

**ARCADIA – GLENCOE
FIRE PROTECTION DISTRICT
BOARD MEMBERS**



**STANDARD OPERATING GUIDELINES
MANUAL**

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ARTICLE 1: THE FIRE DISTRICT BOARD

1.1 Fire District Governing Authority

The Arcadia – Glencoe Fire Protection District (herein the “Fire District”) operates under a cooperative agreement between the City of Arcadia and the Town Boards of Arcadia and Glencoe. This joint municipal arrangement has existed since the early 1960s. The Arcadia-Glencoe Fire Board (herein the “Fire Board”) acts as an independent local government agency which oversees the administration and operation of the Arcadia – Glencoe Fire Department in order to provide fire protection to all residing within the Fire District’s jurisdictional boundary.

1.2 Policy Adopting Governing By Policy

The policy of the Fire Board recognizes that one of its major functions is to serve as the policy-making body of the Fire District, and to govern the activities and shape the future of the Fire District. At the same time, the Fire Board preserves for the Fire Chief and the professional staff the responsibility of the day-to-day administration and operations of the Fire District in a manner consistent with the policies and rules of the Fire Board.

It is therefore the intent of the Fire Board of this Fire District to set forth a series of policies and procedural rules to govern the conduct and deliberations of the business conducted by the Fire Board and to serve as a guide for the professional staff in carrying out the daily functions of the Fire District.

In addition these policies are intended to:

- Reflect the Fire Board’s commitment to order, consistency, responsiveness and transparency in its actions;
- Make clear and readily available to the residents of the Fire District all relevant information about the operations of the Fire Board.

1.3 Fire Board Policies

It is the intent of the Fire Board to be governed by a set of policies. The policies shall be adopted by the Fire Board and made available as public documents.

The policies of the Fire Board shall be drafted, adopted and amended with full consideration for the Fire Board's desire to provide fire and life safety protection of the best obtainable quality for the residents of the Fire District within the limitations of the Fire District's ability to support it.

The Fire Board, as the governing body representing the people of the Fire District, determines all questions of policy to be employed in the operation of the Fire District.

In the event that a policy is found by a court of competent jurisdiction to be in conflict with state or federal law or the rules of a higher authority, that portion of such policy is automatically null and void without Fire Board action and shall be deleted from the accumulated body of policies and rules.

If disagreement over the application, extent, or interpretation of a policy arises, the resolution of the conflict will be based on the majority opinion of the Fire Board. If such an interpretation is deemed to

have future significance, an amendment to the applicable policy shall clearly specify the intent of the Fire Board in interpreting the policy.

Policy Adoption, Changes, Deletions, Additions and Review: In its deliberations leading to the establishment or amendment of policies, the Fire Board's central concern will be for increased efficiency and effectiveness in carrying out the legally mandated tasks of the Fire District and in the interest of the public good.

The Fire District recognizes that all policies shall remain flexible and be subject to review and change. Such review shall take place as necessary and at least annually at a regularly scheduled Fire Board meeting in April and shall appear as an agenda item.

Proposals regarding the adoption of policy or changes, deletions, additions, or repeal of policies may originate from any interested person. The Fire Board may and the Fire Board Policy and Procedures manual from time to time based on majority vote of the Fire Board members in attendance at a meeting at which a quorum is present.

In order to provide consistency, stability and integrity to policies, changes in policies, except in the case of emergency, shall be executed in a precise manner without undue haste.

The assembled policies of the Fire Board, known collectively as the Fire Board Policy and Procedures Manual, shall be the reference instrument for conducting the business of the Fire Board. Appendices to the Fire Board Policy and Procedures Manual that are not in themselves policies such as Committee Assignments, Fire Board Calendar, correspondence, and other factual listings may be changed as necessary to provide up to date information.

ARTICLE 2: FIRE BOARD DIRECTORS

2.1 Basis of Authority

The Fire Board is the unit of authority within the Fire District. Apart from his/her normal function as a part of this unit, Fire Board members, including the President, have no individual authority. As individuals, Fire Board members may not commit the Fire District to any policy, act, expenditure, or give individual direction to the Fire Chief.

Fire Board members do not represent any fractional segment of the community, but are rather, a part of the body which represents and acts for the community as a whole.

Important activities of the Fire Board are the formulation of policies and rules regarding Fire District programs and services. In carrying out its legislative and policy-making responsibility, the Fire Board shall delegate the administrative and executive functions to the Fire Chief.

2.2 Job Description

The primary responsibility of the Fire Board is the formulation and evaluation of policy. Routine matters concerning the operational aspects of the Fire District are delegated to Fire Department officers. The Fire Board has ultimate responsibility to ensure the lawful and efficient operations of the Fire District. They

are the supervisory body for the Fire Chief. It is their responsibility to ratify all annual budgets and financial affairs.

A majority of the members of the Fire Board set the official policy of the Fire District, and in enacting said policies are to be mindful of the legal and constitutional rights of all fire personnel and employees and said policies are to be set with care and in accordance with the law.

The Fire Board is entitled to enter into all contracts on behalf of the Fire District within the scope of its authority and in the line of duty.

Fire Board members are expected to be familiar with the rules regarding open meetings and notice requirements for entering into closed session under the Wisconsin Open Meetings Law. All Fire Board members should be aware of any issue of self-dealing and should abstain from voting on any issues in which the member is interested. The Fire District is defined in accordance with the Fire District Map. The Fire District includes geographical areas lying in Buffalo County and Trempealeau County and certain unincorporated areas of these counties. The Fire Board, by policy, shall carry out its responsibilities and shall use its best judgment to determine the will of the people of the Fire District in keeping with State and Federal constitutions, statutes, and rules, interpretations of the courts, and all the powers and responsibilities they provide.

2.3 Attendance at Meetings

Members of the Fire Board shall attend all regular and special meetings of the Fire Board unless there is good cause for absence. This shall include all Committee meetings to which the member has been assigned.

ARTICLE 3: MEMBERSHIP OF THE FIRE BOARD

The membership of the Fire Board shall serve at the will of the municipality which appointed them. After the April election, the City of Arcadia, the Town of Glencoe and the Town of Arcadia shall notify each other of their appointments to this Fire Board: The members shall serve from May 1 of that year to April 30 of the next year.

Elections

The Fire Board shall elect by a majority vote of the members present at the January meeting the Fire Chief for the Fire Arcadia –Glencoe Fire Volunteer Department. The Fire Chief will continue to serve in this capacity for a term of two (2) years or until this person resigns, if earlier, or is removed by a two-thirds vote of the members of the Fire Board, or is not reappointed.

Fire Board Elections will occur at the second regular meeting in April at which time an election will be conducted for the following positions: President, Vice President and Secretary. After the nomination for each Fire Board office a vote will be taken. The person receiving the highest number of votes cast will be elected for a one year term for their respective position, with the term beginning in May of that year.

3.1 Fire Board Orientation

Fire Board Candidate Orientation

The Fire Chief and the Fire Board President (or designee should the current Fire Board President be a candidate for a re-election) are responsible for appropriate orientation of new members who have been appointed to the Fire Board. Members should be invited to attend this orientation as scheduled by the Fire Board.

3.2 New Board Member Orientation

The Fire Chief in cooperation with the Fire Board President (or designee) shall be responsible for the appropriate orientation and training of new Fire Board members prior to taking their seat on the Fire Board. The orientation and training session for new Fire Board members shall be for information purposes only to acquaint them with the facilities, equipment, and personnel of the Fire District and provide an overview or copies (if requested) of:

1. Fire Board Policies and Procedures (this Manual).
2. Fire District territory and boundaries.
3. Other Matters Concerning Conflict of Interest.
4. The current Fire District budget.
5. Fire Board Resolutions.
6. Any other important issues.

3.3 Directors' Compensation and Reimbursement

Each respective jurisdiction from the Fire District shall reimburse its own Fire Board members for all regularly scheduled Fire Board meetings, special meetings, and committee meetings. However, the Fire Board secretary will be compensated \$250 per year and will be paid out of the Fire Department annual operating budget.

ARTICLE 4: DUTIES OF OFFICERS AND COMMITTEES OF FIRE DISTRICT BOARD

4.1 President Duties

The President shall be the presiding officer of the Fire Board, shall collaborate with the Fire Chief and Secretary to establish the agenda for the meeting, shall sign all documents on behalf of the Fire Board and Fire District that may be required, and shall have the same rights and responsibilities as other Fire Directors to participate in and vote at Fire Board meetings. The President may, at any time, change committees, and liaison positions with the approval of the Fire Board.

4.2 Vice President Duties

1. The Vice President shall serve as acting president in the absence or temporary disability of the President.
2. The Vice President shall become president upon the death, resignation, or removal of the President. In the case that the Vice President succeeds to the Presidency, the Fire Board shall elect a new Vice-President at its next meeting.

4.3 Secretary Duties

The Secretary shall:

1. Confer with President and Fire Chief to prepare the agenda for meetings.
2. Provide agendas to Fire Board members. (Note: also mail one additional copy of the agenda along with the Confirmation of Posting to each clerk of the municipalities, who will be responsible for posting notice.)
3. Post notice of the agenda in City of Arcadia at: auxiliary Post Office (Arcadia TV & Appliance), State Bank of Arcadia (downtown branch) and City Hall.
4. Take minutes of meetings of Fire Board and distribute copies of meeting minutes to members.
5. Collect the "Confirmation of Posting" from each jurisdiction.
6. Obtain names of Fire Board members and others in attendance at meeting via "Sign-In Sheet".
7. Attach copies of all documents presented at the meeting to the minutes.
8. Annually, after each election, make an inquiry with each respective clerk to obtain name(s) of the new appointee(s) to the Fire Board.
9. Keep and update Fire Board mailing list and process various correspondence for Fire Board.
10. Maintain records, including minutes of meetings, of Fire Board.
11. Send reports to the three governing bodies (via minutes).

4.4 Duties and Responsibilities of the Fire Board Members

1. Powers and Duties of the Fire Board. It is the policy of the Fire Board to exercise those powers granted to it by the City of Arcadia, Town of Arcadia and Town of Glencoe and to carry out those duties assigned to it as may best meet the fire and life-safety needs of the Fire District.
2. The Fire Board has primary responsibility for the approval of Fire District plans and procedures and for the appraisal of the ways in which these decisions are implemented and results obtained.
3. The Fire Board recognizes its authority to delegate specific responsibilities to the Fire Chief for the implementation of the programs and services of the Fire District.

4. Fire Board Members' Meeting Participation. The basic manner in which members fulfill their office must be at a regular, special, committee, or workshop meetings, and will be a matter of public record. The method of participation is discussion, deliberation, debate and voting.
5. Fire Board Members' Responsibility to Constituents. All members, including the President, are expected to participate fully in deliberating and voting.
6. Fire Board Members, collectively, act as representatives of the citizens of the Fire District in maintaining and promoting fire and life-safety needs of the Fire District.
7. Fire Board Members Action and Service. Fire Board members' decisions and actions shall best serve the needs of Fire District citizens in light of available resources and information available to the Fire Board at the time such decisions or actions are made.
8. Oversee and monitor monthly expenditures and approve expense more than the specified amount.
9. Share all of the above objectives with each new Fire Board member and delineate the roles and responsibilities for each position on Fire Board.
10. Fire Chief Evaluation. The Fire Board shall establish a process for evaluating the Fire Chief and establish a committee to carry out the evaluation process. (See Appendix E.) The evaluation form shall be reviewed at the regular November Fire Board meeting for any modifications prior to beginning the actual review process. The purpose of the evaluation process is to:
 1. Understand role of Fire Board and Fire Chief;
 2. Create and set policy and goals on the level of service required based upon the industry and area that the Fire District serves;
 3. Support the role of the Fire Chief as the individual who determines the operational policy for the Fire District;
 4. Serve as a liaison and provide information to each jurisdiction (by the appointed representatives from each governing body);
 5. Conduct performance reviews of the members or the Department's other officers or review the performance appraisals of the Department's other officers performed by Fire Chief;
 6. Develop a strategic plan for future expenditures and update it annually;
 7. Set goals with interaction from the Fire Chief;
 8. Ensure open and honest discussion and communication with the officers, department, and community.

ARTICLE 5: POWERS AND DUTIES OF THE FIRE DISTRICT BOARD

It is the policy of the Fire Board to exercise those powers granted to it by the Fire Board Agreement and to carry out those duties assigned to it as may best meet the fire and life-safety needs of the Fire District.

5.1 Fire Board Members Decorum

It is understood that Fire Board members will not always agree. Fire Board members have the right to maintain and express differing viewpoints, styles, opinions and values. Nonetheless, Fire Board members should aspire to respect the dignity of their office and to observe common standards of decorum to the extent possible.

In order to assist in the governing of the behavior between and among members of the Fire Board, the following rules shall be observed:

- The dignity, style, values and opinions of each Fire Board member shall be respected.
- Responsiveness and attentive listening in communication is encouraged.
- The needs of the Fire District's constituents should be the priority of the Fire Board members.

Differing viewpoints are healthy in the decision-making process. Individuals have the right to disagree with ideas and opinions, but without being disagreeable. Once the Fire Board takes action, Fire Board members should commit to supporting said action and not create barriers to the implementation of said action.

5.2 Fire Board Members Memberships and Continuing Education

The Fire Board encourages Fire Department members to participate in organizations such as the Wisconsin Fire Chiefs' Association and others with similar benefit to the Fire District. Membership fees shall be paid by the Fire District and reasonable expenses incurred in attending meetings, seminars, and training sessions shall be paid by the Fire District, but only with approval from the Fire Board for expenses that would exceed convention expenses under the current budget.

5.3 Fire Board Members Conduct and Responsibilities

Conduct

The Fire Board members shall observe the following code of conduct designed to guide their actions in carrying out their responsibilities. A Fire Board member should strive to:

1. Understand that his/her basic function is "policy" and not "administration";
2. Refuse to make commitments on any matter which does not come before the Fire Board as a whole;
3. Refuse to participate in secret meetings or other irregular meetings which are not official and which all members do not have the opportunity to attend;
4. Recognize that he/she has no legal status to act for the Fire Board outside of official meetings;
5. Respect the rights of Fire District constituents to be heard at official meetings within established parameters and guidelines for public testimony;
6. Make decisions only after available facts bearing on a question have been presented and discussed;

6. Accept the principle of "majority rule" in Fire Board decisions;
7. Recognize that the Fire Chief should have full administrative authority for properly discharging duties within the limits of established Fire Board policies;
8. Recognize that the Fire Chief or designee is the technical advisor to the Fire Board;
9. Present personal criticisms, complaints or problems regarding Fire District operation and discuss them at a regular meeting only;
10. Declare conflicts of interest as part of the public record;
11. Conduct all Fire District business in an ethical manner;
12. Refuse to use his/her position on the Fire Board in any way, whatsoever, for personal gain;
13. If observing Fire District personnel while they are engaged in emergency or disaster operations, a Fire Board member shall not distract or engage personnel in any way. Members shall position themselves so as not to interfere with emergency operations or become a distraction to command or staff;
14. If assigned to the Emergency Operation Center (EOC) during an emergency or disaster operation, a Fire Board member not assigned to specific duty shall observe the chain of command under the direction of the Fire Chief or his authorized designee or Incident Command System (ICS);
15. The Fire District has policies and procedures governing harassment, discrimination and retaliation in the workplace. It is the policy of the Fire District to establish and maintain a work environment free of all forms of harassment, discrimination and retaliation.
16. Give staff and contemporaries the respect and consideration due skilled professional personnel.

5.4 Fire Board and Fire District Public Communication

The Fire Chief, or his designee, is the spokesperson for the Fire District when dealing with the media. In the course of normal events, Fire Board members should refer inquiries to the Fire Chief. The Fire Chief and the Fire Board should strive to be in agreement regarding the public posture of the Fire District. Where possible it is desirable for the Fire Board to have a unified position (e.g. "Fire Board position") that may be communicated to the public through the media. If it is necessary for the Fire Board to make a separate statement to the media, that responsibility should rest with the President or his/her designee.

Internal Fire District information should not be distributed to the media without the permission of the Fire Chief and the President.

However, Fire Board members have all of the rights and privileges of any private citizen to speak with the media. If a Fire Board member finds it necessary to speak to the media regarding the Fire District, that member should be clear that he/she is speaking as an individual and not as a spokesperson for the

Fire Board. In order to speak for the Fire Board, any individual Fire Board member must be authorized by the Fire Board. When speaking to the media on matters not related to the Fire District, any Fire Board member should clearly state that he/she is speaking as a private citizen and not as a Fire Board member.

ARTICLE 6: DELEGATION OF FIRE BOARD AUTHORITY

The Fire Board has primary responsibility for the approval of Fire District plans and procedures and for evaluating the ways in which these decisions are implemented and results obtained. The Fire Board recognizes its authority to delegate specific responsibilities to the Fire Chief for the implementation of the programs and services of the Fire District.

6.1 Fire Board Approval of Fire Chief Position

The Fire Board will approve a position description for the Fire Chief as per Fire District policy. (See Appendix D)

6.2 Responsibilities of Fire Chief to the Fire Board

The Fire Chief shall serve as the executive officer of the Fire District. Responsibilities of the Fire Chief include:

1. Preparing the agenda for each meeting in collaboration with the President and Secretary, attending all Fire Board meetings, unless excused, and participating in deliberations of the Fire Board as required.
2. Bringing to the attention of the Fire Board matters requiring its consideration.
3. Reporting periodically to the Fire Board on the progress of the programs in the Fire District.
4. Addressing personnel, financial and capital improvement matters under the direction of the Fire Board.
5. Reporting to the Fire Board appointments, demotions, transfers and dismissals in accordance with the policies of the Fire Board as applicable.
6. Representing the Fire Board as the director of personnel for the Fire District.
7. Provide for succession planning for management and personnel within the Fire District. As such, a yearly review of the Fire District's succession planning shall take place at a Fire Board meeting in February of each year.

6.3 Fire Chief Administrative Actions

When action must be taken within the Fire District where the Fire Board has provided no guidelines for administrative action, the Fire Chief shall have the power to act, but the decisions shall be subject to review by the Fire Board at its next regular meeting. It shall be the duty of the Fire Chief to inform the Fire Board promptly of such action and of the possible need for policy or rule.

6.4 Fire Chief Reporting Process – Fire Fatalities

Whenever a fire fatality occurs in the Fire District the Fire Chief shall conduct an investigation of the incident and prepare a written report to the Fire Board.

ARTICLE 7: METHODS OF OPERATION OF FIRE DISTRICT FIRE BOARD MEETINGS

It is the policy of the Fire Board that all meetings be conducted in accordance with Wisconsin and Federal statutes and rules, the decisions of the courts, and with proper regard to "due process" procedures. In so doing, the Fire Board will seek information from staff and other sources, as appropriate, before decisions are made on policy and procedural matters.

7.1 Meeting Location

Unless the Fire Board designates otherwise, the Fire Board's meeting place shall be the Fire Department Building, 521 W. Main Street, Arcadia Wisconsin.

The President, Fire Chief and Secretary shall insure that appropriate information is available for the audience at meetings of the Fire Board, and that physical facilities for said meetings are functional and appropriate.

7.2 Regular Meetings

At least twenty-four (24) hours prior to the time of all regular meetings, an agenda, which includes but is not limited to all matters on which there may be discussion and/or action by the Fire Board, shall be posted conspicuously for public review and all meetings shall be open to the public, except as provided for closed sessions under Wisconsin law. Notice of all meetings and a copy of the proposed agenda shall be sent to all persons making request in writing, and will be made available to the news media prior to the date of the meeting.

It shall be the policy of the Fire Board to recognize itself as a policymaking body that deliberates at regularly scheduled meetings and each Fire Board member shall make a diligent effort to be present and participate fully.

It is the intent of the Fire Board to encourage attendance and participation at Fire Board meetings by all interested persons and residents of the Fire District.

Meetings may include a closed session, as necessary, if permitted under Wisconsin law.

7.3 Special Meetings

The President, Vice-President or Secretary may call a special meeting. Notice of a special meeting must be provided 24 hours in advance of the meeting to all of the Fire Board members and to all media outlets who have requested notification. The notice also must be posted at least 24 hours prior to the meeting in a location freely accessible to the public. Notice is required even if the meeting is conducted in closed session.

7.4 Emergency Meetings

An emergency meeting may be called whenever a situation develops, or other activity severely impairs public health or safety. All of the special meeting provisions apply to emergency meetings, except for the 24-hour notice requirement, but in no case may notice be provided less than two (2) hours in advance of the emergency meeting.

7.5 Agendas

Agendas for respective meetings shall be determined in the following manner and shall comply with appropriate noticing and publishing.

Agenda Item Requests – Fire Board Members

The Fire Chief in collaboration with the President and Secretary shall prepare an agenda for each regular, committee, special, and emergency meeting of the Fire Board. Any Fire Board member may request the placement of any item related to Fire District business on the agenda of an upcoming scheduled regular meeting in one of four ways:

1. By voicing a request during the open session of a Fire Board meeting that an item be placed on the agenda for the following meeting;
2. By submitting a request, outside of a Fire Board meeting, to the President or the Fire Chief with a copy to the Secretary;
3. By the Fire Board member adding agenda items directly by submitting a form Prescribed by the President and Secretary.

To be added to the agenda, all agenda items shall comply with the requirements of the Wisconsin Open Meetings Law.

Agenda Item Requests - Members of the Public

Any member of the public may request that a matter directly related to Fire District business be placed on the agenda of a regularly scheduled meeting of the Fire Board. These issues shall be referred to the Fire Chief, President, and Secretary, who shall confer with one another and make a decision concerning placing the item on an agenda for an upcoming meeting.

7.6 Closed Sessions

A closed session is a part of a meeting where no member of the public may be present, but only if authorized pursuant to *Wis. Stat. §19.85(1)*.

7.7 Quorum

A quorum is the minimum number of members of the Fire Board necessary to conduct the business of the Fire Board. Five (5) members of the eight (8) Fire Board members must be present to conduct Fire District business.

7.8 Presiding Fire Board Meeting

The President shall normally preside at meetings of the Fire Board. In the absence of the President, the Vice-President shall preside. In the absence of both the President and the Vice-President, the first order of business at the Fire Board meeting shall be the appointment, by the Fire Board members present, of an attending Fire Board member to chair the meeting.

ARTICLE 8: MEETING MINUTES, PUBLIC RECORDS

8.1 Fire Board Meeting Minutes

The minutes of the meetings of the Fire Board shall be maintained in the administration office of the Fire District and shall provide for information as required by law and Fire Board policies. For convenience, an additional posting of the Fire Board minutes may be found on the City of Arcadia website:

8.2 Fire Board Meeting Minutes-Public Record

The official minutes of Fire Board meetings, including regular, special, and emergency meetings, meetings of standing committees, and supporting documents, shall be open to inspection by the public during normal business hours at the current office of the Secretary or at the respective jurisdictional offices located in the Town of Arcadia or Town of Glencoe.

Motions or resolutions shall be recorded as having passed or failed and, when requested, individual votes will be recorded unless the action was unanimous.

All resolutions adopted by the Fire Board shall be numbered consecutively starting new at the beginning of each calendar year.

The minutes of Fire Board meetings shall be maintained as hereinafter outlined:

1. Date, place and type of each meeting;
2. Members present and absent by name;
3. Call to order;
4. Arrival of tardy members by name;
5. Pre-adjournment departure of members by name, or if absence takes place when any agenda items are acted upon; adjournment of the meeting; record of written notice of special meetings; and record of items to be considered at special meetings;
6. Complete information as to each subject of the Fire Board's deliberation; approval or amended approval of the minutes of preceding meetings;
7. A record of all contracts entered into;
8. A record of all bid procedures, including calls for bids authorized, bids received and other action taken;
9. Adoption of the annual budget;
10. Financial reports, including collections received and deposited and sales of Fire District property shall be presented to the Fire Board every month;
11. A record of all important correspondence;
12. A record of the Fire Chief's report to the Fire Board;
13. Action on all policies and Fire Board-adopted regulations; and
14. A record of all visitors and delegations appearing before the Fire Board.

ARTICLE 9: RULES OF ORDER DURING MEETINGS

The President is responsible for the maintenance of order and decorum at all times. The Fire Board will operate under Roberts Rules of Order (Newly Revised).

9.1 Decorum and Order – Fire Board Members

Any Fire Board member desiring to speak shall address the President and, upon recognition by the President, shall confine himself/herself to the question under debate.

9.2 Conflict of Interest

All Fire Board members are subject to all provisions of Wisconsin law relative to conflicts of interest and to conflict of interest codes adopted by the Fire Board. Any member prevented from voting because of a conflict of interest shall state the basis for the conflict, recuse him/herself and leave the room for the duration of the debate and vote on the item.

9.3 Limitation of Debate

No member normally should speak more than once upon any one subject until every other member choosing to speak thereon has spoken. No member shall speak for a longer time than two (2) minutes each time he has the floor, without the approval of a majority vote of the Fire Board.

9.4 Dissents, Protests, and Comments

Any member shall have the right to express dissent from, protest to or comment upon any action of the Fire Board and have the reason entered in the minutes. If such dissent, protest or comment is desired to be entered in the minutes, this should be made clear by language such as, "I would like the minutes to show that I am opposed to this action for the following reason. . .".

9.5 Rulings of Chair Final Unless Overruled

In presiding over meetings, the presiding officer shall decide all questions or interpretation of these rules, points of order or other questions of procedure requiring rulings. Any such decision or ruling shall be final unless overridden or suspended by a majority vote of the members present and voting, and shall be binding and legally effective (even though clearly erroneous) for purposes of the matter under consideration.

9.6 Actions

The Fire Board may act only by resolution or motion. For example: Fire Board actions setting rules for long-term application or routine business and administrative matters (usually more temporary in nature) are accomplished by "resolutions." The "motion" (assuming it was one which passed) is a Fire Board action which is recorded simply by an item entry in the minutes of the meeting at which it was accomplished, and no separate document is made to memorialize it (unless a minute order is requested).

9.7 Processing of Motions

When a motion is made and seconded, it shall be stated by the President before debate. A motion so stated shall not be withdrawn by the mover without the consent of a majority of the members present.

9.8 Motions Out of Order

The President may at any time, by majority consent of the Fire Board members, permit a member to introduce a resolution or motion on a stated agenda item out of the written agenda order.

9.9 Division of Question

If the question contains two or more divisional propositions, the presiding officer shall, upon request of a member, divide the same.

9.10 Tie Votes

Tie votes shall be considered a no vote or denial.

9.11 Amendments

ARTICLE 10: PROCEDURE FOR ADOPTING A RESOLUTION

Actions of the Fire Board on matters of policy or procedure are taken by resolution, which are effective upon adoption. Ordinarily, resolutions should be prepared in advance. The procedure for adoption is:

- A. Motion;
- B. Second;
- C. Discussion;
- D. Vote, pursuant to the methods set out for motions; and
- E. Result declared.

ARTICLE 11: PROCEDURE FOR ADOPTING AN ORDINANCE

Each jurisdiction shall adopt their own specific ordinances.

ARTICLE 12: FIRE DISTRICT LEGAL COUNSEL

It shall be the responsibility of the Fire Board to select legal counsel to represent the legal needs of the Fire District. The Fire Board shall recognize its responsibility to seek the advice of legal counsel whenever it is unclear regarding legal questions or whenever an action being considered by the Fire Board may result in placing the Fire District in legal jeopardy

In keeping with Fire District policy and fiscal responsibility, all legal counsel contact shall have prior approval by the Fire Board President or Fire Chief for matters requiring a legal interpretation.

APPENDIX A - ELECTRONIC COMMUNICATION POLICY AND INFORMATION SECURITY PROCEDURES

Electronic Communication Policy

Section 1 – Purpose

The purpose of this policy is to ensure the proper use of Arcadia –Glencoe Fire District (referred to as “District”) technology. The District’s Electronic Communication Policy allows the District to protect data and confidential information. This policy is applicable to all Users of the District’s electronic communications systems.

The District’s e-mail system is the exclusive property of the District and is provided to Users for creating and transmitting District business-related information.

Violations of this policy can result in immediate revocation of the User’s access to the District’s network.

Section 2 – Definitions

1. User – Fire Board Members, Fire Department Personnel and Employees

DISCLAIMER

The District cannot completely protect individuals against the existence or receipt of material that may be offensive to them. As such, those who make use of electronic resources and communications are warned that they may come across or be recipients of material they find offensive. Creating, discussing, forwarding or printing offensive e-mail or internet materials, however, can constitute a violation of this and other District policies.

Section 3 – Policy Specifics

A. Personal use – Personal use of telephones, computer equipment, Internet access and e-mail during working hours is discouraged. If personal use is made of District equipment, Users should not expect the data to be protected from review, preservation or deletion. Accordingly, Users should not use the District’s systems to create or transmit information they wish to keep private.

The District shall be reimbursed for any charges generated as a result of personal use of the District’s equipment.

B. Protocols for Electronic Communications E-mail by nature represents and reflects upon the District’s public image and integrity. Users should ensure their messages are respectful, professional, and consistent with District policies.

- 1) Forwarding business-related e-mails from District e-mail accounts to a personal e-mail account is discouraged. E-mail forwarded to a personal account may open up that personal account to a Public Records Act request.

2) Personal e-mail accounts should not be used to conduct District business.

C. Retention of E-Mails – E-mail is intended as a temporary medium of transmission of communication and should not be used for permanent storage of records.

E-mail is to be read on a regular basis and promptly deleted by both sender and recipient, unless 1) a law or directive expressly requires such communication to be kept; or 2) preservation of such communication is necessary or convenient to the discharge of the User's duties, and the information is being retained for the purpose of preserving its informational content for future District use or reference.

If a User determines the information received by e-mail needs to be retained, the information should be printed as a hard copy and then deleted or transferred to an electronic file located on the District's network specifically designated for this purpose. Routine backup of the District's e-mail system is for disaster recovery only, which does not allow individual e-mails to be restored.

D. Unauthorized purposes -- District equipment shall not be used for any commercial promotional purpose, to conduct personal business affairs, or to communicate any material of a political, religious, obscene or derogatory nature that would conflict with the District's personnel policies.

E. Authorized Hardware and Software Configurations -- Computer hardware and software will be installed, configured and supported by the District. Hardware and software is allowed to be installed on District computers only if it is purchased and licensed by the District.

F. Data Backup -- Files stored on the District's computer networks shall be backed up periodically according to the District's network backup policies. Users shall utilize network resources to store their data files to the fullest extent possible to protect the District's data resources. Users are responsible for ensuring that critical data is always stored on network servers. No data should be stored on desktop computer hard drives, except during network outage problems. District data should be copied back to network servers as soon as possible and deleted from desktop computer hard drives, laptops, or District-provided storage devices.

G. Security --Computers shall not be left unattended in a state that affords inappropriate access to records of the District or otherwise compromises security (e.g., lock workstation or logoff). At any time, a User's access to computer, communication equipment and network resources may be limited due to necessary security policies to protect the District's network. The District employs monitoring software and will, at District's discretion, prevent unauthorized use. Security of District electronic information systems and data on those systems, including data posted or downloaded by Users, is a District priority. Users must help the District protect its systems and materials stored on those systems by immediately notifying the District about security problems, including: vandalism; unauthorized access or use; the downloading, uploading, or creation of computer viruses; and theft or misuse of District hardware or software or of materials and data created by Users.

H. Internet -- All Internet Users are expected to be responsible "cybercitizens," which means knowing the tools, rules and etiquette of Internet use and behaving accordingly. Violations of this policy will result in removal of Internet privileges.

- Material posted to Internet newsgroups or bulletin boards should not reflect negatively on the

District, its employees or violate any trust or copyright laws.

- Internet access is to be used only for District business during working hours. Personal use is to be limited in accordance with Section 3-A. The District may restrict access to authorized Users.
- Users are reminded all other District employment policies (e.g., workplace harassment, discrimination and retaliation policies) can affect Internet use. The District does use software tools to restrict access to sites and e-mails deemed inappropriate for the workplace. The District also utilizes tools to track Internet usage.

I. Shared Resources - Users may not encroach on others' use of computer resources. Such encroachment would include, but is not limited to, tying up computer and network resources for illegally or legally downloading or sharing music, movies, software or other files, or other non-District related applications; sending harassing messages; sending frivolous or excessive messages, including chain letters, junk mail, spam, and other types of broadcast messages, either locally or over the Internet; using excessive amounts of storage; launching attacks or probes, or otherwise attempting to subvert the security of any system or network at the District or on the Internet; intentionally or irresponsibly introducing any computer viruses, worms, Trojan Horses, spy ware, or other rogue programs to hardware, software, systems or networks at the District or on the Internet; or physically damaging systems.

J. Wisconsin Public Records Law - District records, whether paper or electronic, are governed by public disclosure requirements of the Wisconsin Public Records Law, Wis. Stat. §19.31, et seq. Disclosure may be required regardless of who sends or receives a communication or document. In the event the District receives a public records request that includes e-mail, Users responsible for the requested records must use their best efforts to preserve e-mail covered by the request until it is determined whether the e-mail must be disclosed. District legal counsel and the Fire Board President must be contacted concerning any request for disclosure of District records applicable to e-mail or other electronic records of any User subject to this policy.

K. Confidentiality – Wisconsin law requires that certain information be treated as confidential and not be distributed to others inside or outside the District who do not have authorization to view such information. Users may occasionally receive confidential electronic information. Some examples of confidential information are: personnel records, internal investigations, information relating to litigation or potential litigation, attorney-client communication, information related to labor negotiations, or information related to confidential real estate negotiations. When Users send confidential information, it should be marked 'Confidential Information' so recipients are alerted to the nature of the information.

Confidential information should not be sent or forwarded to Users, individuals or entities not authorized to receive and view that information.

Users shall exercise caution in sending confidential information by e-mail as compared to written memoranda, letters or phone calls because of the ease with which such information can lose confidentiality by inadvertent or intentional diversion or retransmission of others.

The District legal counsel should be contacted concerning any questions about whether a communication is confidential.

L. No Expectation of Privacy for Computer and Communication Equipment

The tools provided by the District in accordance with this policy remain the property of the District and are to be used for business communications. Accordingly, the District retains the right to review Users' usage of such equipment. Users shall have no expectation of privacy for voice, electronic mail (e-mail) communications and all other uses of computer and communication equipment. Examples of when the District might need to review Users' messages, sent or received, include but are not limited to:

- Attempting to retrieve lost messages;
- Recovering from system failures or monitoring system performance;
- Complying with various internal and external investigations such as grievances, workplace harassment claims, or suspected criminal acts;
- Ensuring that District systems are being used for business purposes and policies.

Section 4 - Compliance with this Policy

It is the responsibility of all Users to insure that they are in compliance with this Policy.

A. Privacy

Users shall have no expectation of privacy when sending, storing, posting, creating, or receiving information on District electronic information systems. Information created or stored on a District system is backed up on other parts of the system. The District cannot and will not guarantee Users that others will not deliberately or inadvertently view information created or stored on District systems. Materials and data stored on District electronic information systems are the property of the District and shall be stored with no expectation that the materials or data are personal or private.

Users should not make information about themselves or others available on the Internet. The District cannot protect Users from invasions of privacy, identity theft and other possible dangers that could result from distribution of personal information.

B. Misuse

The use of the District's computers and electronic information systems is a privilege, not a right, and misuse of those systems or of District workspace may result in a withdrawal of that privilege.

C. Consequences of Misuse

Violations of this Policy may, at the District's sole discretion, result in:

- Loss of the User's privilege to use District electronic information systems and/or computers;
- Disciplinary action, up to and including termination;
- Referral to police authorities if the conduct may constitute a crime.

Use of District Network with Non-District Computer Equipment.

At no time may a User attach to the District's network the User's personal computer equipment.

Any User who wishes to attach a consultant, vendor or contractor worker's personal computer equipment (including laptops) must obtain the consultant's, vendor's or contractor worker's signed, written agreement to follow all the polices set forth in the District's Information Technology Use Policy prior to attaching computer equipment to the District's network at any District facility.

In addition, all computer equipment shall be inspected by IT staff prior to use on the District's network to determine that an appropriate level of virus protection software and security operating system updates have been installed with the current update levels for each computer system. Previously inspected systems need to be re-inspected if one month or longer has passed since the last inspection.

District staff will inform non-District employees of the inspection requirements and, when possible, provide advance notice to IT through email to schedule the inspection.

The District will attempt to maintain the privacy of the User's equipment, but once attached to the District's network, the District retains the right to inspect the computer equipment.

No non-District personal computer equipment shall store any District documents on its hard drive or other storage media attached to the personal computer equipment. No personal computer equipment shall be configured to allow web host, sharing or Wi-Fi services.

Fire Department Member Acknowledgment:

Signature: _____

Name (Printed): _____

Date: _____

APPENDIX B - ADDITIONAL ORIENTATION AND ACCESSORIES

- Ethics Training Materials (if any)
- District Harassment Policy Acknowledgement
- District Information Technology Security Acknowledgement

APPENDIX C - COMMITTEE AND LIAISON ASSIGNMENTS
(Left blank intentionally at this time)

APPENDIX D – FIRE CHIEF JOB DESCRIPTION

The Fire Chief shall serve as the executive officer of the Fire District.

Responsibilities of the Fire Chief include:

1. Preparing the agenda in collaboration with the President and Secretary for each meeting, attending all Fire Board meetings, unless excused, and participating in deliberations of the Fire Board as required.
2. Bringing to the attention of the Fire Board matters requiring its consideration.
3. Reporting periodically to the Fire Board on the progress of the programs in the Fire District.
4. Addressing personnel, financial and capital improvement matters under the direction of the Fire Board.
5. Reporting to the Fire Board appointments, demotions, transfers and dismissals in accordance with the policies of the Fire Board, as applicable.
6. Representing the Fire Board as the Director of Personnel for the Fire District.
7. Providing for succession planning for management and personnel within the Fire District. As such, a yearly review of the Fire District's succession planning shall take place at a Fire Board meeting in _____ of each year.

APPENDIX E

ANNUAL FIRE CHIEF PERFORMANCE EVALUATION

Fire Board Member Name: _____ Date: _____

Instructions: Considering the Fire Chief's performance over the last twelve (12) months, please respond to the following questions. Rate each item from **1** (low) to **5** (high) based on your opinion of the Fire Chief's performance. If you do not have enough information to rate, please insert **N/A**.

I. OPERATIONAL EFFECTIVENESS

| SCORE | EVALUATION | |
|-------|------------|---|
| | 1. | Programs are planned, organized and supervised well |
| | 2. | Provides regular report on the status of service delivery |
| | 3. | Has good understanding of the delivery of basic services |
| | 4. | Has a good awareness of new trends in providing basic services |
| | 5. | Has a good understanding of how to measure productivity improvements in departmental operations |
| | 6. | Complaints regarding services, programs (less any compliments or commendation) addressed in a timely manner |

II. FISCAL WELLNESS AND ACCOUNTABILITY

Does the Fire Chief:

| | | |
|--|-----|---|
| | 7. | Prudently manage the finances within Fire Board policies |
| | 8. | Prepare realistic budget proposals |
| | 9. | Keep the Fire Board informed of the present and anticipated financial status |
| | 10. | Find innovative solutions to financing the Fire District's services, including grants |
| | 11. | Possess a solid understanding of financial management |

III. FIRE BOARD SUPPORT

| | | |
|--|-----|---|
| | 12. | Adequately supports the Fire Board in its policy-making role |
| | 13. | Defines goals and policies in a form in which they can be accomplished |
| | 14. | Presents all sides of an issue or problem to the Fire Board to enhance the Fire Board's decision-making process |
| | 15. | Fire Board policies are implemented consistently and effectively |
| | 16. | Sufficiently communicates to the officers, firefighters and staff |
| | 17. | Actions and activities are carried out in accordance with Fire Board's direction in a timely fashion |
| | 18. | There is a good system for follow-up and follow-through |
| | 19. | Effectively communicate and works with Fire Board as a whole and individual Fire Board members |

| | | |
|--|-----|--|
| | 20. | Is sensitive to Fire Board needs and treats all members fairly |
| | 21. | Takes action needed to keep Fire Board/Fire Chief relationship strong |
| | 22. | Communication with Fire Board of appropriate frequency, depth and timeliness |
| | 23. | Communications include sufficient information and alternatives and staff recommendations to make policy decision |
| | 24. | Fire Board kept abreast of affairs and external developments that impact Fire District |
| | 25. | Gives "bad news" to the Fire Board in a timely and appropriate manner |
| | 26. | Anticipates the changing needs of the community and organization, identifies potential problems in the community before they occur, and brings solutions and alternatives to the Fire Board on how to plan for the future and avoid problems |
| | 27. | Uses meaningful techniques to assess Fire District needs |
| | 28. | Understands the political issues in identifying and setting goals to solve problems |

IV EMPLOYEE SUPPORT AND DEVELOPMENT

The Fire Chief is effective in:

| | | |
|--|-----|---|
| | 29. | Recruiting, selecting, promoting and disciplining personnel |
| | 30. | Developing the competency and capabilities of Fire District staff and supporting their professional development |
| | 31. | Getting feedback from officers, firefighters and staff |
| | 32. | Evaluating firefighter's performance |
| | 33. | Fostering communication throughout the organization |

V. MANAGEMENT DIMENSIONS

The Fire Chief is respected as a leader:

| | | |
|--|-----|---|
| | 34. | By the community |
| | 35. | By officers |
| | 36. | By firefighters |
| | 37. | By community and professional organizations |

The Fire Chief:

| | | |
|--|-----|--|
| | 38. | Generates enthusiasm and confidence among those same groups |
| | 39. | Motivates others to maximum performance |
| | 40. | Actively takes the lead on important projects and tasks |
| | 41. | Exhibits skill in analyzing situations |
| | 42. | Makes decisions when conflict exists and copes with the stress from resulting criticism |
| | 43. | Is a problem solver |
| | 44. | Anticipates problems and takes positive action to resolve them before they become critical |
| | 45. | Manages well in crisis under stress |
| | 46. | Monitors programs once implemented |

| | | |
|--|-----|---|
| | 47. | Manages time well (planning and prioritizing) |
| | 48. | Sets a good example for firefighters and other staff |
| | 49. | Demonstrates good basic management skills (delegation, planning, organizing, directing, coordinating, supervising, negotiating, lobbying) |

PROFESSIONAL DEVELOPMENT

The Fire Chief:

| | | |
|--|-----|--|
| | 50. | Actively pursues ways to increase his/her value to the Fire District |
| | 51. | Keeps abreast of important professional trends |
| | 52. | Borrows good ideas from other fire agencies to use here |

VI. GOAL ACHIEVEMENT

The following categories when taken as a whole, contribute to making a good government

How would you rate the Fire Chief as a leader in these areas?

| | | |
|--|-----|--|
| | 53. | Responsive to disasters and/or emergencies |
| | 54. | Quality core services at low per capita costs |
| | 55. | Safe neighborhoods |
| | 56. | Planning, designing, financing and maintaining good infrastructure |
| | 57. | Fiscal wellness |
| | 58. | A greater sense of ownership by citizens of their governments |
| | 59. | Firefighters have pride in their work |
| | 60. | Fostering public confidence in government |

VII. COMMUNITY AND INTERGOVERNMENTAL RELATIONS

| | | |
|--|-----|---|
| | 61. | Represented the Fire District well to the public and to other organization & agencies |
| | 62. | Gained the confidence of the public |
| | 63. | Fostered cooperation among other jurisdictions |

VIII. NARRATIVE SECTION

1. What are you most pleased with in the Fire Chief's performance during the past year?
2. What are the areas of improvement for the Fire Chief from the past year?
3. What goals do you have for the Fire Chief to accomplish next year?
4. What other comments do you feel about the Fire Chief's performance?

(If the space provided below for your remarks is insufficient, please take a blank sheet and attach your comments to this evaluation form. Thank you.)

APPENDIX F – FIRE DISTRICT DISCRIMINATION AND HARASSMENT POLICY

I. PURPOSE

The purpose of this policy is to establish a strong commitment on the part of the Fire District to refrain from, prohibit and prevent all forms of workplace discrimination, harassment and retaliation, to define those terms, to establish management and volunteer responsibility regarding workplace discrimination, harassment, and retaliation and to set forth a procedure for investigating and resolving internal complaints of workplace discrimination, harassment and retaliation.

The Fire District encourages all covered individuals to report any conduct, action or practice that is believed to violate this policy as soon as possible.

II. SCOPE

This policy applies to all managers, supervisors, applicants, volunteers, or individuals providing services pursuant to a contract. This policy applies to all officers of the Fire District.

This policy covers discrimination or harassment because of: (1) an individual's protected classification; (2) the perception that the individual has a protected classification; or (3) an individual's association with another individual who has or appears to have a protected classification. This policy also covers retaliation against any individual who has filed a complaint or participated in a complaint resolution process under this policy.

This policy applies to all terms and conditions of employment including, but not limited to: hiring, placement, promotion, disciplinary action, layoff, recall, transfer, leave of absence, compensation, training opportunities and daily work environment.

III. POLICY

It is the policy of the Fire District to provide an employment environment free from discrimination, harassment or retaliation as defined by this policy and federal and state statutes such as Title VII of the Civil Rights Act of 1964, Equal Employment Opportunity Commission (EEOC) regulations, Wisconsin Statutes chapters 101 to 108 and Department of Workforce Development (DWD) regulations.

Accordingly, discrimination, harassment and retaliation against an applicant, individual providing services pursuant to a contract or volunteer on the basis of that individual's actual or perceived sex, gender, sexual orientation (including heterosexuality, homosexuality, and bisexuality), race, color, religion, national origin, ancestry, citizenship status, uniformed service member status, age, marital status, pregnancy, medical condition, genetic characteristics, and physical or mental disability is prohibited and will not be tolerated.

Any retaliation against an individual for filing a complaint under this policy or for participating in a complaint resolution process is also prohibited and will not be tolerated.

The Fire District has zero tolerance for any conduct, action or practice that violates this policy. Conduct need not rise to a level of violation of the law in order to violate this policy. Instead, a single act, if substantiated can violate this policy and provide grounds for discipline or other appropriate sanctions.

Firefighters who feel they have been harassed or discriminated against in any manner or retaliated against in violation of this policy should immediately report such incidents following the procedure described below in section VIII. Confidentiality will be maintained to the extent permitted by the circumstances.

Where violation of this policy has been substantiated, appropriate action to remedy the violation will be taken. Managers, supervisors or volunteers found responsible for the violation will be subject to disciplinary action or other appropriate sanction, up to and including termination.

IV. DEFINITIONS

- A. **Protected Classifications:** This policy prohibits discrimination or harassment because of an individual's protected classification. "Protected Classification" means an individual's race, religion, color, sex, gender, sexual orientation (including heterosexuality, homosexuality, and bisexuality), national origin, ancestry, citizenship status, uniformed service member status, marital status, pregnancy, age, medical condition, genetic characteristics, and physical or mental disability.
- B. **Discrimination:** Discrimination means treating individuals differently because of their protected classification as defined by this policy.
- C. **Harassment:** Harassment may include, but is not limited to, the following types of conduct that is taken because of an individual's protected classification.
 - 1. Harassment can consist of virtually any form or combination of verbal, physical, visual or environmental conduct. It need not be explicit, or even specifically directed at the victim. Sexually harassing conduct can occur between individuals of the same or different genders.
 - 2. Harassment is not limited to conduct taken only by Fire District volunteers. Under certain circumstances, harassment can also include conduct taken by those who are not officers or volunteers, such as elected officials, individuals providing services under contracts, or even members of the public.
 - 3. Harassment includes, but is not limited to, the following misconduct:
 - a. **Verbal Harassment** – For example, epithets, derogatory comments or slurs on the basis of actual or perceived race, religious creed, color, national origin, ancestry, physical handicap, medical condition, age, marital status, sex, sexual orientation, political opinions or affiliations, or lawful employee organization activities. Verbal harassment may also include sexual remarks, well-intentioned compliments about an individual's clothing, body, or sexual activities, or race oriented stories or jokes.

- b. Physical Harassment – For example, assault, unwelcome touching, impeding or blocking movement and/or any physical interference with normal work or movement when directed at an individual on the basis of race, religious creed, color, national origin, ancestry, physical handicap, medical condition, age, marital status, sex, sexual orientation, political opinions or affiliations, or lawful employee organization activities. This includes, but is not limited to, kissing, punching, grabbing, patting, propositioning, leering, looking at an individual up and down, blocking an individual’s path, or making explicit or implicit job threats or promises in return for submission to physical acts.
- c. Visual Forms of Harassment – For example, derogatory posters, notices, bulletins, cartoons, drawings or other advertisements on the basis of actual or perceived race, religious creed, color, national origin, ancestry, physical handicap, medical condition, age, marital status, sex, sexual preference, political opinions or affiliations, or lawful employee organization activities. This includes, but is not limited to posters, cartoons, graffiti, magazines, videos, computer graphics, Internet sites or other electronic media.
- d. Sexual Harassment – Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature where submission is made a term or condition of employment, where submission to or rejection of the conduct is used as the basis for workplace decisions, or where the conduct is intended to or actually does unreasonably interfere with an individual’s work performance or creates an intimidating, hostile, or offensive work environment. Conduct that seems innocent or trivial to one individual may constitute harassment to another individual.

E. Retaliation: Any adverse conduct taken because an individual has reported discrimination or harassment or has participated in the complaint and investigation process described in this policy. “Adverse conduct” includes, but is not limited to: taking sides because an individual has reported discrimination or harassment, shunning and avoiding an individual who reports discrimination or harassment, or real or implied threats of intimidation to prevent an individual from reporting discrimination or harassment.

V. GUIDELINES FOR IDENTIFYING HARASSMENT

To help clarify what constitutes harassment in violation of this policy, the following guidelines are provided:

Harassment includes any conduct which would be “unwelcome” to an individual of the recipient’s same protected classification and which is taken because of the recipient’s protected classification.

It is no defense that the recipient appears to have voluntarily “consented” to the conduct at issue. A recipient may not protest for many legitimate reasons, including the need to avoid being insubordinate or to avoid being ostracized.

Simply because no one has complained about a joke, gesture, picture, physical contact, or comment does not mean that the conduct is welcome. Harassment can evolve over time. Small, isolated incidents might be tolerated up to a point. The fact that no one is complaining now does not preclude anyone from complaining if the conduct is repeated in the future.

Even visual, verbal and/or physical conduct between two volunteers who appear to welcome it can constitute harassment of a third applicant, officer, official, volunteer or contractor who observes the conduct or learns about the conduct later.

Conduct can constitute harassment even if it is not explicitly or specifically directed at an individual. Even well intentioned conduct can violate this policy if the conduct is directed at, or implicates a protected classification, and if an individual of the recipient's same protected classification would find it offensive (e.g., gifts, over attention, endearing nicknames).

VI. RESPONSIBILITIES

- A. It is the responsibility of all managers, supervisors, volunteers and contractors of the Fire District to comply with the provisions of this policy. Further responsibility for the policy is delegated as follows:
- B. Managers and supervisors are responsible for:
 - 1. Informing volunteers of this policy;
 - 2. Modeling appropriate behavior; specifically refraining from discrimination, harassment or retaliation.
 - 3. Taking all steps necessary to prevent discrimination, harassment or retaliation from occurring;
 - 4. Receiving complaints in a fair and serious manner, documenting steps taken to resolve complaints and taking such steps in a timely manner.
 - 5. Monitoring the work environment and taking immediate appropriate action to stop potential violations, such as removing inappropriate pictures or correcting inappropriate language or revising any practice that may result in discrimination, harassment or retaliation.
 - 6. Following up with those who have complained to ensure that the practice or behavior has stopped and that there are no reprisals.
 - 7. Informing those who complain of discrimination, harassment or retaliation of his or her option to contact the EEOC or DWD regarding alleged policy violations;
 - 8. Assisting, advising, or consulting with volunteers regarding this policy and the complaint procedure;
 - 9. Assisting in the investigation of complaints involving volunteers, and if the complaint is

substantiated, recommending appropriate change in practice, corrective or disciplinary action or other sanction in accordance with Fire District policies, up to and including termination;

10. Implementing appropriate disciplinary and remedial actions;
11. Reporting potential violations of this policy of which he or she becomes aware, regardless of whether a complaint has been submitted to the Deputy Chief; and
12. Participate in periodic training and scheduling employees for training.

C. All elected officials and volunteers and contractors are responsible for:

1. Treating all individuals with respect and consideration;
2. Modeling appropriate behavior;
3. Participating in periodic training;
4. Fully cooperating with any Fire District investigation by responding fully and truthfully to all questions posed during the investigation;
5. Maintaining the confidentiality of any investigation that the Fire District conducts by not disclosing the substance of any investigatory interview, except with their legal counsel and as directed by the Deputy Chief; and
6. Reporting any act he or she believes in good faith constitutes discrimination, harassment or retaliation as defined by this policy to his or her immediate supervisor or the Deputy Chief.

VII. DISSEMINATION OF POLICY

A copy of this policy shall be provided to all managers, supervisors, volunteers and individuals providing services pursuant to a contract, elected officials, and volunteers of the Fire District upon adoption and as provided below. Managers, supervisors, volunteers of the Fire District shall receive periodic training on this policy. The policy may be updated from time to time and redistributed.

Each individual identified in the preceding paragraph will be asked to sign a statement that he or she has received this policy. This policy and statement will also be provided by the Fire Chief upon hire, when Fire District trainings are provided on this topic and when the policy is updated.

VIII. COMPLAINT PROCESS AND PROCEDURES

To accommodate the unique and sensitive nature of discrimination, harassment and retaliation complaints, a separate process is provided for the primary purpose of resolving these complaints at the earliest possible date. This process is described below:

- A. An applicant, contractor, or volunteer who believes he or she has been discriminated against, harassed or retaliated against in violation of this policy should immediately make a complaint orally or in writing with any of the following individuals.
 1. Any supervisor or manager of the Fire District;
 2. Deputy Chief; and/or

3. Fire Chief.
- B. There is no need or requirement to follow the chain of command. Oral complaints must be followed up in writing, signed by the complainant and submitted by the complainant within seven (7) business days after the original verbal complaint. The supervisor or manager receiving a complaint is responsible for doing all of the following:
1. Accurately and fully completing a Complaint Control Form.
 2. Collect and preserve any physical evidence that is readily available or may be time-or weather-sensitive.
 3. Obtain a preliminary statement from the complainant and any immediately available witnesses.
 4. Provide notice of the receipt of a complaint to the Fire Chief or manager on duty. In providing notice, the supervisor shall forward the Complaint Control Form to the Deputy Chief via the Fire Chief or manager on duty and shall immediately advise the Deputy Chief or Fire Chief should the complaint involve serious misconduct of a criminal nature.
 5. Provide a copy of the Complaint Control Form to the complainant if the complaint is made in person.

IX. COMPLAINT INVESTIGATION

- A. The Deputy Chief will be responsible for the assignment of the complaint for investigation. The Deputy Chief shall retain the original Complaint Control Form for tracking purposes. A copy of the Complaint Control Form will be forwarded to the investigator assigned to investigate the complaint. The investigator(s) may be chosen from internal or external sources. If a written investigation report is requested by the Deputy Chief, the investigator shall issue findings on each allegation in the complaint as provided under this policy.
- B. Allegations that a Fire District volunteer or official violated a criminal law (felony or misdemeanor) in connection with the same issues raised in a complaint of discrimination, harassment or retaliation shall be investigated by the City of Arcadia Police Department or the appropriate outside law enforcement agency. An internal administrative investigation may also be conducted concurrently with or after the completion of the criminal investigation, at the discretion of the Fire Chief or his/her designee.
- C. Supervisors who become aware that a Fire District volunteer or official is the subject of a criminal investigation which involves alleged discrimination, harassment or retaliation prohibited by this policy are required to immediately complete a Complaint Control Form and route it to the Deputy Chief through the Fire Chief.

- D. Investigations will include an interview process. Anyone whose conduct is the focus of the investigation will be presented with a "Notice of Interview" letter. The letter will include the following:
1. A statement of the nature of the investigation including the allegation of misconduct. This statement will include the date(s) of actions under investigation, if known.
 2. A listing of any statutes and/or rules and policies or orders that may have been violated.
 3. The name and rank of the officer, manager or contract investigator in charge of an interrogation, the interrogating officer(s), and all persons to be present during the investigation.
 4. A statement advising the suspect of the right to have a representative who is not subject to the investigation present at his/her own cost.
 5. Specify the date, time and location of interview.
 6. Notice that the meeting will be recorded and advise the suspect of the right to bring his/her own recording device.
- E. Individuals who are interviewed as witnesses, and whose conduct is not the subject of the investigation will receive a witness notification.
- F. At the beginning of any interview of an official or volunteer who has been accused of misconduct, the investigator shall provide that suspect with an admonition. This admonition shall be read aloud to the suspect and provided in writing.
- G. The Fire District takes a proactive approach to potential policy violations and will conduct an investigation if its officers, supervisors or managers become aware that discrimination, harassment or retaliation may be occurring, regardless of whether the recipient or third party reports a potential violation.
- H. An individual has the option to report discrimination, harassment or retaliation to the EEOC or the DWD. These administrative agencies offer legal remedies and a complaint process. The nearest offices are listed in the government section of the telephone book or volunteer can check the posters that are located on bulletin boards for office locations and telephone numbers. General information can also be found on the EEOC and DWD websites, located at www.eeoc.gov
- I. Upon notification of a complaint alleging a violation of this policy, the Fire Chief or a designee who is not the subject of the complaint shall:
1. Review the factual information gathered through the investigation to determine whether the alleged conduct, action or practice constitutes discrimination, harassment, or retaliation, giving consideration to all factual information, the

totality of the circumstances, including the nature of the conduct and the context in which the alleged incidents occurred.

2. Report a summary of the determination as to whether discrimination, harassment, or retaliation occurred, and whether/what action should be taken to remedy or redress such occurrence. Report the same to appropriate individuals, including the Fire Chief, the complainant, the accused, and other personnel determined to be relevant except, however, that if discipline or other appropriate sanction is imposed on a manager, supervisor or employee, the discipline or other sanction will not be communicated to the complainant. Such report will be made available to the complainant with due diligence from when the complaint was filed.
3. If conduct, action or practice in violation of this policy occurred, take and/or recommend to the appointing authority prompt and effective remedial action. Any disciplinary action or other appropriate sanction is taken will be commensurate with the severity of the offense and will comply with any applicable disciplinary procedures.
4. Take reasonable steps to protect the complainant from further discrimination, harassment, or retaliation.
5. If the Fire Chief is the subject of a complaint then the Deputy Chief or other supervisor who is not the subject of the complaint shall perform the above duties. A supervisor is defined as the Fire Chief, Deputy Chief, First Assistant Chief, or Second Assistant Chief.

XI. CONFIDENTIALITY

Every possible effort will be made to assure the confidentiality of complaints made under this policy. Complete confidentiality cannot occur, however, due to the need to fully investigate and the duty to take effective remedial action, confidentiality will be maintained to the extent possible. An individual who is interviewed during the course of an investigation is prohibited from discussing the substance of the interview except with his/her union or legal representative and as otherwise directed by a supervisor. Any individual who discusses the content of an investigatory interview except with his/her legal representative will be subject to discipline. The Fire District will not disclose a completed investigation report, except as it deems necessary to support a disciplinary action, to take remedial action, to defend itself in an adversarial proceeding, or to comply with the law or a court order.

XII. OTHER

Romantic or sexual relationships between supervisors and subordinate volunteers are strongly discouraged. There is an inherent imbalance of power and potential for exploitation in such relationships. The relationship may create an appearance of impropriety and lead to charges of favoritism by other volunteers. A welcome sexual relationship may change with the result that sexual conduct that was once welcome becomes unwelcome and harassing.