. If the mask remains in its slightly collapsed condition and no inward leakage of air is detected, the tightness of the respirator is considered satisfactory.

- b. Manufacturer's Recommended User Seal Check Procedures
  - 1) The face piece manufacturer's recommended procedures for performing a user seal check may be used instead of the positive and/or negative pressure check procedures, provided that the employer demonstrates that the manufacturer's procedures are equally effective.

**POLICY 12.20 ACCOMMODATING PERSONS WITH LIMITED ENGLISH**

**A. PURPOSE**

1. Stayton Fire District is committed to compliance with federal and state laws prohibiting discrimination based on a disability. The Fire District recognizes its legal obligation to ensure effective communication with persons with Limited English Proficiency (LEP) and makes every effort to pro-actively assess communication needs as well as providing the best service.

**B. RESPONSIBILITY**

1. The Fire Chief is the coordinator for the Fire District's procedures for implementing of this Policy. It is the responsibility of each member to know the Policy and to follow it.

**C. DEFINITIONS**

1. Effective Communication. Communication sufficient to provide the individual who may have limited English proficiency with substantially the same level of services received by individuals who are not limited in English proficiency.
2. Interpretation. The act of listening to a communication in one language (source language) and orally converting it to another language (target language) while retaining the same meaning
3. LEP is the acronym for both "limited English proficiency" and "limited English proficient." The U.S. Census Bureau's operational definition for LEP is a person's self-assessed ability to speak English less than "very well." Individuals who do not speak English as the primary (or preferred) language and who have limited ability to read, write, speak, or understand English. Individuals who are LEP may be competent in English for certain types of communication (like speaking) but still be LEP for other purposes (like reading or writing).
4. Language Assistance Services. Oral and written language services needed to assist individuals who are LEP to communicate effectively with Fire District personnel and to provide individuals who are LEP meaningful access and equal opportunity to participate fully in the services, activities, or other programs
5. Meaningful Access. Language assistance that results in accurate, timely, and effective communication at no cost to the individual who is LEP. Meaningful access denotes access that is not significantly restricted, delayed or inferior as compared to programs or services provided to persons who are proficient in the English language.

## Stayton Fire District

6. Primary Language. An individual's primary language is the language in which the individual most effectively communicates.
7. Qualified Interpreter or Translator. A qualified interpreter (or translator) is an interpreter who has had their specialized vocabulary (medical or legal terminology) proficiency assessed.
8. Translation. The replacement of written text from one language (source language) to an equivalent written text in another language (target language).
9. Vital Documents. A document will be considered vital if it contains information that is critical for obtaining federal services and/or benefits or is required by law.

### D. PROCEDURE:

1. Stayton Fire District will take reasonable steps to ensure that persons with LEP have meaningful access and an equal opportunity to participate in services, activities and programs offered. The Fire District shall provide effective communications to individuals who may have LEP with substantially the same level of services received by individuals who are not limited in English proficiency.
2. Stayton Fire District members will promptly identify the language and communication needs of persons with LEP as needed to ensure effective communication. If necessary, members may use language identification cards, online services or posters to determine the preferred language.
3. Stayton Fire District has access to interpreters through our PSAP. Contact information is in each Fire District vehicle and facility.
4. When 9-1-1 calls are received at the PSAP from a person with LEP the call taker will attempt to identify the primary language and may use Language Assistance Services to communicate with the caller. Dispatch will relay the information to the responders. In the event of a time critical situation responders may use any means available to communicate with a person with LEP including bilingual family members, bilingual bystanders, written communications, gestures and or digital communications. If a responder encounters a person with LEP on a response call, it must be noted on the Patient Care Form and in the narrative of the alarm report in District Incident RMS. Documentation must include what actions were taken to assist the person with LEP. All HIPPA and confidentiality regulations still apply when dealing with a person(s) with LEP.

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5. In a non-emergency situation LEP persons may prefer or request to use a family member or friend as an interpreter. However, family members or friends of the LEP person will not be used as interpreters unless specifically requested by that individual and after the LEP person has understood that an offer of an interpreter, at no charge to the person, has been made by Stayton Fire District. If the LEP person chooses to use a family member or friend as an interpreter, issues of competency of interpretation, confidentiality, privacy, and conflict of interest will be considered. If the family member or friend is not competent or appropriate for any of these reasons, competent interpreter services will be provided to the LEP person. In order to ensure confidentiality of information and accurate communication, children should not be used to interpret
6. Any person who believes they have been subject to discrimination based on their primary or preferred language may file a grievance using the complaint procedures outlined in Policy 8.1.I External Complaint Procedure.
7. It is possible to encounter a language where translation is extremely difficult to obtain or achieve in a short period of time. In these situations the Fire District personnel must do what is in the best interest of the person(s) needing help.
8. On an ongoing basis, Stayton Fire District will assess changes in demographics, types of services or other needs that may require reevaluation of this Operational Guideline and its procedures. In addition, the Fire District will regularly assess the efficacy of these procedures, including but not limited to mechanisms for securing interpreter services, equipment used for the delivery of language assistance, complaints and community feedback. Website LEP.gov is a good source for LEP information

***POLICY 12 APPENDIX***

- Guide for Initial Response to Incidents on Unprotected Lands Outside of Stayton Fire District Boundaries
  - District Grievance Form
- Direction for persons with limited English proficiency



## Guide for Initial Response to Incidents on Unprotected Lands Outside of Stayton Fire District Boundaries

1. Areas Outside Stayton Fire District we respond to.
  - a. Three Pools (day use area)
2. Types of calls we respond to.
  - a. Three Pools
    - Medical = R-85, R-82, R-80, C-80 monitor
    - Rescue = R-85, R-82, R-80, C-80 monitor, C-80 discretion to respond
    - Fire = R-85 & T-85, R-82, C-80 monitor/discretion to respond
3. Level of responsibility/control we have.
  - Initial response/size up
  - Initiate command (if first arriving unit)
  - Transfer command to Authority Having Jurisdiction
  - Assist until additional AHJ resources arrive
4. The District will bill for Response into unprotected areas Boundaries
  - Based on the service provided
5. The District may bill for the following types of incidents.
  - All incidents outside Stayton Fire District boundaries
6. How we establish our fee schedule for response.
  - OSFM Conflagration Rates
7. The Duty Officer's role.
  - Monitor
  - Monitor/discretion to respond
8. Response to other outside/unprotected areas.
  - All areas outside of 85E, 85U and 82U by Mutual Aid request only

\* Create document outlining our response policy to unprotected areas

\* The bridge going into Jawbone Flats is limited to 3 tons

\* Vehicle Access into Jawbone Flats – no fire apparatus, support vehicles only

\* Identify trailheads and maps for METCOM to use as common place names (working on a current list to send them)

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\* Marion County Emergency Management: USFS if posting past the pavement Research MCEM posting informational signs notifying the public they are entering an unprotected area that has limited and/or delayed emergency response resources.

- Opal Creek Trail Head/Jawbone Flats
- Three Pools
- End of Pavement on Little North Fork Road

Original	- Assistant Fire Chief
Copy 2	Assistant Fire Chief
Copy 3	Return to Grievant
Copy 4	Disciplinary Officer

STAYTON FIRE DISTRICT

GRIEVANCE FORM – *STEP 1*

**Submission of Complaint** -- All portions of this section must be completed by the Grievant within five (5) working days from the date notification of disciplinary action is received.

Employee Name \_\_\_\_\_ Work Location \_\_\_\_\_

Employee District ID Number \_\_\_\_\_

Statement of Grievance \_\_\_\_\_

Specific policy or regulation alleged to have been violated (cite source) \_\_\_\_\_

\_\_\_\_\_

**Appeal:**

Reason for Appeal \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Remedy Sought \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Upon completion of this section, Grievant shall present the original and copies 2 and 3 to the Assistant Fire Chief. Copy 4 should be retained by Grievant.

**GRIEVANCE FORM – STEP 2**

Assistant Chief – Receipt and response \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_ Date

\_\_\_\_\_ Signature

Upon completion of this section, the Assistant Fire Chief shall retain the original, present copy 2 to Grievant, and forward copy 3 to the Disciplinary Officer.

Original	- Assistant Fire Chief
Copy 2	Assistant Fire Chief
Copy 3	Return to Grievant
Copy 4	Disciplinary Officer

GRIEVANCE FORM – Step 3

**Request for Review Board** This section must be completed by the Grievant. Copy 2 of the completed Grievance Forms (Steps 1 and 2) must be attached.

I hereby request that a Review Board be convened to consider the grievance outlined on the attachments. My Representative is:

\_\_\_\_\_

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature

Upon completion of this section, Grievant shall present the original and copies 2, 3 and 4 and all attachments to the Assistant Fire Chief.

GRIEVANCE FORM – Step 4

**Acceptance of Request and Appointment of Representative**

This section is to be completed by the Assistant Fire Chief within five (5) working days of receipt.

I hereby accept the request for a Review Board to consider the outlined grievance.  
My Representative is:

\_\_\_\_\_

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature

**Selection of Third Member of Review Board**

This section is to be completed by the Assistant Fire Chief within ten (10) working days of receipt.

The two appointed members of the Review Board shall select a third member of the Review Board, who shall serve as Chairperson of the Board. The Board Representative is:

\_\_\_\_\_

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature

Upon completion of this section, the Assistant Fire Chief shall retain the original, present copy 2 to the Grievant, forward copy 3 to the Disciplinary Office and forward copy 4 to the Review Board.

GRIEVANCE FORM – Step 5

Original	- Assistant Fire Chief
Copy 2	Assistant Fire Chief
Copy 3	Return to Grievant
Copy 4	Disciplinary Officer

**Review Board Convenes** This section must be completed by the Assistant Fire Chief.

The Review Board has set \_\_\_\_\_ to convene at \_\_\_\_\_ to  
(Date) (Time)

honor the request that the grievance outlined on the attachments be reviewed.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature

The Review Board shall convene within fifteen (15) working days of the selection of a Board Chairperson.

**Review Board's Action**

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\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature

The Assistant Fire Chief shall function as Coordinator, to include summoning witnesses and gathering facts and testimony from all parties.

GRIEVANCE FORM – Step 6

Original	- Assistant Fire Chief
Copy 2	Assistant Fire Chief
Copy 3	Return to Grievant
Copy 4	Disciplinary Officer

**Summary of Review Board’s Findings**

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\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature

Upon completion of this section, copy 2 will be presented to the Grievant, copy 3 to the Disciplinary Officer and copy 4 to the Grievant’s file. The original and all attachments shall be filed with the Fire Chief.

**Acceptance of Review Board’s Findings**

This section must be completed by the Fire Chief. Copy 2 of the completed Grievance Forms – Steps 1,2 and 3 and the report of the Review Board must be attached.

I hereby acknowledge receipt of the Review Board’s findings in the grievance outlined on the attachments as reviewed by the Review Board.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature

**Modifications** (If any)

I find that the following modification(s) to Grievant’s disciplinary action is in order as the result of the Review Board’s findings.

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\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature

The Fire Chief shall take the appropriate action within five (5) working days after receipt of the Review Board’s findings.

**DIRECTION FOR PERSONS WITH LIMITED ENGLISH PROFICIENCY**

1. Follow this procedure if during the interaction with patients or victims at the scene of an emergency incident and if it is determined that the patient falls under the LEP standard that is set forth in Policy 12.20. This following action should not delay patient care.
2. Using resources available at the scene, you must inform the person of their right to use a Language Assistance Service free of charge.
3. If the person wants to use a Language Assistance Service, contact Dispatch by phone.
4. For the App on selected iPads, you can touch the language App and follow the directions/prompts on the iPad.
5. Once either program/service has responded, make sure the person needing the service can see or hear what is being said and/or seen on the screen.
6. Limit the use of the Language Assistance Service to what is needed and disconnect as soon as you are done.