

# Valley Fire District Employee Handbook & Policies

*This Handbook is designed to cover the obligations, duties, and rights of all members of the Valley Fire District. It is not intended nor designed to limit members in exercising judgment or initiative in taking action to perform their duties.*

UPDATED: October 21, 2019

UPDATED: February 17, 2020 to include the Social Media Policy

UPDATED: June 9, 2022 to include Fuel Policy

Summit County | Peninsula, OH

[WWW.VALLEYFIRE.US](http://WWW.VALLEYFIRE.US)

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## ABOUT THE VALLEY FIRE DISTRICT

We are a 35-member department, which is 24-hour, part-time staffed, and volunteer supported offering the following services: Fire, EMS, Swift Water Rescue, Ice Rescue, and Rope Rescue.

Under two stations, we house:

- 2 Engines
- 3 Squads
- 2 Water Tenders
- 1 Grass Fire Trucks
- 1 Off Road Bobcat

and provide 25 square miles of Fire-EMS coverage for 3,529 residents of the Village of Peninsula, Boston Township, and Contractual coverage to the Village of Boston Heights in Summit County, Ohio.

### Station 1: Peninsula

- 5287 Dogwood Drive, PO Box 212, Peninsula OH 44264 (Station 1)
- 330-657-2292 (Staffed Hours 8am -4pm) | 330-657-2402 Fax
- Emergency Dispatch Peninsula/Boston Twp: 330-657-2911

### Station 2: Boston Heights

- 15 E. Boston Mills Road, Boston Hts. Oh 44236 (Station 2)
- 330-655-2257 (Staffed Hours 4pm – 8am)
- Emergency Dispatch Boston Heights: 330-653-5911

Located in Northern Ohio, the Valley Fire District is classified as a volunteer department that provides both fire suppression and emergency medical services to the Village of Peninsula, Boston Township, and the Village of Boston Heights. The communities served include coverage of the Cuyahoga Valley National Park, which occupies 80% of the total land. Although the response district is comprised of approximately 3800 residents, the demands on the fire district are great with the large tourism traffic (2.2 million per year) throughout the National Park. In addition, the rural make-up of the area provides for a variety of emergency calls that require large amounts of fire personnel to execute demanding tasks (such as Rope & Swift Water rescues). The Valley Fire District has seen fluctuations in volunteer staffing and is looking to continue a recruitment and retention program to comply with the standards set forth by NFPA 1720.

## History

Established in 1976, the Valley Fire District used to be housed at the Boston Town Hall on Route 303 and Riverview and moved to its present location in **2006**. The current site and property is leased from the Cuyahoga Valley National Park.

In 2013, the Valley Fire District entered into an agreement to provide coverage for a third community, the Village of Boston Heights. This bordering community adds 1,300 residents and 6.9 square mile to our current 21 square mile district. In addition, our department will utilize their station as a second fire station to respond from. As with many volunteer departments nationwide, the Village of Boston Heights was faced with a declining number of volunteer members able to provide coverage for their community. At the time of the agreement, their department only had seven active firefighters.

It was then found that in order to be more efficient, the three communities agreed that a regional approach that would be beneficial in sharing equipment and volunteer staffing.

There are generally 3 shifts:

- Station 1: 8 AM to 4 PM
- Station 2: 4 PM to Midnight and Midnight to 8 AM
- Except during Ski Season (Jan to March 14 depending on snowfall) when Station 1 has a Ski Shift from 4 PM to 10 PM.

## **Governance**

The Valley Fire District is governed by a Board of Trustees under ORC 505.371. Members are appointed as follows:

- Peninsula Village Council appoints one council member to serve as a representative on the Board for a three-year term.
- The Boston Township Board of Trustees appoints one member of the Township Board to serve as a representative on the Board for a three-year term.
- Those two Board members appoint a member-at-large from either Peninsula or Boston Township for a three-year term.

## **Mission Statement**

To protect lives and property through **proactive** education, prevention, and response.

## **Values**

We covet the public's and each other's trust and endeavor to maintain that trust through **Valor, excellence, and selflessness.**

### **VALOR**

Courageously encountering adversity, accepting responsibility of one's actions, and providing respectful and obedient conduct to the public and our peers.

### **EXCELLENCE**

We strive for constant improvement to better serve the community and each other.

**SELFLESSNESS**

Delivering service without recklessness, we put the consideration of others above and before ourselves.

**Vision Statement**

We will be:

- A highly motivated team to improve our partnership with the community.
- A healthy team working to provide a safe environment.
- A skilled team that is effective, empowered, and enthusiastic in our service.
- A proactive team that anticipates and influences change.

**PERSONNEL CLASSIFICATIONS**

The Valley Fire District is run by 6 officers:

- Chief
- Assistant Chief
- Captain
- 1<sup>st</sup> Lieutenant
- 2<sup>nd</sup> Lieutenant (2 positions)

Special classifications are held by station personnel such as:

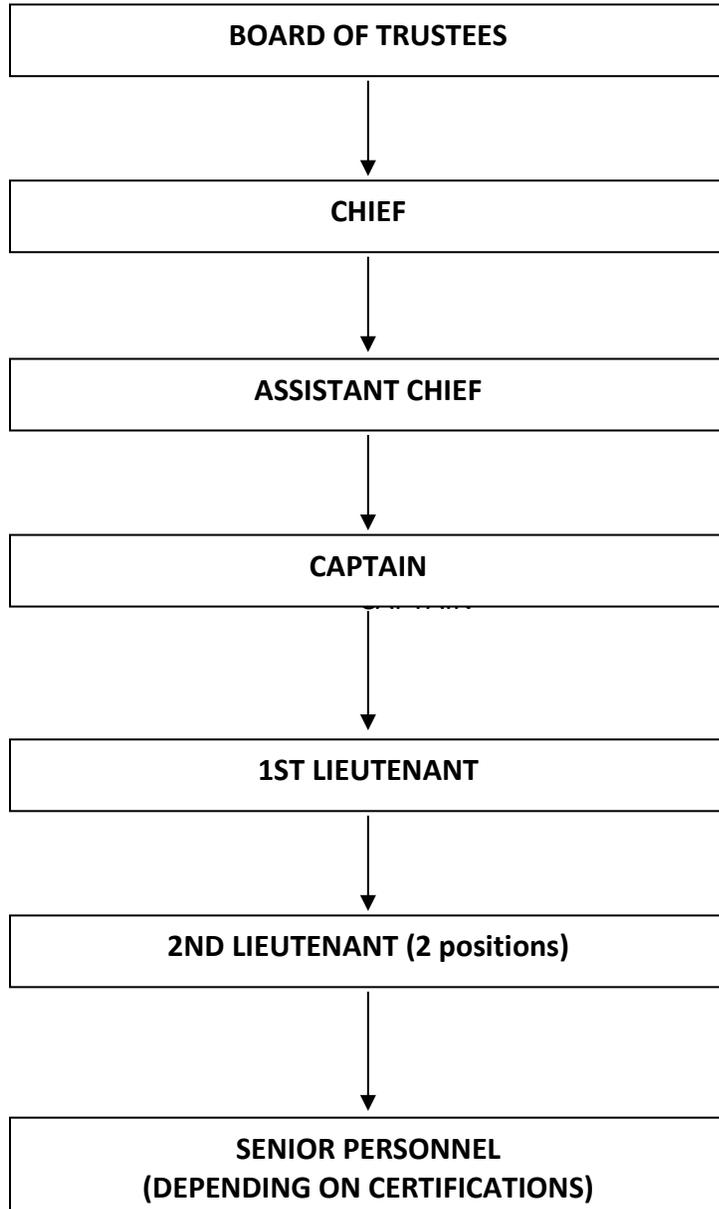
- Arson investigation
- Swift Water Technician
- Hazardous Material Tech
- High Angle Rope Tech

Station personnel include firefighters and EMS personnel who have completed certified training in accordance with the rules and regulations as established by the State of Ohio.

These certifications include:

- Firefighter I
- Firefighter II
- Emergency Medical Technician – Basic
- Emergency Medical Technician – Intermediate
- Emergency Medical Technician – Paramedic

**Chain of Command**



## **Duties of Station Personnel**

Listed below are the general duties of each classification.

### ***Officers***

#### **Chief**

**Qualifications:** Has any combination of training and work experience which indicates possession of skills, knowledge and abilities necessary to perform the duties listed below. Shall have been or is in a command position in a fire department. Demonstrates the ability to supervise others, meets the requirements established by all applicable law, rules and regulations and holds the follow classifications: Have 6 years continuous service within the district, outside applicants shall have 6 years supervisory experience, Ohio Firefighter 2, Ohio EMT-B, Ohio Fire Inspector, Ohio Fire investigator.

#### **Duties:**

1. The Chief reports directly to the Board of Trustees.
2. The Chief shall have control and command of the governance and discipline of the Fire District, and to that end may prescribe and establish from time to time such rules and regulations as the Chief may deem advisable, subject to the approval of the Board.
3. Chief shall, upon arrival at an emergency scene, promptly report her/his arrival to the officer in command. She/he may, where they are the highest-ranking officer present, assume command and have full control of the incident, after advising dispatch of the command change.
4. The Chief shall perform such duties as may be required by law or ordinance. The Chief shall have absolute control and command at fires and alarms of fire or any other emergencies over all members of the Fire District, and of all apparatus and equipment belonging to the Fire District. The Chief shall direct such measures as deemed proper for the extinguishment and control of fires, protection of life and property, and the preservation of order.
5. The Chief or a subordinate detailed by the Chief shall inquire into the cause of all fires occurring in the Fire District as soon as possible after they occur and, in each case, keep a record of same in their office.
6. The Chief shall have the authority, in times of extraordinary emergencies, to suspend temporarily the operations of the normal shifts, and shall have the authority to recall any or all members off-duty. The Chief shall report any such action to the Board as soon thereafter as is practicable.
7. The Chief shall maintain the Rules and Regulations in an up-to-date condition. The Chief shall maintain an accurate record of all business transacted by the Division of Fire. The Chief shall maintain an accurate and complete record of emergency medical service, fire apparatus and fire equipment including cost, maintenance, and operating expenses. The Chief shall maintain a complete record and cost of fire station operating supplies.
8. The Chief shall appoint officers to various duties as needed.
9. The Chief shall see that the laws of the State of Ohio and the Rules of the Valley Fire District applicable to the Division of Fire, together with all rules, are faithfully observed.

10. Respond to letters and inquires, and compile Fire & EMS reports in a timely manner.
11. Approve and or implement discipline as approved by the Fire Board.
12. Coordinates and conducts staff conferences to discuss program or project progress.
13. Responsible for the planning of Fire & EMS needs of the community.
14. Applies for Grants.
15. Attend County Fire Chief meetings.
16. Attends monthly safety meetings.
17. Compiles the annual report to the insurance agency.
18. Provides monthly reports to the Board. Attends monthly and special board meeting.
19. Must be physically fit to perform the duties described at all times.
20. Performs other duties as required.

### **Assistant Fire Chief**

**Qualifications:** Has any combination of training and work experience which indicates possession of skills, knowledge and abilities necessary to perform the duties listed below. Shall have been or is in a command position in a department. Demonstrates the ability to supervise others, meets the requirements established by all applicable law, rules and regulations and holds the following classifications: Have 6 years continuous service within the district, outside applicants shall have 6 years supervisory experience, Ohio Firefighter 2, Ohio EMT-B, Ohio Fire Inspector.

**Duties:**

1. The duties of the Assistant Chief are to have command and control of the department under direction of the Chief, and in the absence of the Chief, he/she shall assume control of the department.
2. The Assistant Chief shall receive all reports, complaints, requests, etc. coming through proper channels, and after carefully investigating same, forward them to the Chief for his/her endorsement attached thereon, or his/her disapproval and the reason for same attach thereto.
3. The Assistant Chief shall make frequent inspections of Station 1, noting the condition of the men/women, housing, apparatus, and everything pertaining to the service and the discipline of the department, and shall report any infractions of the rules and regulations of the department or any other unusual matters to the responsible officer first.
4. The Assistant Chief shall see that the laws of Ohio are observed by the department together with all rules, regulations, and orders of the department.
5. The Assistant Chief shall, upon arrival at an emergency scene, promptly report her/his arrival to the officer in command. She/he may, where they are the highest-ranking officer present, assume command and have full control of the incident, after advising dispatch of the command change.
6. He/she shall perform such other duties as the Chief may direct.
7. Shall oversee clothing and turnout gear of all personnel.
8. Shall oversee Station 1 operation & maintenance.
9. Shall oversee fire reports and compliance to the Ohio NFIRS.
10. Yearly summary of activities shall be submitted to the Chief.
11. Provides monthly reports to the Board. Attends monthly board meetings.
12. Must be physically fit to perform the duties described at all times.
13. Performs other duties as required.

### **Captain**

**Qualifications:** Has any combination of training and work experience which indicates possession of skills, knowledge and abilities necessary to perform the duties listed below. Demonstrates the ability to supervise others, meets the requirements established by all applicable law, rules and regulations and holds the following classifications: Have 6 years continuous service within the district, outside applicants shall have 6 years supervisory experience, Ohio Firefighter 2, Ohio EMT-B, Ohio Fire Inspector.

**Duties:**

1. The Captain shall be the next ranking officer under the Assistant Chief.
2. The Captain shall oversee and direct all members under his/her rank and see that all orders, rules, regulations, and laws are obeyed.
3. The Captain, during the absence of higher ranking officer, shall be in complete charge of the department and shall carry out the duties of higher ranking officers in their absence.
4. Captain shall perform such other duties as may be required of superior officers.
5. The Captain shall make frequent inspections of Station 2, noting the condition of the men/women, housing, apparatus, and everything pertaining to the service and the discipline of the department, and shall report any infractions of the rules and regulations of the department or any other unusual matters to the responsible officer first.
6. Shall upon arrival at an incident, promptly report to the officer in charge his/her arrival. He/she may, where they are the highest-ranking officer present, assume command and have full control of the incident, after advising dispatch of the command change.
7. The Captain shall be in charge of equipment, vehicle maintenance and scheduling of pump testing, and ladder testing.
8. Shall be in charge of the Special Teams training.
9. The Captain shall see that the laws of Ohio are observed by the department together with all rules, regulations, and orders of the department.
10. The Captain shall review members that are completing their probation and send his/her recommendation to the Chief one month prior to the end date of the probation
11. The Captain shall be in charge of EMS reports and ensure compliance with State of Ohio reporting requirements.
12. The Captain shall be in charge of Station 2 operation and maintenance.
13. He/she shall perform such other duties as the Chief may direct.
14. Yearly summary of activities shall be submitted to the Chief.
15. Maintains a list of vehicles and major equipment along with their maintenance schedule.
16. Any vehicle taken out of service must be reported to the Board immediately.
17. Make recommendations to the Board regarding major equipment repairs.
18. Provides monthly reports to the Board. Attends monthly board meetings.
19. Must be physically fit to perform the duties described at all times.
20. Performs other duties as required.

### **First Lieutenant**

**Qualifications:** Has any combination of training and work experience which indicates possession of skills, knowledge and abilities necessary to perform the duties listed below. Demonstrates the ability to supervise others, meets the requirements established by all applicable law, rules and regulations and holds the following classifications: Have 6 years continuous service within the district, outside applicants shall have 6 years supervisory experience, Ohio Firefighter 2, Ohio EMT-B, Ohio Fire Inspector.

**Duties:**

1. The First Lieutenant will be the highest-ranking lieutenant.
2. Lieutenant shall assist superior officers in directing the affairs of the department and shall advise the superior officer of his/her official actions.
3. Lieutenant when in charge shall have all the authority and responsibilities of higher ranking officers and be in temporary charge of quarters during the absence of higher ranking officers.
4. Lieutenant shall perform such other duties as may be required by superior officers, and enforce rules, regulations, and orders of the department.
5. Shall administer shift scheduling and payroll.
6. Shall be in charge of record keeping as pertains to personnel the department needs, certifications, continuing education, and other EMS information as required by Laws and Standards.
7. Shall be in charge of supervising training requirements established by this department.
8. Shall advise Chief on additions or corrections pertaining to said duties.
9. Shall upon arrival at an incident, promptly report to the person in charge. He/she may where they are the highest-ranking officer present, assume command and have full control of the incident, after advising dispatch of the command change.
10. He/she shall perform such other duties as the Chief may direct.
11. Yearly summary of activities shall be submitted to the Chief.
12. Provides monthly reports to the Board. Attends monthly board meetings.
13. Must be physically fit to perform the duties described at all times.
14. Performs other duties as required.

### **Second Lieutenant**

**Qualifications:** Has any combination of training and work experience, which indicates possession of skills, knowledge and abilities necessary to perform the duties listed below. Demonstrates the ability to supervise others, meets the requirements established by all applicable law, rules and regulations and holds the following classifications: Have 6 years continuous service within the district, outside applicants shall have 6 years supervisory experience, Ohio Firefighter 2, Ohio EMT-B, Ohio Fire Inspector.

**Duties:**

1. The Second Lieutenant shall assist the superior officers in directing the affairs of the department and shall advise the superior officer of her/his official actions.
2. Lieutenant, when in charge, shall have all the authority and responsibilities of higher ranking officers, be in temporary charge of quarters, during the absence of higher ranking officers.
3. Lieutenant, shall perform such other duties as may be required by superior officers, and enforce rules, regulations, and orders of the department.
4. Shall be in charge of Fire Inspections program.
5. Shall be in charge of record keeping as pertains to personnel certifications, continuing education, and other EMS information as needed by the department.
6. Shall be in charge of supervising training requirements established by this department.
7. Shall advise Chief on additions or correction needed to provide service by this department.
8. Shall upon arrival at an incident, promptly report to the person in charge. He/she may where they are the highest-ranking officer present, assume command and have full control of the incident, after advising dispatch of the command change.
9. Shall supervise annual testing of hose, and hydrants in our jurisdiction and keep up-to-date records of same.
10. Shall Supervise hydrant maintenance program and keep up to date records. He/she shall perform such other duties as the Chief may direct.
11. Yearly summary of activities shall be submitted to the Chief.
12. Provides monthly reports to the Board. Attends monthly board meetings.
13. Must be physically fit to perform the duties described at all times.
14. Performs other duties as required.

**Personnel****Firefighter I and II**

**Qualifications:** Has any combination of training and work experience which indicates possession of the skills, knowledge and abilities necessary to perform the duties listed below. Must meet the training requirements of the State of Ohio FF 1 or FF 2 and the Fire District and all applicable law, rules and regulations.

**Duties:**

Performs fire suppression and prevention duties; prepares NFIRS reports, answers telephone inquiries; performs general maintenance tasks as directed.

1. Performs fire prevention, fire suppression and rescue activities; responds to fire, accident alarms and suppresses and extinguishes fire in various roles. Operates hose lines and nozzle, operates fire trucks, performs search and rescue activities. Takes out walls, ceilings, removes furniture, removes debris and cleans up water, etc.
2. Investigates calls of potential fire hazards. (gas leaks, smoke, Haz-Mat etc.)
3. Performs Firefighter duties as a FF-1 or FF-2 as defined by the state of Ohio requirements.
4. Performs rescue activities at accident scenes, extrication of victims, operates hydraulic rescue equipment, chain saws, circular saws, drills, etc.
5. Prepares run reports as required by SOP.
6. Checks equipment and performs tasks to insure proper operations of emergency firefighting equipment.
7. Performs routine maintenance of buildings (such as, wash floors, equipment, mow grass, shovel snow, paint, etc.).
8. Must be physically fit to perform the duties described above at all times.
9. Performs other related duties as required.

### **Firefighter/EMT**

**Qualifications:** Has any combination of training and work experience which indicates possession of the skills, knowledge and abilities necessary to perform the duties listed below. Meets the training requirements of the State of Ohio FF 1 or FF 2 and EMT the Fire District and all applicable law, rules and regulations.

**Duties:** Performs fire suppression and prevention duties; prepares NFIRS and medical reports, answers telephone inquiries; performs general maintenance tasks as directed.

1. Performs fire prevention, fire suppression and rescue activities; responds to fire, accident alarms and suppresses and extinguishes fire in various roles. Operates hose lines and nozzle, operates fire trucks, performs search and rescue activities. Takes out walls, ceilings, removes furniture, removes debris and cleans up water, etc.
2. Performs various medical care of Patients as required as an Emergency Medical Technician as defined by the State of Ohio requirements.
3. Investigates calls of potential fire hazards. (gas leaks, smoke, Haz-Mat etc.)
4. Performs rescue activities at accident scenes, extrication of victims, operates hydraulic rescue equipment, chain saws, circular saws, drills etc.
5. Prepares Medical and Fire Run reports as required by SOP
6. Checks equipment and performs tasks to insure proper operations of emergency firefighting equipment.
7. Performs routine maintenance of buildings (such as, wash floors, equipment, mow grass, shovel snow, paint, etc.)
8. Must be physically fit to perform the duties described above at all times.
9. Performs other related duties as required.

### **Firefighter/Medic**

**Qualifications:** Has any combination of training and work experience which indicates possession of the skills, knowledge and abilities necessary to perform the duties listed below. Must meet the training requirements of the State of Ohio FF-1 or FF-2 and EMT-P the Fire District and all applicable law, rules and regulations.

**Duties:** Performs fire suppression and prevention duties; prepares NFIRS and Medical reports, answers telephone inquiries; performs general maintenance tasks as directed.

1. Performs fire prevention, fire suppression and rescue activities; responds to fire, accident alarms and suppresses and extinguishes fire in various roles. Operates hose lines and nozzle, operates fire trucks, performs search and rescue activities. Takes out walls, ceilings, removes furniture, removes debris and cleans up water, etc.
2. Performs various medical care of Patients as required as an Emergency Medical Technician Paramedic as defined by the State of Ohio.
3. Investigates calls of potential fire hazards (such as, gas leaks, smoke, Haz-Mat, etc.)
4. Performs rescue activities at accident scenes, extrication of victims, operates hydraulic rescue equipment, chain saws, circular saws, drills etc.
5. Prepares Medical and Fire Run reports as required by SOP
6. Checks equipment and performs tasks to insure proper operations of emergency firefighting equipment.
7. Performs routine maintenance of buildings (such as, wash floors, equipment, mow grass, shovel snow, paint, etc.).
8. Must be physically fit to perform the duties described above at all times.
9. Performs other related duties as required.

## EMPLOYEE REQUIREMENTS

All employees shall read and follow the policies in this manual, the standard operating procedures (SOPs), standard operating guidelines (SOGs), and other policies governing the Valley Fire District.

### **Personal Information**

Each employee has the responsibility to notify the Chief in writing, of any change in name, address, email address, or telephone number for the purpose of ensuring that all records are current. The Chief will notify the Clerk of any changes. Direct deposit and tax information changes should be submitted in writing directly to the Clerk.

### **Driver's License**

All members must have a valid Driver's License to operate any department vehicle and an acceptable driving record per District's Insurance carrier standards.

The Valley Fire District **policy** states that "only authorized persons with a current valid driver's license in their possession, who maintain an acceptable driving record, will be permitted to operate vehicles on department business or to operate department vehicles."

Each member assigned to operate any department vehicle or in a position to operate one at any time must have their driver's license number, classification, and expiration date recorded with the department. It is each member's responsibility to contact the Chief with information upon license renewal.

Any change in driving status, charge of OVI, or any substance abuse must be reported to the Chief and Fire Board.

**Acceptable Driving Record:** means that the driving record of the employee is permitted through the state issued and meets the requirements of the department's Insurance Carrier recommended standard.

**All drivers' licenses shall be verified annually by the Chief for authenticity.**

### **Certifications**

The department has adopted the following procedure to ensure that all personnel maintain a file of the required certifications for their respective positions. It is and shall remain the individual's responsibility to maintain valid certifications as required by the State of Ohio. The department will maintain any record provided by the employee to insure compliance of our

members. Members shall maintain any and all certification that are or may be required in their current position with the department.

### ***Eligibility Requirements for Personnel***

- Valid driver's license
- Firefighter: Firefighter I or Firefighter II
- EMS: EMT Basic or EMT Intermediate or EMT Paramedic

### ***Documentation Requirements for Personnel***

- Annual verification of records
- Copy of valid driver's license
- Copy of valid EMS certifications
  - EMT – Basic or
  - EMT – Intermediate or
  - EMT - Paramedic
- Copy of valid CPR Card
- Copy of valid ACLS, PALS, PHTLS cards for required certification
- Documentation of attending monthly Fire or EMS trainings
- Documentation of any applicable outside trainings
- Copy of valid Firefighter certifications

### ***Documentation Procedures for Personnel***

- Upon receipt of updated certifications, a copy of each updated document which is required to be on file, shall be provided to the Captain to be placed in the member's file.
- It is the responsibility of all individuals to maintain valid certifications on file.
- It is the responsibility of all individuals to maintain the necessary continuing education documentation.
- The OIC on duty shall take a Training Sheet to each monthly meeting to assist in documenting the attendance of personnel.

## **Ongoing Training**

All personnel are required to attend training on the first and third Wednesday of every month. Training will be held from 19:00 until completed or no longer than 22:00.

It is mandatory that each member attend at least ten monthly training **(10 sessions) (20hours)** per calendar year. Each member's training hours will be evaluated at the time of certification. If not enough hours have been accumulated, the employee will be subject to a training status review.

If a firefighter, firefighter/EMT, Medic, or officer misses four (4) trainings in a row, or six (6) trainings in one year without reasonable excuse, the employee will be subject to an employment status review.

## EMPLOYEE POLICIES & PROCEDURES

### Attendance Policy

Members shall not absent themselves from duty without first obtaining permission from their immediate supervisor. Permission for any leave must be obtained from the immediate supervisor.

When possible, a member shall report off sick by telephone prior to the normal starting time. This report, stating the nature of the illness or injury, shall be made to the 1<sup>st</sup> Lieutenant or to the Chief if the 1<sup>st</sup> Lieutenant cannot be reached.

All cases of tardiness shall be reported to the Captain through the 1st Lieutenant. Tardiness will be handled on an individual basis and a 365-day period will be used to determine the degree of the offense.

No employee of the department shall leave quarters, fires, incidents, or any duty without the permission of the Officer in Charge or the Chief.

A "Reported Tardy" is where a member reports prior to starting time that they will be late for duty and states the reasons therefor. Two "Reported Tardy" of less than 30 minutes may be allowed per 365-day period upon approval of supervision.

Action taken in cases of reported tardy in excess of two in a 365-day period:

- First Offense - Oral Reprimand
- Second Offense - Written Reprimand
- Third Offense - 4 Hours Suspension
- Fourth Offense - 8 Hours Suspension
- Fifth Offense - 24 Hours Suspension
- Sixth Offense - Subject to Dismissal

AWOL is where any member fails to report for duty at their regular starting time and fails to notify their immediate supervisor before their starting time.

Action taken in cases of AWOL:

- First AWOL - Written Reprimand
- Second AWOL - 8 Hours Suspension
- Third AWOL - 24 Hours Suspension
- Fourth AWOL - Subject to Dismissal

## **Complaint Policy**

In any complex operation, problems or differences of opinion regarding work matters will occasionally arise between employees and their supervisors, fellow employees, or the Valley Fire District in general. Employees are encouraged to raise serious concerns internally so that Valley Fire District can address and correct inappropriate conduct and actions. Complaints can be brought to any of the officers, who will notify the Chief of the complaint.

For complaints of discrimination or harassment, such complaints will be kept as confidential as possible while still allowing for a prompt and thorough investigation.

Complaints should either be made in writing, or if received verbally, be written down by the recipient and forwarded to the Chief for review and response. A written response to all complaints will be made to the person making the complaint as soon as practicable, depending on the severity of the complaint. This written complaint and the Chief's response will be sent to the Clerk to be filed and retained.

If after 3 days, the Chief or other officer in his absence has not responded to the person making the complaint, the complainant should notify the Clerk ([valleyfireclerk@yahoo.com](mailto:valleyfireclerk@yahoo.com)) who will notify the Fire Board.

### *Protection of Whistleblowers*

The department prohibits retaliation against any employee who in good faith reports an ethics violation, a suspected violation of law, such as a complaint of discrimination/harassment, suspected fraud, or suspected violation of any regulation or policy governing the operations of the department. An employee who retaliates against someone who has reported a violation in good faith is subject to discipline up to and including termination of employment.

Anyone filing a written complaint concerning a violation or suspected violation must be acting in good faith and have reasonable grounds for believing the information disclosed indicates a violation. Any allegations that prove not to be substantiated and which prove to have been made maliciously or knowingly to be false will be viewed as a serious disciplinary offense.

See also Fraud Policy.

## **Disciplinary Policy**

### **A. Certified Personnel**

“Certified Personnel” means all employees that hold a certification under former section 3303.07 of the Revised Code or section 4765.55 of the Revised Code evidencing satisfactory completion of a firefighter training program.

For the purpose of disciplinary procedures, a major offense is bribery, misfeasance, malfeasance, nonfeasance, misconduct in office, gross neglect of duty, gross immorality, habitual drunkenness, or failure to obey orders given by the proper authority. A minor offense is any other violation of the Rules and Regulations and SOG’s of the Valley Fire District.

#### **1. Minor Offenses**

The Chief shall have the responsibility for all minor disciplinary procedures.

All proposed disciplinary action in regard to minor offenses, must be initiated in writing with a copy to the Chief, Assistant Chief, Captain, the members of the Fire District Board, and the person charged with the offense. If disciplinary action is to be taken against a person, written notice of such action must be given to the person being disciplined within 72 hours of the time and date of the discovery of the occurrence. The person charged with the offense shall be entitled to present a statement, either in writing or verbally, to the Chief with respect to his/her position on the offense before any disciplinary action is taken. Such statement shall be presented within 72 hours of receipt of the notice of disciplinary action by the person charged with the offense.

The Chief shall impose the following disciplinary action for minor offenses:

First Offense – verbal warning

Second Offense – written warning

Third Offense – loss of privileges depending on offense

For the purpose of determining the number of accrued minor offenses, only those offenses committed within two (2) years of the current offense will be considered. A minor offense will be delete from the person’s file two (2) years following the date of such offense. The Chief will notify the Board of employees who have reached a third offense.

Appeals of the Chief’s decisions regarding minor offenses must be submitted to the Board in writing within 7 days. The board will respond within 45 days.

#### **2. Major Offenses**

In regard to major offenses that may result in removal from office, the Chief shall refer all major cases to the Fire Board who shall proceed in accordance with the procedures set forth in the Ohio Revised Code and applicable common law protections

Disciplinary action for removal or dismissal of Certified Personnel are subject to the provisions of Ohio Revised Code Section 505.38 and Ohio Revised Code Sections 733.35 to 733.39. To initiate removal proceedings, and for that purpose, the board shall designate the fire chief or a private citizen to investigate, conduct and prepare the necessary charges in conformity with the Ohio Revised Code.

In the case of the removal of the fire chief or any member of the fire district, an appeal may be had from the decision of the board to Summit County Court of Common Pleas to determine the sufficiency of the cause of removal. The appeal from the findings of the board shall be taken within ten days.

#### **B. Non-Certified Personnel**

Personnel that do not have a certification under former section 3303.07 of the Revised Code or section 4765.55 of the Revised Code evidencing satisfactory completion of a firefighter training program are at will employees and may be terminated at any time with or without cause.

## **Dress Code and Grooming**

### ***Uniform and Turnout Gear***

#### **Turnout Gear will be provided for each Firefighter**

Uniforms and fire clothes shall be kept clean and maintained in good repair.

#### **Class A Uniform:**

- Dress uniform that is worn by officers at events that require formal attire.

#### **Class B Uniform:**

- Pants: Dark blue uniform with black belt
  - Dark blue uniform shorts with black belt may be worn when temperatures exceed 70 degrees
- Shirt: Dark blue uniform
- T-Shirt: Blue Cotton/Poly blend
- Properly maintained black shoes.

#### **Training Uniform:**

- Department-assigned T-Shirts may be worn at training event.

### ***Grooming***

While this policy does not cover all potential appearance and grooming issues, any extreme clothes, hairstyles, facial hair or jewelry are not permitted. Personnel are encouraged to use discretion in maintaining the professional image of the Department.

**1. The following guideline for hair standards** is based on the use of a protective hood. Both males and females must conceal all hair within a protective hood and still maintain proper fit of headgear and self-contained breathing apparatus face piece. Additionally, hair length must not interfere with providing emergency medical services. Caution must be taken to prevent member's hair from becoming contaminated by patient's bodily fluids or from contaminating a patient's injuries.

**Hair Standard:** Hair is to be neatly groomed and clean. It shall be cut, styled and worn in a conservative manner. Hair may be in a bun, ponytail or braided to accomplish the above criteria. The bulk or length of hair shall not interfere with the proper wearing of any department headgear or equipment.

**Hair Coloring:** Hair coloring must look natural. Unnatural hair coloring, such as green, purple, blue, bright red, etc., are not permitted. Hair pins, combs, or barrettes may be worn to meet the requirement of this standard. Personal Appearance and Dress Code.

**Wigs and Hair Pieces:** Wigs or hair pieces may be worn while on duty or in uniform for cosmetic reasons to cover natural baldness or physical disfigurement. If a wig or hair piece is worn, it must conform to this standard for natural hair and must not cause a safety hazard.

**Facial Hair:** No person shall report for work or be on duty with facial hair of sufficient length to potentially interfere with an individual's ability to maintain a safe mask seal with/while wearing a self-contained breathing apparatus.

**Beards and Goatees:** Beards and goatees are not permitted.

**Sideburns:** Sideburns must be neatly trimmed. Sideburns must not extend below the bottom of the ear lobe and must end with a clean shaven horizontal line. Sideburns shall not extend into the portion of the face which provides for the seal of the SCBA face piece. "Muttonchops," "Ships Captain," or similar grooming styles are not permitted.

**Mustaches:** Mustaches may be worn provided they are maintained in a neat, clean manner which presents a groomed appearance. The mustache must not interfere with the wearing of any fire equipment or SCBA and shall not expose the wearer to undue risk or hazard. Mustaches must not extend below the bottom of the lower lip.

**2. Jewelry:** A limited amount of jewelry may be worn while in uniform provided the items are discreet, do not expose the wearer to undue risk or hazard, and comply with the following guideline:

- Ear rings in the nose, eyebrows, lips, etc., are not permitted.
- Stud ear rings, one in each ear, is permitted while on duty and at the station.
- Necklaces or chains worn about the neck are permitted as long as they are concealed beneath the uniform shirt.
- Jewelry which is loose or protrudes and may catch in machinery or equipment may not be worn while in uniform.
- Visible piercing of the body, with the exception of that mentioned above, is prohibited and must be removed or covered prior to starting duty or conducting Fire Department business.

**3. Cosmetics:** Females may wear cosmetics such as eye shadow, blush, or powder as long as these items are used in moderation and worn in a conservative style.

## **Drug, Alcohol & Tobacco Policy**

It is the policy of the department to provide a safe workplace and to establish programs promoting high standards of employee health. In keeping with this policy, the department's goal is to establish and maintain a Drug and Alcohol-Free Workplace.

1. Possession or use of alcohol or illegal drugs or being under the influence of alcohol, illegal drugs, and/or abused substances while on duty is prohibited.
2. It is the responsibility of employees undergoing prescribed medical treatment with a drug or controlled substance which may alter their physical or mental ability to inform the Chief. This information will be maintained in the strictest confidence. Any need for an accommodation will be considered pursuant to the Accommodation of Disabilities policy contained herein.
3. Employees who are experiencing alcohol, drug abuse, and/or substance abuse problems should confer with the Chief to seek rehabilitation treatment. All discussions with the Chief shall be maintained in the strictest confidence. No disciplinary action will be taken as a result of an employee voluntarily stepping forward to seek help. However, discipline will not be rescinded in cases where an employee's past conduct has warranted the imposition of disciplinary action prior to the employee's request for assistance.
4. The department has the right at any time to evaluate an employee's physical condition when there is evidence that it may be in question. Employees whose job behavior or performance are suspect will be required to submit to a physical examination for diagnostic testing and evaluation. Refusal to submit to such a physical examination will be treated as an admission that the employee is not fit for duty, and action will be taken as the department deems appropriate.
5. Employees will be required to submit to a drug and/or alcohol test upon reasonable suspicion of use, possession, or intoxication in the workplace, as well as after a workplace accident resulting in injury or damage to property.
6. If such tests indicate that the employee is or has been under the influence, while on duty or off, of alcohol, illegal drugs, or any controlled substance for which they have not made a report pursuant to paragraph 3 of this Policy, the department will take disciplinary action against the employee as it deems appropriate.
7. In addition to disciplinary action, the department may require additional testing of any employee who continues in a position with the department. Additional random tests of the employee may be conducted for a period to be designated at the time discipline is imposed as a result of the initial positive test.
8. In addition to random testing and any discipline imposed as a result of a positive drug or alcohol test, the employee must, within a reasonable time, submit proof of the completion of an appropriate certified drug and/or alcohol rehabilitation treatment program.
9. No Alcohol is permitted in Fire District Buildings or Grounds without the approval of the Fire Board.

***Tobacco Policy***

Use of any tobacco products is known to be a hazard to both life and property, and it is also hazardous to non-smokers. Tobacco products therefore, are prohibited in department buildings, property, and vehicles. This policy also applies to e-cigarettes.

## **Equipment and Vehicle Policy**

1. Any and all firefighting and/or emergency equipment shall be approved by the Chief prior to its purchase or placing into service.
2. The driver of any apparatus shall be responsible for apparatus and all equipment and is to see that apparatus is back in service properly.
3. Apparatus shall not be out of service unless same has been reported to the officer in charge.
4. Personnel shall ride on the apparatus going to and returning from incidents or alarms, unless otherwise directed by the Officer in Charge (OIC).
5. Only members of the Valley Fire District are permitted to ride on any equipment unless otherwise authorized by the Chief or his/her designate.
6. No personnel shall be allowed to loan, sell, or give away any department property unless authorized by the Chief and Fire Board.
7. Sale or disposal of any department property shall be done in accordance with the Ohio Revised Code.
8. Vehicle purchases must be recommended by a committee of the officers and at least two other members appointed by the Board. Any interested board member can choose to be part of that committee.

## **Equal Opportunity Policy**

All qualified applicants will receive consideration for employment without regard to race, color, religion, gender, sexual orientation, national origin, disability, age, ancestry, or veteran status.

## **Fraud Reporting Policy**

If in the course of employment, an employee becomes aware of a violation of state or federal statutes, rules or regulations or the misuse of public resources, a written report identifying the violation or misuse may be filed with the Chief or members of the Board, who have the authority to investigate and correct the violation or misuse. See also Complaint Policy. In addition to, or instead of filing a written report with the Chief, a report may be filed by contacting one of the following:

Ohio Auditor of State's Office  
Special Investigations Unit  
88 East Broad Street, P.O. Box 1140  
Columbus, OH 43215

OR Call the Fraud Hotline  
1-866-FRAUD OH (1-866-372-8364)

## **Harassment Policy**

The department is committed to maintaining a work environment that is free of harassment and discrimination based on a person's race, color, religion, gender, sexual orientation, national origin, disability, age, ancestry, or veteran status, consistent with applicable Ohio and Federal laws.

### ***Sexual Harassment***

No employee may threaten or imply that another employee's submission to or rejection of sexual advances will in any way influence any decision about the employee's employment, advancement, duties, compensation, or other terms or conditions of employment.

No employee may subject another employee to any unwelcome physical conduct, such as touching, blocking, staring, sexual gestures, or making or displaying sexual drawings or photographs, (including having these items in personal lockers that can be observed by others), or unwelcome sexual propositions, slurs, insults, jokes, and other sexual comments.

### ***Other Harassment or Discrimination***

No employee may harass another because of that person's race, color, religion, gender, sexual orientation, national origin, disability, age, ancestry, or veteran status. Examples of conduct prohibited by this Policy include using racial and ethnic slurs or jokes.

See the **Complaint Policy** above for information on making a complaint.

**HIPAA Policy**

VALLEY FIRE DISTRICT  
HIPAA COMPLIANCE POLICY  
AS REQUIRED AND ENFORCED THROUGH THE US DEPARTMENT OF  
HEALTH AND HUMAN SERVICES, OFFICE FOR CIVIL RIGHTS

“STANDARDS FOR PRIVACY OF INDIVIDUALLY IDENTIFIABLE HEALTH  
INFORMATION”

45 CFR PARTS 160 AND 164  
EFFECTIVE: APRIL 14TH, 2003

Valley Fire District

Notice of Privacy Practices

IMPORTANT: THIS NOTICE DESCRIBES HOW MEDICAL INFORMATION  
ABOUT YOU MAY BE USED AND DISCLOSED AND HOW YOU CAN GET  
ACCESS TO THIS INFORMATION. PLEASE REVIEW IT CAREFULLY.

As an essential part of our commitment to you, Valley Fire District maintains the privacy of certain confidential health care information about you, known as Protected Health Information or PHI. We are required by law to protect your health care information and to provide you with the attached Notice of Privacy Practices.

The Notice outlines our legal duties and privacy practices respect to your PHI. It not only describes our privacy practices and your legal rights, but lets you know, among other things, how the Valley Fire District is permitted to use and disclose PHI about you, how you can access and copy that information, how you may request amendment of that information, and how you may request restrictions on our use and disclosure of your PHI. Valley Fire District is also required to abide by the terms of the version of this Notice currently in effect. In most situations we may use this information as described in this Notice without your permission, but there are some situations where we may use it only after we obtain your written authorization, if we are required by law to do so.

We respect your privacy, and treat all health care information about our patients with care under strict policies of confidentiality that all of our staff are committed to following at all times.

PLEASE READ THE ATTACHED DETAILED NOTICE. IF YOU HAVE ANY QUESTIONS ABOUT IT, PLEASE CONTACT, OUR PRIVACY OFFICER, AT 330-657-2292 -VALLEY FIRE DISTRICT, PENINSULA, OHIO.

THIS NOTICE DESCRIBES HOW MEDICAL INFORMATION ABOUT YOU MAY BE USED AND DISCLOSED AND HOW YOU CAN GET ACCESS TO THIS INFORMATION. PLEASE REVIEW IT CAREFULLY.

Purpose of this Notice: Valley Fire District is required by law to maintain the privacy of certain confidential health care information, known as Protected Health Information or PHI, and to provide you with a notice of our legal duties and privacy practices with respect to your PHI. This

Notice describes your legal rights, advises you of our privacy practices, and lets you know how Valley Fire District is permitted to use and disclose PHI about you.

Valley Fire District is also required to abide by the terms of the version of this Notice currently in effect. In most situations we may use this information as described in this Notice without your permission, but there are some situations where we may use it only after we obtain your written authorization, if we are required by law to do so.

**Uses and Disclosures of PHI:**

Valley Fire District may use PHI for the purposes of treatment, payment, and health care operations, in most cases without your written permission.

**Examples of our use of your PHI:**

For treatment. This includes such things as verbal and written information that we obtain about you and use pertaining to your medical condition and treatment provided to you by us and other medical personnel (including doctors and nurses who give orders to allow us to provide treatment to you). It also includes information we give to other health care personnel to whom we transfer your care and treatment, and includes transfer of PHI via radio or telephone to the hospital or dispatch center as well as providing the hospital with a copy of the written record we create in the course of providing you with treatment and transport.

For payment. This includes any activities we must undertake in order to get reimbursed for the services we provide to you, including such things as organizing your PHI and submitting bills to insurance companies (either directly or through a third-party billing company), management of billed claims for services rendered, medical necessity determinations and reviews, utilization review, and collection of outstanding accounts. For health care operations. This includes quality assurance activities, licensing, and training programs to ensure that our personnel meet our standards of care and follow established policies and procedures, obtaining legal and financial services, conducting business planning, processing grievances and complaints, creating reports that do not individually identify you for data collection purposes, fundraising, and certain marketing activities.

Reminders for Scheduled Transports and Information on Other Services. We may also contact you to provide you with a reminder of any scheduled appointments for non-emergency ambulance and medical transportation, or for other information about alternative services we provide or other health-related benefits and services that may be of interest to you.

Use and Disclosure of PHI Without Your Authorization. Valley Fire District is permitted to use PHI without your written authorization, or opportunity to object in certain situations, including:

For Valley Fire District's use in treating you or in obtaining payment for services provided to you or in other health care operations;

For the treatment activities of another health care provider;

To another health care provider or entity for the payment activities of the provider or entity that receives the information (such as your hospital or insurance company);

To another health care provider (such as the hospital to which you are transported) for the health care operations activities of the entity that receives the information as long as the entity receiving the information has or has had a relationship with you and the PHI pertains to that relationship;

For health care fraud and abuse detection or for activities related to compliance with the law.

To a family member, other relative, or close personal friend or other individual involved in your care if we obtain your verbal agreement to do so or if we give you an opportunity to object to such a disclosure and you do not raise an objection. We may also disclose health information to your family, relatives, or friends if we infer from the circumstances that you would not object. For example, we may assume you agree to our disclosure of your personal health information to your spouse when your spouse has called the ambulance for you. In situations where you are not capable of objecting (because you are not present or due to your incapacity or medical emergency), we may, in our professional judgment, determine that a disclosure to your family member, relative, or friend is in your best interest. In that situation, we will disclose only health information relevant to that person's involvement in your care. For example, we may inform the person who accompanied you in the ambulance that you have certain symptoms and we may give that person an update on your vital signs and treatment that is being administered by our ambulance crew;

To a public health authority in certain situations (such as reporting a birth, death or disease as required by law, as part of a public health investigation, to report child or adult abuse or neglect or domestic violence, to report adverse events such as product defects, or to notify a person about exposure to a possible communicable disease as required by law;

For health oversight activities including audits or government investigations, inspections, disciplinary proceedings, and other administrative or judicial actions undertaken by the government (or their contractors) by law to oversee the health care system;

For judicial and administrative proceedings as required by a court or administrative order, or in some cases in response to a subpoena or other legal process;

For law enforcement activities in limited situations, such as when there is a warrant for the request, or when the information is needed to locate a suspect or stop a crime;

For military, national defense and security and other special government functions

To avert a serious threat to the health and safety of a person or the public at large;

For workers' compensation purposes, and in compliance with workers' compensation laws;

To coroners, medical examiners, and funeral directors for identifying a deceased person, determining cause of death, or carrying on their duties as authorized by law;

If you are an organ donor, we may release health information to organizations that handle organ procurement or organ, eye or tissue transplantation or to an organ donation bank, as necessary to facilitate organ donation and transplantation;

For research projects, but this will be subject to strict oversight and approvals and health information will be released only when there is a minimal risk to your privacy and adequate safeguards are in place in accordance with the law;

We may use or disclose health information about you in a way that does not personally identify you or reveal who you are. Any other use or disclosure of PHI, other than those listed above will only be made with your written authorization, (the authorization must specifically identify the information we seek to use or disclose, as well as when and how we seek to use or disclose it). You may revoke your authorization at any time, in writing, except to the extent that we have already used or disclosed medical information in reliance on that authorization.

### **Patient Rights**

As a patient, you have a number of rights with respect to the protection of your PHI, including:

The right to access, copy or inspect your PHI. This means you may come to our offices and inspect and copy most of the medical information about you that we maintain. We will normally provide you with access to this information within 30 days of your request. We may also charge you a reasonable fee for you to copy any medical information that you have the right to access. In limited circumstances, we may deny you access to your medical information, and you may appeal certain types of denials. We have available forms to request access to your PHI and we will provide a written response if we deny you access and let you know your appeal rights. If you wish to inspect and copy your medical information, you should contact the privacy officer listed at the end of this Notice.

The right to amend your PHI. You have the right to ask us to amend written medical information that we may have about you. We will generally amend your information within 60 days of your request and will notify you when we have amended the information. We are permitted by law to deny your request to amend your medical information only in certain circumstances, like when we believe the information you have asked us to amend is correct. If you wish to request that we amend the medical information that we have about you, you should contact the privacy officer listed at the end of this Notice.

The right to request an accounting of our use and disclosure of your PHI You may request an accounting from us of certain disclosures of your medical information that we have made in the last six years prior to the date of your request. We are not required to give you an accounting of information we have used or disclosed for purposes of treatment, payment or health care operations, or when we share your health information with our business associates, like our billing company or a medical facility from/to which we have transported you. We are also not required to give you an accounting of our uses of protected health information for which you

have already given us written authorization. If you wish to request an accounting of the medical information about you that we have used or disclosed that is not exempted from the accounting requirement, you should contact the privacy officer listed at the end of this Notice.

The right to request that we restrict the uses and disclosures of your PHI.

You have the right to request that we restrict how we use and disclose your medical information that we have about you for treatment, payment or health care operations, or to restrict the information that is provided to family, friends and other individuals involved in your health care. But if you request a restriction and the information you asked us to restrict needed to provide you with emergency treatment, then we may use the PHI or disclose the PHI to a health care provider to provide you with emergency treatment. Valley Fire District is not required to agree to any restrictions you request, but any restrictions agreed to by Valley Fire District are binding on Valley Fire District.

Internet, Electronic Mail, and the Right to Obtain Copy of Paper Notice on Request.

If we maintain a web site, we will prominently post a copy of this Notice on our web site and make the Notice available electronically through the web site. If you allow us, we will forward you this Notice by electronic mail instead of on paper and you may always request a paper copy of the Notice.

**Revisions to the Notice:**

Valley Fire District reserves the right to change the terms of this Notice at any time, and the changes will be effective immediately and will apply to all protected health information that we maintain. Any material changes to the Notice will be promptly posted in our facilities and posted to our web site, if we maintain one. You can get a copy of the latest version of this Notice by contacting the Privacy Officer identified below.

**Your Legal Rights and Complaints:**

You also have the right to complain to us, or to the Secretary of the United States Department of Health and Human Services if you believe your privacy rights have been violated. You will not be retaliated against in any way for filing a complaint with us or to the government. Should you have any questions, comments or complaints you may direct all inquiries to the privacy officer listed at the end of this Notice. Individuals will not be retaliated against for filing a complaint. If you have any questions or if you wish to file a complaint or exercise any rights listed in this Notice, please contact:

**Privacy Officer:**

Catherine Anson or Charlie Riedel  
Valley Fire District  
P.O. Box 212  
5287 Dogwood Dr  
Peninsula, Ohio 44264  
Telephone number:  
330/657-2292

Effective Date of the Notice: April 14, 2003

Valley Fire District

Acknowledgment of Receipt of Notice of Privacy Practices

I hereby acknowledge that I have been provided with a copy of Valley Fire District's Notice of Privacy Practices on this date.

Date \_\_\_\_\_

Signature \_\_\_\_\_

Print Name of Patient \_\_\_\_\_

Street Address \_\_\_\_\_

City \_\_\_\_\_

State \_\_\_\_\_ Zip Code \_\_\_\_\_

## **Accommodation of Disabilities**

If you have a disability which affects your ability to perform your job duties, please contact your supervisor to discuss any appropriate reasonable accommodations we may make for you to safely and effectively perform the essential functions of your job. A statement from your physician describing the extent of your disability and limitations will usually be necessary in order for us to consider whether an accommodation can be made. The District will engage in a good faith interactive process with the employee when an accommodation is requested.

## **Leave of Absence**

Except in cases of emergencies, a request for an unpaid leave of absence must be made at least ten (10) days in advance of the next regularly scheduled board meeting. All requests for an unpaid leave of absence must be submitted to the Chief in writing. The Chief will forward the request with a recommendation for review and consideration by the Board. In deciding whether to grant an unpaid leave of absence for employees, the Board will take into consideration the employee's length of employment with the department, job performance, reason for requesting the leave, the recommendation of the Chief, the needs of the department, and any other factors they determine are relevant for its consideration of the leave request. Leave shall not exceed on year.

If granted, all department equipment shall be returned at the start of leave. It is the responsibility of the individual requesting leave to maintain current certifications as to their Employment status.

### ***Leave of Absence – Pregnancy***

Upon being informed by a physician that the member is pregnant, the member must contact the Chief indicating the expected date of delivery. In addition, a short memo indicating the expected date of delivery shall be completed and sent to the Chief. Given the nature of the job, the leave or a re-assignment of duties shall be determined in accordance with best medical practices. When granted, all department equipment shall be returned at the start of leave. It is the responsibility of the individual requesting leave to maintain current certifications as to their Employment status.

### ***Military Leave***

Employees who are members of the military may have the right to leave for periods of service and/or reinstatement after completion of same. If the need for leave arises, please contact the Board of Trustees for more information as to any rights you may have under the Uniformed Services Employment and Reemployment Rights Act ("USERRA").

## **Pay Period and Payments**

Pay periods for officers and personnel are four weeks (28 days) in length. Officers are paid on a salary basis for officer duties, and hourly for shift work, training and emergency runs. Personnel are paid for hours worked on shift, and a minimum of two-hour increments for emergency runs except for time that overlaps other paid hours, and hourly for department supplied training. All employees will be paid via direct deposit unless approved by the Board.

### **Overtime**

Officers or personnel who work more than 212 hours a four week pay period will be paid time and a half for any hours worked over the 212. This consists of all hours actually worked including officer duties, shifts, emergency runs, and training. No overtime is to be worked without prior permission from the Board.

### **Reporting of Hours**

All officers and personnel are required to track and accurately report all hours worked. Officers are required to track and report all hours spent performing officer duties. This is necessary to ensure that all officers and personnel are correctly paid.

### ***Holiday Pay***

Holidays are determined by the Board on an annual basis. Hours worked on holidays are paid at two times the rate. Additional holiday pay is not counted as hours for purposes of overtime.

### ***Garnishments, Attachments & Judgments***

Under certain legal procedures known as garnishments, levies, judgments, etc., the department is compelled by law to take action. If your wages are attached, we are required by law to withhold from your earnings and pay to your creditor a specified amount each payday until the debt is settled. If you have any creditor problems or anticipate legal action resulting from indebtedness, it is a good idea to talk it over with your supervisor without delay.

## **Probationary Period**

This procedure is to enable new appointees a time to acclimate themselves to policies and procedures established by the Valley Fire District.

Probation for firefighter and EMS candidates is 12 months from date of appointment. Within that period, the candidate must complete the appropriate certification course as established by the State of Ohio. Both must be completed within the first 24 months of employment.

Thirty days before the expiration of the probationary period, a written evaluation will be submitted by the Captain to the Chief for his/her recommendation. This evaluation shall include, where applicable, observations and comments by officers in charge of shifts to which the personnel has been assigned.

Probation for officers is 12 months from date of appointment. The Chief shall evaluate the officer and submit a recommendation to the Board.

Successful completion of the probationary period does not guarantee continued employment for any specific length of time.

### **Technology Usage Policy**

The Valley Fire District is committed to the appropriate use of new technologies to provide efficient and effective service to the public. The continued growth of computer technology has been an invaluable tool in providing excellent public service.

While we understand the value of such technology, we also understand concerns and issues raised when information is released that violates privacy concerns or portrays this organization to the public in an illegal or negative manner (intentional or unintentional). Therefore, no information, videos or pictures gathered while on department business (this includes emergency calls, meetings, drills, details, trainings or anything obtained on organization property or at organization functions) may be shared or posted in any format without the approval and written consent of the Chief.

The Valley Fire District owns the rights to all data and files in any owned computer, network, cell phone or other information system. The department also reserves the right to monitor electronic mail messages (including personal/private/instant messaging systems) and their content, as well as any and all use of the Internet and of computer equipment used to create, view, or access e-mail and Internet content. Members must be aware that the electronic messages sent and received using department equipment are not private and are subject to viewing, downloading, inspection, release, and archiving by department officers at all times. The department has the right to inspect any and all files stored in private areas of the network or on individual computers or storage media in order to assure compliance with policy and state and federal laws.

The Valley Fire district computers, network and Internet access must not be used for illegal purposes including infringement of intellectual property rights. This includes accessing, copying or downloading any media, files, music, movies, etc. in violation of the law.

Department equipment (such as computers, radios, telephones, cell phones) shall only be used for department business. Use of Department computers, network and printers for the official business of Valley Firefighters Inc. is permitted.

Inappropriate use of instant technology including texting or use of social media while on department business may result in disciplinary actions, up to and including termination.

## **Vehicle and Equipment Use**

Use of fire district property, including vehicles, must be approved in advance by the Fire District Board. This does not include use of emergency vehicles in the line of duty.

Fire district-owned vehicles should be used in place of private vehicles whenever practical, and travelers are encouraged to carpool to the same function.

Employees who drive on fire district business in private or fire district-owned vehicles must provide proof of a valid driver's license and allow the fire district to periodically check their record of traffic violations such as DUI and reckless operation.

Employees who drive their private cars on fire district business must be prepared to show proof of liability insurance under a policy that complies with Ohio/Revised Code Section 4509.51.

If a fire district employee is involved in a motor vehicle accident while on Valley Fire business, a Police report shall be filed. All accidents and damage to property shall be reported to the Fire Board.

## **Workplace Accident Policy**

It is expected that all employees will exercise caution to protect themselves as well as their fellow workers from injury. Employees injured on the job must report the injury immediately to their immediate supervisor and fill out an injury report within 3 days. An employee's failure to promptly report an injury in the workplace may result in disciplinary action against the employee. Employees who witness an injury to an employee or visitor must also promptly complete an injury report. The Chief will provide information to the Clerk to process the paperwork.

All employees are covered by Ohio's Workers' Compensation Act. If you are injured in the course of your employment, this incident will be considered an industrial accident and will be processed under Ohio's Workers' Compensation laws.

Employees can return to work upon submitting permission from a doctor and at the discretion of the Chief.

## **CODES OF CONDUCT**

### **Code of Conduct – All Employees**

The Valley Fire District has a substantial interest in ensuring that its employees exemplify the department as committed to the safety of its employees and the general public. Listed below are the expectations of proper conduct along with prohibited behavior. The lists below are not intended to be all inclusive and the Department reserves the right to impose disciplinary action of its choosing arising from other behavior and situations not listed below as it deems appropriate.

#### ***Expectations:***

Conduct which reflects a standard of excellence and safety is expected. Employees SHALL:

1. Exert their greatest energy, best judgment, and ability in doing their duty under any and all circumstances.
2. Be responsible for their own good judgment or skill to prevent any neglect or failure of duty which may cause unnecessary loss of life, limb, or property.
3. Promptly help in removing all persons from danger with the least possible injury to life, limb, and property.
4. Endeavor to detect incendiaries, in case of a fire of suspicious origin and without delay notify their superior officer of any facts they may have learned.
5. Not publicly express an opinion on any case in which the department is involved or the circumstances surrounding the case. They shall act quietly and carefully with a view to obtaining proper and reliable evidence in every case and shall prevent the removal or

- unnecessary disturbances of articles of suspicious nature, except by the direction of proper authorities.
6. Endeavor to detect, obtain, and preserve evidence to convict persons bringing or sending false alarms.
  7. Endeavor to know the location of all streets and accepted water supply area in the department. This shall include familiarization of all available reference materials pertaining to street and water locations.
  8. Always be respectful to their superiors, equals, and citizens and courteous to subordinates.
  9. When under orders and receives an additional order from another superior, advise that officer of their first order and by whom it was issued to be guided by the first officer's instructions.
  10. Perform such other duties as required by their superior officers and by the rules and regulation and order of the department.
  11. Promptly report to their superior officer or the person authorized to receive such reports, any information they may have as to the obstruction of streets, defective pavements, streets, dangerous buildings, leaky hydrants, or any other information pertinent to the department.
  12. Endeavor to detect and obtain evidence to convict persons bringing or sending false alarms of fire or other emergencies.

***Prohibitions:***

Conduct which demonstrates a gross disregard for the safety of the public, and/or local, state, or federal law, whether it occurs while on or off-duty in unacceptable. Employees SHALL NOT:

1. Participate in illegal behavior.
2. Be in violation of employee requirements or policy as listed above.
3. Publicly use indecent, profane, or harsh language while on duty or in uniform.
4. Engage in conduct detrimental to the good order of the department including being a party to any immoral or indecent conduct while on or off duty.
5. Remove any property from public or private property, i.e. from a fire or emergency scene, that is not associated with or necessary for the proper investigation of a fire or emergency situation.
6. Provide, distribute, submit, use, or fail to report knowledge of any falsified documents or documents containing misrepresentations, including but not limited to reports, personnel information, and documents prepared for other outside agencies.
7. Accept personal rewards of presents of any kind for services rendered without the expressed permission of the Chief or invite, solicit, or request contributions, subscriptions, or donation for any cause without the expressed permission of the Chief.
8. Use his/her uniform or association with the department to indirect or direct personal gain.
9. Lend his/her name to or use his/her photograph in his/her official capacity in any written or printed article or advertisement, without first obtaining the approval of the Chief.

10. Use official letterhead, envelopes, or stationary except for the transition of official business of the department.
11. Use the department name, logo, or emblem without the expressed approval of the Chief.
12. Recommend, in his/her capacity as an employee of the department, a commercial vendor or fire service product.
13. Place any decorations or advertisements on department property without the permission of the Fire Board.
14. Engage in altercations under any circumstances while on duty.
15. Text message while driving on department business.
16. Display cowardice or shirk responsibility while on duty.
17. Sleep or recline in a position that would indicate sleeping during daytime working hours without permission of an officer.
18. Leave quarters, fire grounds, or any other duty without permission of their superior officer.
19. Be guilty of any conduct unbecoming to other personnel or of any conduct in any manner prejudicial to the good reputation or order of discipline of the department.

### **Code of Conduct – Officers**

All employees of the Valley Fire District are expected to abide by a general code of conduct (see Code of Conduct for Employees below). Listed here is an additional code of conduct specifically for officers.

1. Officers of the department shall be just, dignified, and firm in their dealings with subordinates, being careful to refrain from violent, abusive, or immoderate language in giving orders and directions, as well as in conversations with them. They shall make certain that all rules, regulations, and orders are carried out and obeyed and shall promptly report with well sustained charges, any violations of said rules, regulations, or orders.
2. When orders pertaining to department affairs are released from the Chief's Office, those responsible for the carrying out of such orders shall maintain a proper respect for the same. If, at any time, any officer of the department is in disagreement with any order, he/she may express their concerns to the Chief, and due respect will be given. See Complaint Policy.
3. All written inter-departmental communications shall be made through the proper channels defined by the chain of command. Communications to a subordinate shall pass in reverse order. No intervening officer shall suppress such communications.

## **Travel and Expense Reimbursement Policy**

Valley Fire District will reimburse employees for authorized expenses incurred for fire district business while on the job. You should check with your supervisor before incurring any out-of-pocket expenses.

**Outside Training:** Prior approval for all seminars/conferences is required. An itemized report of expense, including all receipts, shall be submitted to the fire district trustees for approval of reimbursement.

**Meals:** Reasonable costs for meals shall be reimbursed up to \$50 per day. Employees shall provide receipts for meal reimbursements. These charges cannot include tips or alcohol.

**Mileage:** Personal automobile mileage shall be reimbursed at the prevailing Internal Revenue Service (IRS) rate.

**Parking:** Valley Fire District will reimburse all parking costs for the employee's automobile, whether personal or rental, while on Fire District business.

**Rental Cars:** The employee will be permitted to rent an automobile at the seminar/conference site, provided reasonable justification can be given for the use of a rental car. All rental cars shall be pre-approved by the Fire Board trustees.

**Reimbursement:** Expense reports shall be submitted to the Chief for review before submitting to the Fire Board trustees for reimbursement.

## **Cellular Telephone Use**

Fire District issued cellular telephones are intended for official business use. While occasional personal use is permitted, it must be reasonable and it must be clearly incidental to business use. Employees must reimburse the Fire District for any costs associated with personal use of Fire District issued telephones.

Cellular telephones shall be issued only to those employees with a demonstrated need for these types of communication and shall be requested by authorized personnel within departments.

For use of Fire District issued cellular telephones the following rules of use shall apply:

1. Employees must reimburse the Fire District for any costs associated with personal use. Personal use must be clearly incidental to business use. Personal use with associated charges must be reported to supervisors.
2. Employees must safeguard any telephone in their possession.

3. The loss of any telephone shall be reported to the employee's supervisor immediately. If theft is suspected, the police should also be notified immediately.
4. Employees shall exercise extreme caution when driving and talking on a cellular telephone. Unless utilizing a "hands free" speakerphone option, employees should stop their vehicle as soon as safely possible, to use the cellular phone. This applies to all phones, personal or Fire District issued phones.
5. When an employee no longer has a demonstrated need for the cellular telephone, or when the employee terminates employment with the Fire District, he/she shall return the cellular telephone to his/her department.
6. Any employee who exceeds their monthly-allotted minutes and/or package dollar amount shall be subject to an audit of the telephone usage to determine whether or not the employee is liable for said charges.

### **Credit Card Policy**

Valley Fire District credit cards can only be used when accounts are not set up with a vendor or in the event of an emergency, that is, for the efficient acquisition of goods or services solely for the benefit of the operation of the Valley Fire District. Credit cards cannot be used to make cash withdrawals, as stated in the Auditor of State Bulletin 2016-004. Remember sales tax could become your responsibility if you select a credit card to pay for your supplies or services. If you use a card, keep all itemized receipts and give them to the clerk (fiscal officer) as soon as possible, including charges for hotels, gas.

### **Authorization and Liability**

The fire district authorizes an officer, employee, or appointee of the fire district to use a credit card held by the board of fire district trustees to pay for work related expenses. The debt incurred as a result of the use of a credit card shall be paid from moneys appropriated by the board of fire district trustees for such expenses. The officer, employee or appointee shall be liable in person and upon any official bond the officer, employee or appointee has given to the fire district for the unauthorized use of a credit card held by the board of fire district trustees. The Summit County Prosecuting Attorney shall recover the amount of any unauthorized expenses incurred by the officer, employee or appointee by civil action in any court of appropriate jurisdiction.

Any officer, employee or appointee who is authorized to use a credit card held by the Board of Fire District Trustees and who suspects the loss, theft or possibility of unauthorized use of the credit card shall notify the Chief of the suspected loss, theft or possible unauthorized use immediately. Misuse of a credit card held by the Board of Fire District Trustees by an officer, employee or appointee of a fire district is a violation of section 2913.21 of the Ohio Revised code.

Any purchases and/or expenditures made without prior purchase order approval may be the responsibility of the employee.

Each employee who is authorized to use a Valley Fire District credit card will receive a copy of the credit card policy and will be required to sign off indicating their receipt and acceptance of the policy.

Updated: November 19, 2018

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I have reviewed the Valley Fire District's Credit Card Policy and agree to abide by the policy.

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SIGNATURE

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DATE

## **Identity Theft Policy**

- I. Purpose and Overview.
  - A. The purpose of this Policy/Procedure ("Policy") is to assure that Valley Fire District maintains compliance with the requirements regarding the prevention, detection and mitigation of identity theft as set forth in the federal regulations known as the "Red Flag Rules." The program initially shall be under the management of the duly appointed members of the Valley Fire District Fire Board.
    1. "Identity Theft" means a fraud committed or attempted using the identifying information of another person without authority. This includes "Medical Identity Theft," i.e., Identity Theft committed for the purpose of obtaining medical services, such as the use of another person's insurance card or number. Although Medical Identity Theft may occur without the knowledge of the individual whose medical identity is stolen, in some cases the use of an individual's medical identity may occur with the knowledge and complicity of that individual.
- II. Identification of Red Flags
  - A. A "Red Flag" is a pattern, practice or specific activity that indicates the possible existence of Identity Theft. In other words, a Red Flag is a warning sign regarding the possibility of Identity Theft.
  - B. Valley Fire District has identified the following situations as Red Flags that should alert staff to the possibility of Identity Theft:

1. A patient submits a driver's license, insurance card or other identifying information that appears to be altered or forged;
  2. The Chief of the Fire District shall be its Compliance Officer for the purposes of the Red Flag rules.
  3. Information on one form of identification submitted by a patient is inconsistent with information on another form of identification, or with information obtained from other sources such as the receiving facility.
  4. A patient has an insurance member number but no insurance card;
  5. The patient refuses to provide identifying information or documents.
- C. Valley Fire District shall update the foregoing list of Red Flags as part of its annual update of the Program.
- D. All Valley Fire District personnel have an affirmative obligation to be vigilant for any evidence of a Red Flag and to notify their immediate supervisor, or the Program Compliance Officer, to report the Red Flag.

### III. Responding to Red Flags

- A. When a Red Flag is detected, the Valley Fire Compliance Officer shall investigate the situation, as necessary, to determine whether there is a material risk that identity theft has occurred or whether there is a benign explanation for the Red Flag. The investigation shall be documented in accordance with Valley Fire District Incident Reporting Policy. If it appears that Identity Theft has not occurred, Valley Fire District may determine that no further action is necessary.
- B. Valley Fire District shall respond with the degree of risk posed by the Red Flag. If the Red Flag indicates the possible existence of Identity Theft, Valley Fire District will notify its billing agent, Life Force Management.
- C. Life Force Management, the billing agent for Valley Fire District, has in place an Identity Theft Prevention and Notification Program that has been approved by Valley Fire District.
- D. Upon notifying Life Force Management in writing of suspected Identity Theft, Life Force Management will implement their Notification Program.

**Adopted July 14, 2009, updated November 19, 2018.**

## **Approval of Purchase Orders**

Per Valley Fire District Board resolution 20170220-09, the Clerk can be the only signatory on purchase orders under \$2,500, but with all purchase orders to continue to be listed on the agenda.

Voting: Anderson: Yes, Schneider: Yes, Slocum: Yes

## **Resident Policy Soft Billing**

March 14, 2006

**Motion** by Miller, second by Anderson to change the billing—anyone who is not a resident of the Village of Peninsula or Boston Township, but uses the EMS or fire service will be billed for that service.

Voting: Anderson: Yes, Miller: Yes.

April 8, 2008

**Motion** by Anderson, seconded by Puchalsky, to implement soft billing for residents effective June 1, 2008. Residents with no insurance will not be billed and any residual due after an insurance payment will not be billed to residents.

Voting: Anderson: Yes, Padrutt: Yes, Puchalsky: Yes.

## **Public Records Policy**

### **Introduction:**

It is the policy of Valley Fire District in Summit County that openness leads to a better informed citizenry, which leads to more transparent government and sounder public policy. It is our policy to strictly adhere to the state's Public Records Act as well as other state and federal laws.

The Public Records Act evolved from the principle that Ohio's citizens are entitled to access the records of their government. We agree that to advance that principle, the Public Records Act should be interpreted liberally in favor of disclosure.

### **Section 1. Public records**

Under Ohio law, a public office may only create records that are necessary for the adequate and proper documentation of the organization, functions, policies, decisions, procedures and essential transactions of the agency for the protection of the legal and financial rights of the state and persons directly affected by the agency's activities. (R.C. 149.40).

In accordance with the Ohio Revised Code and court rulings, "records" are defined as those items that meet all of the following:

1. any document, device, or item, regardless of physical form or characteristic, including an electronic record (which includes but is not limited to e-mail or other record created, generated, sent, communicated, received, or stored by electronic means);
2. that is created or received by, or coming under the jurisdiction of a public office; and
3. that documents the organization, functions, policies, decisions, procedures, operations, or other activities of the office. (R.C. 149.011(G)).

The determination of whether a specific item constitutes a “record” will depend on the facts and circumstances surrounding the particular item requested.

Furthermore, a public office is not required to create new records to respond to a public records request, even if it is only a matter of compiling information from existing records.

### **Section 1.1**

It is the policy of Valley Fire District in Summit County that, as required by Ohio law, records will be organized and maintained so that they are made available for inspection to any person at all reasonable times during regular business hours. (R.C. 149.43 (B)(2)).

Copies will be made available upon request within a reasonable period of time. (R.C. 149.43(B)(1)).

A current record retention schedule will be readily available to the public upon request. (R.C. 149.43(B)(2)).

### **Section 1.2**

Not all of Valley Fire District’s records are “public records.” Certain records are exempt from the Public Records Act. Exempt records include records: (1) the release of which is *prohibited* by state or federal law, or 2) that are subject to an express exception set forth in Ohio’s Public Records Act, which may be released only if Valley Fire District decides to waive the express exception.

Examples of records, the release of which is *prohibited* by state or federal law, include, but are not limited to, the following:

Attorney-client privileged information;

Records of a Certified Public Accountant or public accountant in the performance of an audit of a public office (R.C. 4701.19(B));

Federal tax returns (26 U.S.C. 6103(a));

Certain criminal background information and other law enforcement information (34 U.S.C. 10231);

Records that have been sealed pursuant to a statutorily authorized court order (*i.e.* R.C. 2953.52);

Peace officer's home address during the pendency of a criminal case in which the officer is a witness or arresting officer (R.C. 2921.24(A)); and

Employees' and their family members records that were created for purposes of the Family Medical Leave Act or the Americans with Disabilities Act (29 CFR 825.500(g) and 1630.14(c)(1)).

Examples of records that are subject to an express exception set forth in Ohio's Public Records Act, which may be released only if Valley Fire District decides to waive the express exception include, but are not limited to, the following:

Peace Officer, firefighter, EMT, prosecutor, assistant prosecutor, , or corrections officer, Residential and Familial Information (R.C. 149.43(A)(1)(p));

Medical Records, which includes records that pertain to a patient's medical history, diagnosis, prognosis, or medical condition and that were general and maintained in the process of medical treatment (R.C. 149.43(A)(1)(a) and R.C. 149.43(A)(3));

Trial preparation records, which include records that contain information that was specifically compiled in reasonable anticipation of, or in defense of, a civil or criminal action or proceeding (R.C. 149.43(A)(1)(g) and R.C. 149.43(A)(4)); and

Confidential law enforcement investigatory records, which includes records that pertain to a law enforcement matter of a criminal, quasi-criminal, civil, or administrative nature and that, if released, would create a high probability of disclosing any of the following (1) the identity of an uncharged suspect, (2) the identity of a confidential source, (3) specific confidential investigatory techniques or procedures; (4) specific investigative work product; or (5) information that would endanger the life or physical safety of law enforcement personnel, a crime victim, a witness, or confidential source (R.C. 149.43(A)(h) and R.C. 149.43(A)(2)).

The exemptions to the Public Records Act will be narrowly construed by this office in the favor of disclosure. This office may seek a legal review prior to determining whether or not an exception applies.

## **Section 2. Record requests**

Each request for public records should be evaluated for a response using the following guidelines:

### **Section 2.1**

Although no specific language is required to make a request, the requester must at least identify the records requested with sufficient clarity to allow this office to identify, retrieve, and review the records. If a requester makes an ambiguous or overly broad request or has difficulty in making a request for copies or inspection of public records such that this office cannot reasonably identify what public records are being requested, then this office may deny the request. In such case, this office will provide the requester with an opportunity to revise the request by informing him/her of the manner in which records are maintained by the office and accessed in the ordinary course of this office's duties. (R.C. 149.43(B)(2)).

### **Section 2.2**

The requester does not have to put a records request in writing, and does not have to provide his/her identity or the intended use of the requested public record. However, the records custodian may ask for a written request and may ask for the requestor's identity and/or intended use of the information requested if (1) it would benefit the requestor by helping the public office identify, locate or deliver the records being sought, and (2) the requestor is informed that a written request and the requestor's identity and intended use of the information requested are not required. (R.C. 149.43(B)(5)).

### **Section 2.21**

This office will permit a requester to choose to have the public record duplicated upon paper, upon the same medium which this office keeps it, or upon any other medium which this office determines that it reasonably can be duplicated as an integral part of the normal operations of this office. This office is not required to allow the requester to make the copies of the public record. (R.C. 149.43 (B)(6)).

### **Section 2.3**

Public records should be available for inspection at all reasonable times during regular business hours. Public records should be made available for inspection promptly. (R.C. 149.43(B)(1)). To the extent that an office may operate 24-hours-a-day, the records of that office will be made available for inspection during normal administrative hours.

Copies of public records should be made available within a reasonable period of time. (R.C. 149.43(B)(1)).

The determination of the terms “prompt” and “reasonable” take into account the volume of records requested; the proximity of the location where the records are stored; and the necessity of any legal review of the records requested.

#### **Section 2.4**

Each request should be evaluated for an estimated length of time required to gather the records. Routine requests for the records should be satisfied immediately if feasible to do so. Routine requests include but are not limited to, meeting minutes (both in draft and final form), resolutions, budgets, etc.

#### **Section 2.5**

Upon request, this office will provide copies of public records to a requester by United States mail or by any other delivery means or transmission that this office deems reasonable. (R.C. 149.43(B)(7)).

This office will limit to ten the number of copies of public records provided per month to a requester by United States Mail, unless the requester certifies in writing that he/she does not intend to use or forward the requested records, or the information contained in them, for commercial purposes. The word “commercial” should be narrowly construed and does not include reporting or gathering news, reporting or gathering information to assist citizen oversight or understanding of the operation or activities of government, or nonprofit educational research. (R.C. 149.43(B)(7)).

#### **Section 2.6**

By Ohio law, this office is not required to permit a person who is incarcerated pursuant to a criminal conviction or a juvenile adjudication to inspect or to obtain a copy of any public record concerning a criminal investigation or prosecution or concerning what would be a criminal investigation if the subject of the investigation or prosecution were an adult, unless the judge who imposed the sentence or made the adjudication with respect to the person, or the judge’s successor in office, finds that the information sought in the public record is necessary to support what appears to be a justifiable claim of the person. R.C. 149.43(B)(8).

#### **Section 2.7**

This office, in response to a written request made and signed by a journalist, which must include the journalist’s name and title and the name and address of the journalist’s employer and which states that the disclosure of the information sought would be in the public interest, will provide the address of the actual personal residence of anyone employed by this office as a peace officer, firefighter, EMT, prosecutor, assistant prosecutor, or corrections officer and if such employee’s spouse, former spouse, or child is employed by a public office, the name and address of that public office. (R.C. 149.43(B)(9)).

**Section 2.8**

Any denial of public records requested, in part or in whole, should include an explanation, including legal authority, as to why the request was denied. If the initial request was provided in writing, the explanation for denial will be provided to the requester in writing. (R.C. 149.43(B)(3)).

If portions of a record are public and portions are exempt, the exempt portions should be redacted and the rest released. If there are redactions, the office will notify the requester of any redaction or make the redaction plainly visible. Each redaction should be accompanied by a supporting explanation, including legal authority, as to why the redaction was made. (R.C. 149.43(B)(1)).

**Section 2.9**

This office has no duty to provide records acquired after a request for records is complete.

**Section 3**

Those seeking public records should be charged only the actual cost of making copies, unless the cost is otherwise set by statute. (R.C. 149.43(B)(1)).

This office has no duty to provide copies of public records free of charge to someone who indicates an inability or unwillingness to pay for them.

**Section 3.1**

The charge for paper copies is five cents per page.

**Section 3.2**

This office may require a requester to pay in advance the cost involved in providing the copy of the public record, as requested. (R.C. 149.43(B)(6)).

**Section 3.3**

Upon request, this office will provide copies of public records to a requester by United States mail, or by any other delivery means or transmission that this office deems reasonable. This office may require such a requester to pay in advance the cost of postage or costs incurred for other supplies used in the mailing, delivery, or transmission. (R.C. 149.43(B)(7)).

**Section 4**

This office recognizes the legal and non-legal consequences of failure to properly respond to a public records request. In addition to the distrust in government that failure to comply may cause, this office’s failure to comply with a request may result in the requester commencing a mandamus action against this office in either the court of common pleas, in the court of appeals, or in the Supreme Court of Ohio. The court may order this office to comply with the Public Records Act, as well as order this office to pay statutory damages of one hundred dollars for each business day (beginning with the day the requester files the mandamus action) during which this public office failed to comply (up to a maximum of one thousand dollars), as well as court costs and the requester’s reasonable attorney fees.

Date	Action	Comment
November 19, 2018	Major update	

## **Ohio Ethics Laws**

Each public entity of the state of Ohio is required to provide a copy of the Ohio Ethics Law to all of the officials and employees associated with the entity. Additionally, each employee must sign a statement acknowledging receipt of a copy of the law.

The Ohio Ethics Law was originally enacted in 1973 to promote confidence in government. The Law:

- Established a code of conduct making it illegal for public officials and employees to take official action if they have certain conflicts of interest;
- Provides for the filing of financial disclosure statements by many public officials, and for public inspection of those statements;
- Establishes procedures by which citizens may participate in the enforcement of the law; and
- Created three agencies to administer the law: (a) the Ohio Ethics Commission; (b) the Joint Legislative Ethics Committee; and (c) the Supreme Court Board of Commissioners on Grievances and Discipline.

The Ohio Ethics Law contains provisions restricting conflicts of interest that involve nepotism, post-employment, representation, influence-peddling, confidentiality, and supplemental compensation. Among other restrictions, the law provides that each public official and employee is prohibited from:

1. Authorizing or using his/her position to secure authorization of a contract for himself/herself, a family member, or a business associate;
2. Authorizing or using his/her position to secure the authorization of the investment of public funds in any kind of security to benefit himself/herself, a family member, or a business associate;
3. Receiving any benefit from a contract entered into by his/her entity;
4. Hiring or securing any contract benefits for his/her spouse, parent, grandparent, child, grandchild, or sibling, or any other relatives living with him/her
5. Soliciting or accepting substantial and improper things of value, including gifts, travel, meals, lodging
6. Participating in matters where something of value will result for the public official or employee himself/herself, his/her family, his/her business associate, or others with whom the public servant has a close tie that could impair his/her objectivity;
7. Disclosing or using information deemed confidential by law; and

8. Representing parties before any public agency in a matter in which he/she was involved as a public servant, both during and for one year after leaving public service.

## **Social Media Policy**

### **I. PURPOSE**

The purpose of this policy is to make employees and other persons who use Valley Fire District technology aware of their responsibilities when using social media. Employees should be aware of the potential consequences of violating this policy whether on or off duty. The purpose of this policy is also to protect the interests of the District, the privacy of employees, and protect private information about members of the public served by Valley Fire District where applicable. This policy is also intended to ensure efficient use of employee time and to minimize distractions from an employee's assigned tasks and duties and to assist employees in making informed decisions concerning the appropriate use of social media. What is said online comes under close scrutiny by others, especially when a communication involves public employees. This policy is intended to protect employees from unintended consequences of inappropriate social media posts and protect the District from harm to its reputation that can result from such posts.

This policy also establishes that only authorized individuals are permitted to post on the District's official media sites or speak on behalf of the District when posting on social media.

### **II. SCOPE**

This policy applies to all Valley Fire District employees (including but not limited to volunteer firefighters) whether on or off duty, regardless of using Valley Fire District or personal technology, and to any person using Valley Fire District equipment (phones, computers, networks, internet connections, etc.). For purposes of this policy, the term "Social Media" includes websites and applications that enable users to create and share content or participate in social networking.

Nothing in this policy should be construed as denying employees their civil or political liberties under the U.S. and State of Ohio Constitutions. Nothing in this policy is intended to interfere with any rights under the National Labor Relations Act.

### **III. OFFICIAL DISTRICT SOCIAL MEDIA ACCOUNTS**

- A. The establishment of any Valley Fire District social media account must be authorized by the Board. Any questions regarding District Social Media accounts should be directed to the Board.
- B. Posting on Valley Fire District Social Media sites may only be executed by authorized users, as determined by the Board ("Authorized Users").
- C. Annually, each officer shall provide the Board with a list of Authorized Users. Any changes in the status of an Authorized User must be coordinated with the Board.

- D. When using official Valley Fire District Social Media, Authorized Users shall comply with the commenting policy set forth in the attached Exhibit A.
- E. Employees who are responsible for maintaining and posting on any District approved Social Media site must have knowledge of the District's record retention obligations and comply with those obligations. In general, there are very limited circumstances in which content posted on Valley Fire District Social Media sites should be deleted by District employees.
- F. The Board should be consulted for further guidance prior to content being deleted other than in keeping with the policy described in Exhibit A.

### **EXHIBIT A of the Social Media Policy Moderation of Third Party Content on District Social Media Sites**

The Valley Fire District uses a variety of social media platforms to inform the public about the latest news, activities, programs, projects, and events happening in the District and is intended to serve as a means of communication between the District and the public. Our goal is to share ideas and information with as many individuals as possible and our policy is to accept the majority of comments made to District social media pages. All comments posted to any of the District's social media sites will be monitored. Comments should be related to the posted topic for the District's social media page or post. The District's social media accounts are not meant for comments that do not directly relate to the purpose or topic of the social media website or for service requests. Social media platforms utilized by the District shall not contain any of the following, and the District reserves the right to remove or hide comments containing any of the following elements as soon as possible:

- Contains profane language or obscene content
- Contains sensitive personal information (medical information, social security numbers, etc.)
- Conducts or encourages illegal activity
- Promotes, fosters or perpetuates discrimination on the basis of age, race, color, creed, religion, national origin, ancestry, disability, marital status, familial status, sex, gender identity or expression, sexual orientation, or military status
- Threatens, harasses, or is a personal attack against any individual
- Incites or promotes violence
- Defames any individual, group or organization
- Contains information that reasonably could compromise individual or public safety
- Unsolicited business proposals or endorsements/promotion of commercial services, products, or entities
- Directly promotes or opposes a candidate for political office

Appeals regarding the removal or hiding of any comments containing the above elements can be submitted to the Board. A lack of response shall be considered a denial of an appeal. Notwithstanding the foregoing, the District is not obligated to take such actions, and the District disclaims any and all responsibility and liability for

materials that the District deems inappropriate for posting which cannot be removed or hidden in an expeditious and otherwise timely manner.

A comment posted by a member of the public on a District social media site is the opinion of the commentator or poster only, and the posting of a comment does not imply endorsement of, or agreement by, the District, nor do such comments necessarily reflect the opinions or policies of the District. The District neither guarantees the authenticity, accuracy, appropriateness nor security of external links, websites, or content linked thereto. Any content posted to this site is subject to public disclosure.

This comment policy is subject to amendment or modification at any time.

#### **IV. SOCIAL MEDIA USAGE AT WORK**

- A. Social Media use shall not interfere with the performance of job duties.
- B. No person shall use District-issued electronics (desktops, laptops, cell phones, etc.) to post, view, or engage with Social Media unless they are an Authorized User or the usage is specifically permitted as a part of that person's job duties.
- C. Authorized Users are expected to comply with "Terms of Use" of social media platforms.

#### **V. PROHIBITED CONDUCT**

- A. Prohibited conduct for both on-duty and off-duty conduct as applicable, is set forth below. This includes, but is not limited to the following behavior on Social Media:
  - 1) Disclosure of confidential information, proprietary information, and/or information that is prohibited from release by law.
  - 2) The use of an employee's or any Valley Fire District email address to register on social media or other online tools utilized for personal use.
  - 3) Sharing content that is sexual, obscene, violent, or pornographic in nature, in connection with any reference to the District or the individual's employment with the District.
  - 4) Conduct or encourage illegal activity.
  - 5) Promote, foster or perpetuate discrimination on the basis of age, race, color, creed, religion, national origin, ancestry, disability, marital status, familial status, sex, gender identity or expression, sexual orientation, or military status.
  - 6) Threaten, intimidate, or harass any individual.
  - 7) Incite or promote violence.
  - 8) Defame any individual, group or organization.
  - 9) Share information or images that reasonably could compromise individual or public safety, or privacy rights.

- 10) Attribute personal statements, opinions, or beliefs to the Valley Fire District or do anything to give the false impression that the employee is representing the District in such personal statements.
- 11) Conduct public business or make official statements as a representative of the District via personal social media accounts (including private or direct messages), unless so authorized.
- 12) Retaliating for reporting a possible violation of this policy or for cooperating in an investigation.
- 13) Post statements or images that disrupt District operations.

## **VI. ADVISEMENTS**

- A. Employees assume any and all risk associated with their off-duty personal/private blogging and use of social media. Remember, what is shared may be available permanently and publicly—even if you think you did not share it publicly or attempt to modify or delete it.
- B. Statements made on social media that affect the workplace may be investigated under any relevant District policy including, but not limited to, the use of District-owned property policy, anti-harassment/sexual harassment/non-discrimination policies, computer usage policy, and the equal employment opportunity policy.
- C. Work-related complaints are more likely to be resolved in the workplace than by posting on social media. The District encourages employees to follow the applicable internal complaint procedures rather than using Social Media to voice work-related complaints.
- D. If an employee can be easily identified with, or identifies himself or herself as, a Valley Fire District employee on a social media profile, the employee is encouraged to make clear that the views expressed on the account are their own and do not reflect the views of the Valley Fire District. However, the use of such a disclaimer does not prevent statements or posts from being the basis of disciplinary action. Employees are not absolved of their responsibility to comply with this policy simply by using such a disclaimer.
- E. Communications related to public business may meet the definition of a record under Ohio's Public Records Law (and therefore possibly be subject to review and release) even if the communication is on the employee's personal account.
- F. This policy may be amended from time to time.
- G. Employees are expected to comply with the law and all other District policies when using social media platforms.

## **VII. CONSEQUENCES OF A POLICY VIOLATION**

Violation of this policy may subject the employee to disciplinary action up to and including termination.

Violations of law or other policies that occur through social media usage may also result in disciplinary action up to and including termination.

*Established: February 17, 2020*

*Last Updated: February 17, 2020*

**VIII. ACKNOWLEDGMENT**

I hereby acknowledge that I have received, read, and understand the Valley Fire District Social Media Policy and its Exhibit A.

\_\_\_\_\_

Signature

\_\_\_\_\_

Date

\_\_\_\_\_

Print Name

## **Fuel Inventory Policy**

Fuel pumps are installed at the Valley Fire District, 5287 Dogwood Drive, Peninsula, Ohio to disperse diesel or gasoline to District vehicles and to vehicles of other local government entities as agreed upon from time to time. Personal usage of fuel tanks is prohibited. All authorized users of the fuel pumps shall be provided with a copy of policy and procedures relating to Fuel Inventory.

### **Fuel Purchase**

An assigned officer/s will be in charge of ordering fuel for the tanks.

### **Restricted Access and Monitoring Usage**

Security cameras are set up to monitor the tanks. Tanks are filled through a locked valve accessible only to the fueling company. Using a cloud-based system, the District shall keep a list of authorized users and authorized vehicles to restrict access to the fuel pumps. Pin numbers will be supplied to users to activate the pumps. The District will periodically monitor fuel usage per vehicle to protect against unauthorized use of fuel. Any anomalies shall be investigated.

### **Fuel Inventory Tracking**

The District shall maintain detailed records of fuel usage to ensure that fuel is only used for an appropriate departmental purpose. Pertinent information should include user name, vehicle, odometer reading, date and time, and gallons pumped.

### **Fuel Inventory Reconciliation**

The District shall periodically reconcile fuel on hand to fuel inventory records, beginning balances, invoices for fuel delivery, and actual usage to ensure that all fuel uses are properly recorded. The reconciliation and supporting documents shall be provided to and reviewed by the board.

### **Outside Entities**

The Board of Directors of Valley Fire District may enter into a contractual agreement with local government entities (such a police and road departments) to allow them a safe space to refuel vehicles.

Entities contractually permitted to use the pumps for fueling will need to supply vehicle names and types of fuel along with names of authorized uses and which vehicles they are permitted to fuel. All users shall be provided with policy and procedure information.

Charges at cost of the last fuel delivery plus a surcharge shall be billed monthly. Detailed usage reports shall be available on a monthly basis.

**FUEL INVENTORY PROCEDURES**

These procedures are in reference to the Fuel Inventory Policy which states: Fuel pumps are installed at the Valley Fire District, 5287 Dogwood Drive, Peninsula, Ohio to disperse diesel or gasoline to District vehicles and to vehicles of other local government entities as agreed upon from time to time. Personal usage of fuel tanks is prohibited. All authorized users of the fuel pumps shall be provided with a copy of policy and procedures relating to Fuel Inventory.

**Fuel Purchase.** Diesel and gasoline fuel shall be purchased from Great Lakes Petroleum by the Chief, Assistant Chief, or Clerk.

**Procedures for Administrators.** Administrators of the Fuel Cloud online tracking system will be the Chief, the Assistant Chief, and the Clerk. Administrators will access and maintain the online tracking system for the following purposes:

- Assign users to the system including setting up user ID and authorized vehicle access by department
- Assign vehicles to the systems
- Assist in user login problems
- Generate monthly reports for billing
- Periodically monitor fuel records by District vehicle to check for anomalies; investigate and report anomalies
- Periodically monitor fuel records by comparing fuel invoices and inventory to actual usage; reconciliation should be reported to Board for review.

**Procedures for Users**

- Users will sign an acknowledgement indicating that have read the Fuel Inventory Policy and Procedures and agree to abide by them.
- Users will be assigned a PIN number to enable fueling. The User is responsible for any fuel dispensed under their PIN number which shall be safe guarded.
- Users will activate the appropriate pump either through a cell phone app or by using the keypad on the pump. The User PIN number shall be entered and vehicle ID selected with the odometer reading entered. When finished fueling, Users shall close out the transaction. The transaction will close automatically after a short period of time as a safeguard.
- Users shall only use the fuel pumps for authorized transactions for business purposes.

**ACKNOWLEDGEMENT:**

I, \_\_\_\_\_, have read the information provided by The Valley Fire District regarding the Valley Fire District Fuel Inventory Policy and Procedures. I further state that the signature acknowledges receipt of this information.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Employer

\_\_\_\_\_

## **APPENDIX: RECORDS RETENTION POLICY**

Attached to this document on the following pages is the Valley Fire District's Record Retention Policy.

Form RC-2

Page 1 of 4

**SCHEDULE OF RECORDS RETENTION AND DISPOSITION**

(1) TO: Valley Fire District Records Commission 330-657-2292 Telephone Number  
5287 Dogwood Drive Peninsula 44264 Summit  
 (address) (city) (zip code) (county)

(2) FROM: Valley Fire District Clerk's Office  
 (political subdivision name) (unit)

[Signature] Joanne Noragon Clerk 3-11-08  
 (signature of responsible official) (name) (title) (date)

(3) CERTIFICATION: I hereby certify that our records commission met in an open meeting, as required by Section 121.22 ORC, and passed the retention schedules contained on this form and any continuation sheets. I further certify that our commission will make every effort to prevent these record series from being destroyed, transferred, or otherwise disposed of in violation of this schedule and that no record will be knowingly disposed of which pertains to any pending case, claim, action or request. Further, any microfilm replacing a record listed on this schedule will conform to ANSI standards. This RC-2 was approved on 3-11-2008 as reflected by the minutes kept by this commission.

Chairman, Records Commission: [Signature] 3/11/08  
 Signature Date

(4) Subject to selection upon receipt of a Certificate of Records Disposal (RC-3): [Signature] 3/18/08  
 For the Ohio Historical Society Date

Approved by the Ohio Auditor of State: [Signature] 4-28-08  
 For the Ohio Auditor of State Date

**\*SEPARATE ENTRIES SHOULD BE MADE FOR RECORDS WITH MORE THAN ONE MEDIA TYPE**

(5)	(6)	(7)	(8)*	(9)
Schedule Number	Record Title and Description	Retention Period	Media Type	For use by Auditor of State or OHS-LGRP
1	Amended official certificate of estimated resources	5 years	paper	MAR 13 2008
2	Annual budget resolution copies	5 years	paper	
3	Annual financial reports to auditor of state	25 years	paper	
4	Annual reports	Permanent	paper	
5	Applications for employment (hired)	Permanent	paper	
6	Applications for employment (not hired)	2 years	paper	

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**SCHEDULE OF RECORDS RETENTION AND DISPOSITION  
CONTINUATION SHEET**

FROM: Valley Fire District Clerk's Office  
(political subdivision name) (unit)

(5)	(6)	(7)	(8)	(9)
Schedule Number	Record Title and Description	Retention Period	Media Type	For use by Auditor of State or OHS-LGRP
7	Appropriation ledgers	5 fiscal years if audited	paper	Audited means: the years encompassed by the records have been audited by the Auditor of State and the audit report has been released pursuant to Sec. 117.26 O.R.C.
8	Audit reports	5 fiscal years	paper	
9	Bank deposit slips	4 fiscal years if audited	paper	
10	Bank statements (reconciliations)	4 fiscal years if audited	paper	
11	Bids-successful	3 fiscal years if audited	paper	
12	Bids-unsuccessful	3 fiscal years if audited	paper	
13	Budgetary and fiscal worksheets	3 fiscal years if audited	paper	
14	Cancelled checks	4 fiscal years if audited	paper	
15	Cash books	3 years if audited	paper	
16	Certificates of total amount from sources available for expenditures and balances	3 years if audited	paper	
17	Certifications of publishing legal notices	2 years	paper	
18	Check registers	4 fiscal years if audited	paper	
19	Construction files	15 years after construction is complete	paper	

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Form RC-2

**SCHEDULE OF RECORDS RETENTION AND DISPOSITION  
CONTINUATION SHEET**

FROM: Valley Fire District Clerk's Office  
(political subdivision name) (unit)

(5) Schedule Number	(6) Record Title and Description	(7) Retention Period	(8) Media Type	(9) For use by Auditor of State or OHS-LGRP
20	Contracts and agreements	15 fiscal years	paper	Audited means: the years encompassed by the records have been audited by the Auditor of State and the audit report has been released pursuant to Sec. 117.26 O.R.C.
21	Correspondence	2 fiscal years	paper	
22	Employee time records	3 years if audited	paper	
23	Employment reports (OBES)	Permanent	paper	
24	Equipment missed damaged, destroyed	2 years	paper	
25	Gas slips	1 year if audited	paper	
26	Grants	Permanent	paper	
27	Insurance policies	2 years after expiration if all claims settled	paper	
28	Inventories	1 year until superseded	paper	
29	Law suits after decision	5 years	paper	
30	Leases	5 years after expiration if audited	paper	
31	Levy files	Life of levy plus one year	paper	
32	Minutes	Permanent	paper	
33	Payroll records annual	60 years	paper	

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Form RC-2

**SCHEDULE OF RECORDS RETENTION AND DISPOSITION  
CONTINUATION SHEET**

FROM: Valley Fire District Clerk's Office (unit)  
(political subdivision name)

(5) Schedule Number	(6) Record Title and Description	(7) Retention Period	(8) Media Type	(9) For use by Auditor of State or OHS-LGRP
34	Payroll records monthly	3 fiscal years if audited	paper	Audited means: the years encompassed by the records have been audited by the Auditor of State and the audit report has been released pursuant to Sec. 117.26 O.R.C.
35	P.E.R.S. monthly reports	60 years	paper	
36	Personnel records	60 years	paper	
37	Semi-annual apportionments of taxes	5 fiscal years	paper	
38	Tax settlements	5 years	paper	
39	Telephone bills	2 fiscal years if audited	paper	
40	Time sheets	3 years if audited	paper	
41	Vouchers, invoices and purchase orders	4 fiscal years if audited	paper	
42	W-2 forms	4 fiscal years	paper	
43	W-4 forms	until superseded or employee terminates	paper	
44	Workers compensation claims	10 years after final payment	paper	
45	Accident files	2 years provided no claims pending	paper	
46	Alarm response reports	5 years provided no action pending	paper	

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**SCHEDULE OF RECORDS RETENTION AND DISPOSITION  
CONTINUATION SHEET**

FROM: Valley Fire District Clerk's Office (unit)  
(political subdivision name)

(5)	(6)	(7)	(8)	(9)
Schedule Number	Record Title and Description	Retention Period	Media Type	For use by Auditor of State or OHS-LGRP
47	Arson Files	Permanent	paper	
48	Bids for equipment (successful)	Until equipment is out of service	paper	
49	Burning Complaint Files	1 year	paper	
50	Civilian Casualty Reports	Permanent	paper	
51	Emergency Medical Squad (EMS) Reports	5 years providing no action pending	paper	
52	Equipment Maintenance Records	Life of Equipment	paper	
53	Fire Prevention Application Permits	Permanent	paper	
54	Fire Code	Until superseded	paper	
55	Fire and Loss Records	Permanent	paper	
56	Fire Inspection Reports	Life of Structure	paper	
57	Fire Reports/Fire Run Records	5 fiscal years	paper	
58	Firework permits	30 eays after expiration	paper	
59	Hydrant Location Records	Permanent	paper	
60	Incident Reports	5 years providing no action taken	paper	

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Form RC-2

**SCHEDULE OF RECORDS RETENTION AND DISPOSITION  
CONTINUATION SHEET**

FROM Valley Fire District Clerk's Office  
(political subdivision name) (unit)

(5) Schedule Number	(6) Record Title and Description	(7) Retention Period	(8) Media Type	(9) For use by Auditor of State or OHS-LGRP
61	Inspection of Structures Records	Life of structure	paper	
62	Insurance Claim Files	10 years after final settlement	paper	
63	Master Run Reports	3 years	paper	
64	Medic Reports	5 years	paper	
65	Training Materials Files	Until superseded	paper	
66	Training Records	Merge with personnel records	paper	
67	Violation Notices	1 year after violation corrected	paper	
68	Work Schedules	1 year after schedule change	paper	

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(10)