

Number:	CAREER EMPLOYMENT 1	2
Section 1.	Work Schedule:	2
Section 2.	Shift swapping	2
Section 3.	Attendance	2
Section 4.	On the Job Injury / Workers' Compensation	3
Section 5.	Outside Employment	5
Section 6.	Employee Performance Evaluation	6

Stratmoor Hills Fire Protection District Policy

Number: CE 1

Date Issued: November 30, 2005

Revised: October 28, 2019

Date Effective: December 11, 2019

Subject: CAREER EMPLOYEE WORKING CONDITIONS

Purpose: The purpose of the following procedure is to describe the working conditions to which employees are expected to adhere.

Procedure:

Section 1. Work Schedule:

- 1.1 Fire Chief: Discretion of the Board of Directors
- 1.2 Driver Engineer: Shifts will consist of 48 hours on and 96 hours off. The work times may be altered as determined by the Fire Chief from time to time as required. FLSA 29 USC 207 (K) which states in part;
“Employment by public agency engaged in fire protection activities. No public agency shall be deemed to have violated subsection (a) of this section with respect to the employment of any employee in fire protection activities if— (1) in a work period of 28 consecutive days the employee receives for tours of duty which in the aggregate exceed the lesser of 18 Sec. 207(k)(1)(A) (A) 216 hours”.
- 1.3 Administrative Chief: Monday through Friday 08:00 to 17:00

Section 2. Shift Trading

- 2.1 In general, shift trading is discouraged and should only be used in extreme necessary situations. Employees shall not utilize volunteer member for shift trading. To utilize shift trading, both employees shall sign the Shift Swap Form and all shift trades shall be traded with-in thirty (30) days of the initial shift trade. The form can be turned in at any time but must be turned in prior to the shift trade. The Fire Chief or the Administrative Chief will approve all shift trades prior to them occurring.

Section 3. Attendance

- 3.1 Regular attendance by employees is important to the successful operation and safety of the District. Employees are expected to maintain a good attendance record and to report promptly for work in accordance with shift schedules
- 3.2 Notice of Absence.
 - (a) Employees who must be absent from work are expected to notify

the Fire Chief, Administrative Chief AND on-duty personnel via phone call in a reasonable time (normally not less than one (1) hour) prior to their scheduled starting time. The reason for and the probable duration of the absence shall be provided to the Fire Chief and the Administrative Chief. An employee's failure to provide such notice may result in disciplinary action or discharge.

3.3 Tardiness

- (b) Persistent tardiness of employees may be charged as leave without pay. Any employee's tardiness may be the basis for disciplinary action, including discharge.

Section 4. On the Job Injury

In accordance with Colorado's Worker's Compensation Act, employees of the District may apply for worker's compensation benefits for on-the-job injuries. The degree of liability and amount of the benefit are determined by the State.

4.1 Reporting

- (a) An employee who sustains any on-the-job injury shall report such injury or accident in writing to his/her Chief Officers within 24 hours if practical, but in no case any later than four days after gaining knowledge of the injury or illness. Any on-the-job injury should be reported immediately, even if it seems very minor.
- (b) The injured employee and all witnesses to the injury shall submit a detailed written Injury/Accident Report which explains the injury event to the Administrative Chief within forty-eight (48) hours of the injury.
- (c) Any on-the-job injury needing medical attention must be addressed through the District's designated medical provider (exceptions will be granted for emergency and trauma situations, and after-hours injuries when only an emergency room is available). If an employee does not want to continue with medical care, the employee must indicate this desire in their written statement.
- (d) Any member that desires not to have medical treatment and/or observation must fill out the Worker's Compensation Refusal of Medical Treatment or Observation form.

4.2 Workers' Compensation Claims Management

- (a) As soon as possible after receiving a report of an on-the-job injury or illness, the Administrative Chief will submit the First Report of Injury to the Fire Department's Workers' Compensation Insurance company. The Workers' Compensation insurance company retained by the District shall be notified by the Administrative Chief even if the employee does not desire any medical treatment. The Fire Chief shall ensure that an investigation of the injury is done, and both reports will be filed in the employee's personnel file.
- (b) Injury Leave/Workers' Compensation
Any employee who incurs a work-related injury or illness is entitled to benefits pursuant to the Workers' Compensation Act of Colorado.

In the event the employee is unable to return to duty, the District shall pay such employee the difference between the combinations of his or her Workers' Compensation benefits and District funded disability insurance and his/her regular salary for three scheduled work shifts missed due to the injury. Subsequent lost time due to an on-the-job injury will be compensated by the District's Worker's Compensation at the rate set by the Worker's Compensation Act. If an employee has accumulated PTO or Compensatory Time, they may use this to supplement the benefit check they receive from Workers' Comp as compensation due to an on-the-job injury. To best accomplish this, the employee will endorse their Workers' Compensation check to the Fire District in exchange for his/her full pay which will include all normal deductions, payroll taxes and contributions the District makes to the employee's benefits.

4.3 Light Duty

- (a) Light duty may be authorized, if work is available, when an employee who was injured while on duty cannot perform the essential functions of his/her job while recovering. An approved Workers' Comp designated medical provider must provide a release stating the limit of duties and total hours the employee is capable of working per week. Employees will be expected to perform up to the limit set by their Physician. Shift workers will move to "Administrative Personnel" for the duration of the light duty. The use of light duty shall be governed by the availability of suitable work within the restrictions contained in the medical provider's release.
- (b) Light duty may be assigned for up to sixty (60) days. At the end of the sixty (60) days, if the employee is unable to return to full duty, the employee must go on Temporary Total Disability (TTD).
- (c) Duty hours
 - (1) Duty hours are from 0800 to 1700 hours Monday through Friday. Hours may be changed to attend / teach training or any other changes as determined by the Fire Chief or Administrative Chief.
 - (2) Assignment will be up to a Forty (40) - hour work week, or less if directed by the physician.
 - (3) Light duty personnel will get one (1) hour for lunch if working an eight (8) hour day and two (2) breaks of fifteen (15) minutes each.
- (d) A career employee, while on light duty will not be allowed to accumulate Comp time or work overtime. All assigned duties must be completed within the time frame set for the individual's work hours

- (e) Light Duty personnel shall report to the Fire Chief or Administrative Chief for daily assignments. Assignments will include, but not be limited to the following:
 - (1) Office and clerical work, as needed
 - (2) Answer the door and phones at the Station.
 - (3) Help with all station duties within their medical capacity such as trash, laundry, sweep, mop, and vacuum.
 - (4) Run department errands during duty hours.
 - (5) May be assigned to attend or teach trainings.
- (f) Dress code while on light duty
 - (1) Department Class B uniform
 - (2) Exceptions to this will be on a case by case basis based on the employee's situation and must have prior approval by the Fire Chief or Administrative Chief.
 - (3) Civilian clothing is only allowed based on the employee's health/medical situation and the civilian dress must be business attire, no short pants, no sweat pants, no open-toed shoes, unless health/medical situation requires such dress and is approved by a Chief Officer.

4.4 Return to Full Duty

- (a) Before the employee returns to regular duty the employee shall be required to submit a release from the Workers' Comp designated physician releasing him/her to perform their normal duties at 100% physical and mental capacity. The Fire Chief or his/her designee may also require that the employee submit themselves to a Department selected physician for evaluation of his/her capabilities to perform their normal duties.
- (b) The employee is required to provide the Fire Chief and Administrative Chief all doctor approved "Return to Full Duty" paperwork for the Fire Department records and employee's personnel file.
- (c) If it is determined that an employee is no longer qualified or, based on a medical evaluation, is physically unable to perform the essential functions of their position, the employee, the Fire Chief and Administrative Chief will review the department operations to determine if there are any available options. Due to the small size of the department any additional positions will most likely not be available. Reasonable accommodation may be made to reassign the employee to a position that is medically determined to be within his/her mental and physical capabilities based on the following criteria:

- (1) There is a need within Stratmoor Hills Fire Protection District for an individual to perform specific duties.
- (2) The employee has, in management's opinion, the necessary skills, knowledge and abilities to perform these duties.
- (3) The employee has been released by the Workers' Comp designated medical provider, and a physician selected by the department, if the management staff so desires, to perform the specific duties required.
- (4) The accommodation of the employee, in management's opinion does not increase the cost of service, negatively impact service quality or unreasonably disrupt the work flow or cause undue hardship on the Department in any manner.
- (5) The budget would be able to support the newly created position.
- (6) A final decision would be approved by the Board of Directors.

If it would cause undue hardship on the Department to provide a position suited to the employee's abilities, the employee will be dismissed.

Under unusual circumstances, the Fire Chief has the authority to make exceptions to this policy. Exceptions made to the policy will be presented to the Board of Directors and approved by the Board prior to any exceptions being made.

Section 5. Outside Employment

- 5.1 The purpose is to provide the District the ability to ensure employee's outside employment does not interfere with District employment
- 5.2 Any employee of the District who wishes to engage in outside employment shall notify the Fire Chief prior to accepting such employment.
- 5.3 No District employee shall engage in outside employment which interferes with the proper and effective performance of his or her duties or which results in a conflict of interest. Requirements of employment with the District shall have priority over any requirements of outside employment.

Section 6. Employee Performance Evaluations

- 6.1 Employee performance evaluations will be completed for all career employees at a minimum of annually in January and/or at the discretion of the Fire Chief anytime throughout the year. Employee evaluations are to reflect the employee's work performance, attitude, knowledge of position and ability to get along with the public and his/her co-workers.
- 6.2 If an employee receives an evaluation where the category average is below 2.0, that employee may be placed on probation, the duration to be determined by the Fire Chief. The employee will be re-evaluated at a later date to be determined by the Fire Chief.
- 6.3 The Fire Chief may have the following options, if said employee demonstrates inadequate improvement during their probationary period:
 - (a) No pay increase will be given said employee.
 - (b) Employee could be given time off without pay.

- (c) Employee could be placed on three (3) month probation.
 - (d) Employee could be discharged from employment with the Stratmoor Hills Fire Protection District.
- 6.4 If said employee has at any time been given a below average evaluation and shows no sign of improving, he/she could have any of the above listed imposed upon him/her and not necessarily in the order listed.