



**City of Bloomington  
Board of Public Safety**

**AGENDA  
BOARD OF PUBLIC SAFETY  
REGULAR MEETING  
TUESDAY, MAY 15, 2018  
AT 5:00 P.M.  
BLOOMINGTON CITY HALL  
401 N MORTON STREET  
BLOOMINGTON, IN 47404  
MCCLOSKEY CONFERENCE ROOM**

1. CALL TO ORDER
2. APPROVAL OF MINUTES
  - a. April 17, 2018
  - b. April 18, 2018 Special Meeting
3. POLICE DEPARTMENT BUSINESS
  - a. Report on Monthly Statistics and Training Update; Letters Of Appreciation and Commendation
  - b. General Business
  - c. Purchases: Expenditures/Procurements
  - d. Personnel Issues
  - e. CIRT General Orders
4. FIRE DEPARTMENT BUSINESS
  - a. Report on Monthly Statistics and Training Update; Letters Of Appreciation and Commendation
  - b. General Business
  - c. Purchases: Expenditures/Procurements
  - d. Personnel Issues
5. BOARD BUSINESS
  - a. Review of BPS Payroll
6. OTHER BUSINESS
7. PUBLIC COMMENT
8. ADJOURNMENT

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## **BLOOMINGTON BOARD OF PUBLIC SAFETY**

The Bloomington Board of Public Safety held its regular monthly meeting on **Tuesday, April 17, 2018, at 5:00 p.m.**, in the City of Bloomington City Hall McCloskey Conference Room located at 401 N. Morton Street, Bloomington, Indiana.

### **CALL TO ORDER**

Chairperson Susan Yoon called the meeting to order. Board members present were Luis Fuentes-Rohwer, Kimberly Gray and Martin McCrory. Others attending are listed on the attached sheet.

### **AGENDA CHANGE**

It was brought to Yoon's attention that there were some Fire promotions that needed to be added. Gray made a motion to add the Fire promotions to the agenda. McCrory seconded the motion. The motion carried. That item was added to the end of the Fire Department Business.

### **APPROVAL OF MINUTES**

McCrory made a motion to approve the March 20, 2018, BPS meeting minutes. Gray could not vote because she did not attend the meeting. The approval will be moved to the May meeting.

### **POLICE DEPARTMENT BUSINESS**

#### **Training and Incident Reports and Statistics; Letters of Appreciation and Commendation**

Deputy Chief Joe Qualters reported on the monthly statistics, training. There were no letters of appreciation and commendation this month.

#### **General Business**

Qualters talked about a discussion back in December about a different way the Stats were being presented. He passed out some Police Department information in an attempt to provide a little bit more of a visual of some of the statistics for the Board. It is a work in progress. More items will be added to it such as the Community Engagement Events, major cases that are being investigated with arrests, etc. Feedback is welcomed and it doesn't have to be today. There will be a Special Board Meeting that will touch on this topic so this can be addressed then.

Chief Mike Diekhoff passed out a proposed *General Order for the use of the Armored Vehicle*. The City Council is also interested in passing a resolution or an ordinance on the use of the vehicle. The copy that was passed out is a DRAFT copy. The Board will review it and give their input to improve what has been presented. Diekhoff has been in communication with the Council but doesn't know exactly how they will do things yet or what their time line is going to be. They may form a committee to work with BPD on this project. It was asked how would these fold together. Diekhoff is not sure. Whatever the Council passes would hopefully be very similar to the policy. The Council is being

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encouraged to restrict that it's never armed. Everything would have to go through Legal. Another question was asked would the Council's recommendations supersede the Board's recommendation. Hopefully, whatever is passed reflecting its use would be the same as the policy. It was mentioned that in the paperwork, it is already prohibited for crowd control and public demonstrations. Could that also be in the ordinance? Once again, hopefully whatever they do will be very similar to what the policy is. Diekhoff cannot speak for the Council. The goal is to have this completed and in place before the vehicle arrives which will be sometime this summer. \*Note – Board Member Luis Fuentes-Rohwer arrived at this time.\*

There was a short break in Police General Business to approve the March 20, 2018 Minutes. McCrory made a motion to approve the March 20, 2018 minutes. Fuentes-Rohwer seconded the motion. Gray abstained and the motion carried.

Diekhoff then explained that BPD has signed off on an initiative that the International Association of Chiefs of Police are promoting called "The One Mind Challenge". The goal is to have successful interaction with Police and people with mental illness. The training aspect of this is not being done so there will be two Officers sent to the "Train the Trainer" class in June which focuses on mental health first aid. They will become Certified Trainers and will then come back and conduct the training classes for BPD. The annual Awards Ceremony was last Sunday and it was well attended. A lot of Officers were recognized for the work that they did in 2017. This weekend is "Little 500" weekend. All Board Members have an open invitation to come out and ride with Officers to see firsthand what goes on. A small discussion occurred. Wednesday, tomorrow afternoon between 1:30 – 3:00 pm at Showalter Fountain in front of the IU Auditorium, BPD and IUPD will be doing "Cookie with a Cop". This allows both Police Departments to interact with the students as well as encourage them to have a safe Little 500 weekend. The Board was invited to stop by. Last Friday, the CIRT Team was called out on an individual who had severely battered his girlfriend. She was taken to the hospital in Indianapolis because of her injuries. Arrest warrants were issued for the individual. He was located in a house. He got out, jumped in a car, crashed some squad cars and ended up shooting himself. He actually passed away earlier today. The CIRT Team was called out for that incident. Discussion occurred on this topic. A question regarding the gun shots at The Big Red Liquor Store at 8<sup>th</sup> and College at 3:30 am that was in today's paper, was asked. Would the CIRT Team be deployed for something like that? In response, that incident happened very quickly. If it would have become a barricade subject or a hostage situation, then probably yes. Since this happened so quickly, there would not have been enough time to get the CIRT Team together quick enough to deal with that incident. CIRT Teams are used for "pre-planned/high risk" situations. There was discussion on this topic as well.

#### Purchases: Expenditures/Procurements

None. However, Yoon had seen something on the Claims and had questioned it. City Attorney Michael Rouker took the Claims to the Controller's Office to get an answer. The Controller was out but the Deputy Controller said that the line item that was questioned was placed there in error. That line item only needs to go before the Board of Public Works. Rouker drew a line through the line item and a memorandum was placed with the claim stating that the BPS Members were not approving that particular line item. There was discussion on this because this has been an issue with the Board signing off on the Claims.

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### Personnel Issues

The Officer that had the disciplinary hearing last month, has since retired. That position will be included into the ones that will be presented. BPD is 20% down in sworn Officers. There are nine Officers in the FTO Program or the Academy, there are three that are in the hiring process, and there are six open positions. There is one person on light duty. The Department is working hard to get the positions filled but will not short cut the lengthy training new hires must go through. Therefore, there is currently a lot of overtime pay.

### **FIRE DEPARTMENT BUSINESS**

#### Training and Incident Reports and Statistics; Letters of Appreciation and Commendation

Chief Jason Moore reported on the monthly statistics, training, and letters of appreciation and commendation.

#### General Business

There will be a "Push-In" Ceremony for the new Engine 4 on April 25, 2018 in the morning. Engine 4 showed up at Station 4 today. BFD has a strong partnership with IU Informatics. The first major computer "upgrade" which is deemed "Project Innovation" is being done with IU. The vendor who is partnering with IU, showed BFD a way to produce information on every building in Bloomington. This is called "Preplanned Information". BFD demoed the same type of program through another company that would provide the same information and the cost of it was approximately \$30K. Right now, since there is a partnership with IU, they are footing the whole bill. Starting next year, they will want us to pay a portion of it but it wouldn't be \$30K. As for the Captain Rob Sears issue, this issue was handled up front at the beginning to prevent this being a bigger issue. This was published in the newspapers and got a lot of media attention. Once he resigned, things settled down. It did hit the National Fire News, Fire Law News and some other things, but was nothing more than a mention. His resignation was the fastest way to sever his employment. If the Board would have had to handle a recommendation for termination, Sears could have appealed it and would have continued to get paid. He was not in good standings with the City when we accepted his resignation. It was not a favorable separation. The state statute does protect his retirement because he had 20 years. Human Resources is pushing for an Electronic Form and BFD may be the first Department to use it. They have been testing it out with small positions. We are anticipating testing between 200 – 400 people.

#### Purchases: Expenditures/Procurements

Two Fire Prevention Vehicles will come in next month will cost approximately \$42K each. Engine 4 that just came in today, \$489K was encumbered last year. At some point, you will see a \$1.2 Million expense for a Ladder Truck. \$305K will be spent for a Station Alerting and Equipment Project at some point. It could come in as the total amount, or broken down as the work is completed. You will see some exercise equipment for the five stations that will be somewhere around \$25K. There will also be some OSHA Compliance items for \$30K - \$40K between the five stations to get

them in compliance with OSHA. A discussion occurred on this topic. Also, Extrication Tools will be being purchased and they will cost around \$25K.

#### Personnel Issues

There is one open position. The position will not be filled until there are four positions available. The cost of the Recruit School that is hosted by BFD, is only beneficial financially when there are at least four people to train. There are four people on light duty, discipline was issued to one person and there were two promotions. There is also one person on Administrative Leave without pay.

#### Promotions

Fuentes – Rohwer made a motion to promote Brett Robert from Sergeant to Captain effective April 9, 2018. McCrory seconded the motion and the motion carried.

Fuentes – Rohwer made a motion to promote Zach Brinson from Firefighter/Engineer to Chauffeur effective April 9, 2018. McCrory seconded the motion and the motion carried.

#### Review of BPS Payroll

- a. Chief Diekhoff and Chief Moore agreed the payrolls were correct.

#### OTHER BUSINESS

- a. Police Department & Fire Department Tours for Board Members – Recording Secretary Renée Rose explained that the Police and Fire Departments are willing to give tours of their facility(ies). There was a discussion and both Chiefs told the Board Members that they can contact them at any time and they will work with them to set up a time that is convenient for them individually to come check out their facilities and see what they do.

#### Public Comment

There was an IU student who attended for his Informatics – 400 Class and made the comment that he found the meeting to be enjoyable.

Gray moved to adjourn the meeting.

Respectfully submitted,

Renée Rose, Recording Secretary  
Board of Public Safety

The minutes of the April 17, 2018, Board of Public Safety meeting are approved this 15<sup>th</sup> day of May, 2018.

Suby Yoon  
[Signature]  
Maria G. McElroy

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## **BLOOMINGTON BOARD OF PUBLIC SAFETY**

The Bloomington Board of Public Safety held a Special Meeting on **Wednesday, April 18, 2018, at 5:30 p.m.**, in the Bloomington City Hall Hooker Conference Room located at 401 N. Morton Street, Bloomington, Indiana.

### **CALL TO ORDER**

Chairperson Susan Yoon called the meeting to order. Board members present were: Susan Yoon, Martin McCrory, Luis Fuentes-Rohwer, Kim Gray, and Maqubé Reese. Others attending are listed on the attached sheet.

### **REMARKS FROM THE BOARD CHAIR**

Yoon did a brief explanation of the reason for the meeting which is to talk about Policies, Procedures and Expectations. The main focus is on the stats and data that the Board reviews every month and whether some of that can be streamlined. There was an interest of whether the Board is looking at the most relevant data. The Board Packet from the April 17, 2018 meeting is being used to review and pose questions.

### **DISCUSSION OF BOARD POLICIES, PROCEDURES AND EXPECTATIONS**

Board Attorney Chris Wheeler made some general comments. Since all of the Board Members are new, Chief Mike Diekhoff explained how the charts came into play from previous boards. Diekhoff went into great detail in regards to the Police Reporting giving the Board opportunities to make comments. Deputy Chief Joe Qualters was in attendance and also made comments. Fire Chief Jason Moore who is relatively new with the City, explained why he made his reports the way he did and allowed the Board opportunities to make comments. It was a very lengthy discussion regarding every aspect of both departments, the information that they have that is found on-line, and the scope of roll of the Board. They also talked about the protocols of the CIRT vehicle. A rough draft has been established but it is unknown when that will be presented to the Board. The Council is going to establish a committee to work on this topic. There was some discussion on this subject.

At the end of the meeting, both departments took notes and will begin working on incorporating the issues that were discussed. The information will be a "work in progress" for both departments and the Board can discuss during the meetings what they would like to remain in the presentation and what can be removed.

### **PUBLIC COMMENT**

None

Fuentes-Rohwer adjourned the meeting.

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Respectfully submitted,

Renée Rose, Recording Secretary  
Board of Public Safety

The minutes of the April 18, 2018 Special Board of Public Safety Meeting are approved this 15<sup>th</sup> day of May, 2018.

*Sue Yoon*

*[Signature]*

*[Signature]*

*Martha G. McCoy*



**Bloomington Police Department**

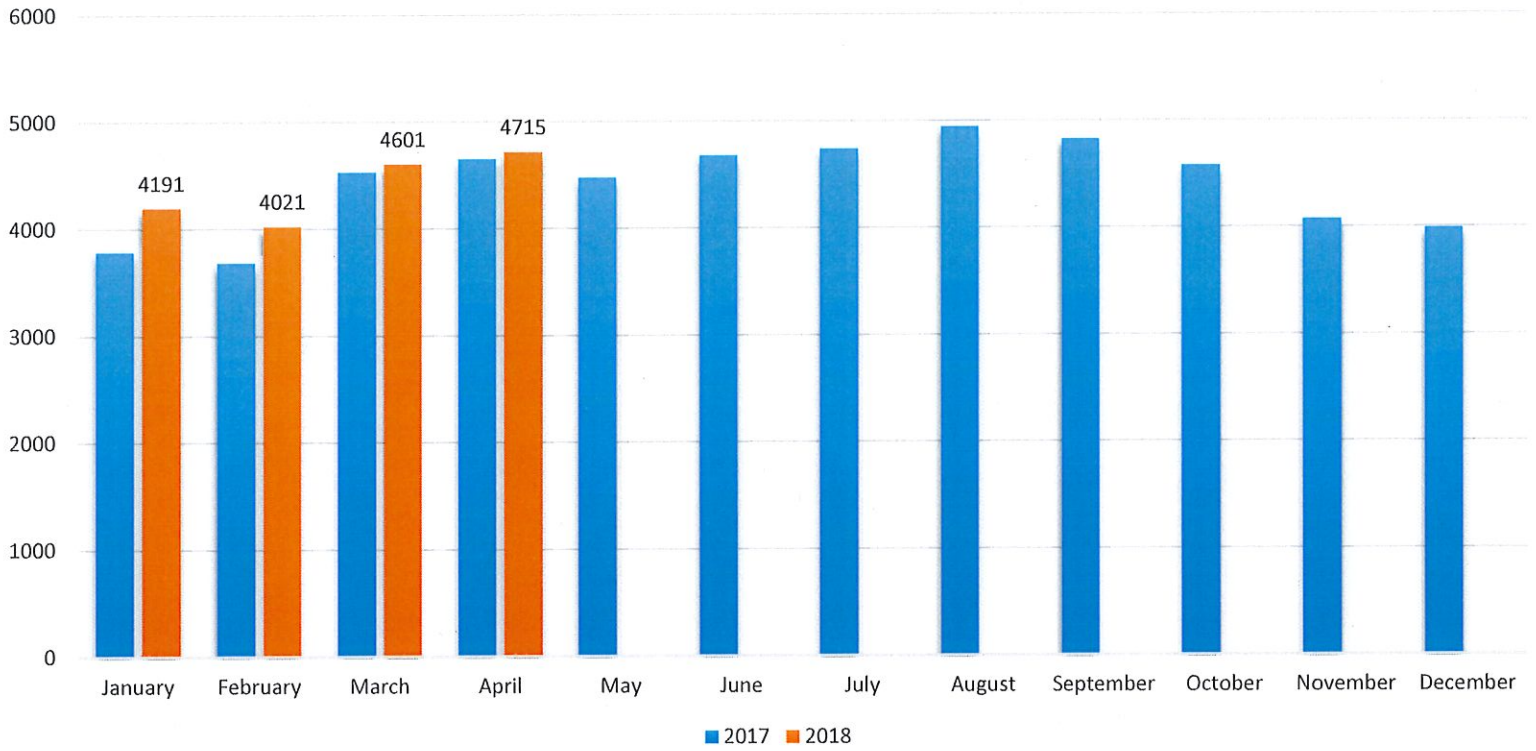
**Board Of Safety**

**Statistical Report**

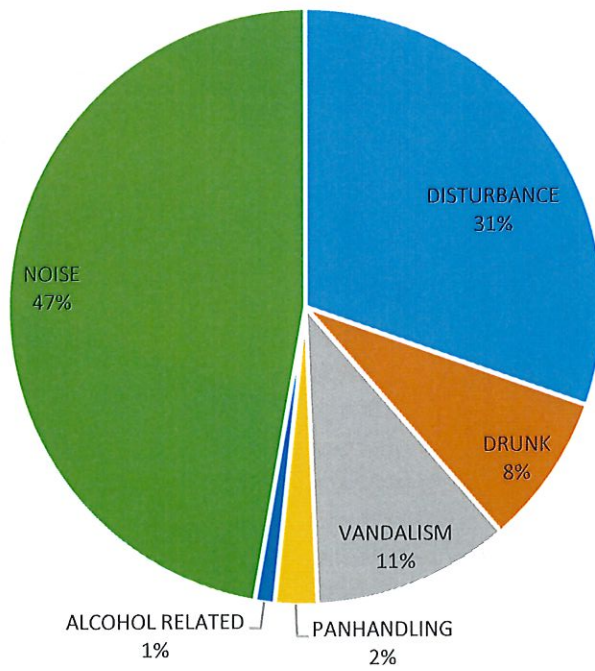
**April 2018**



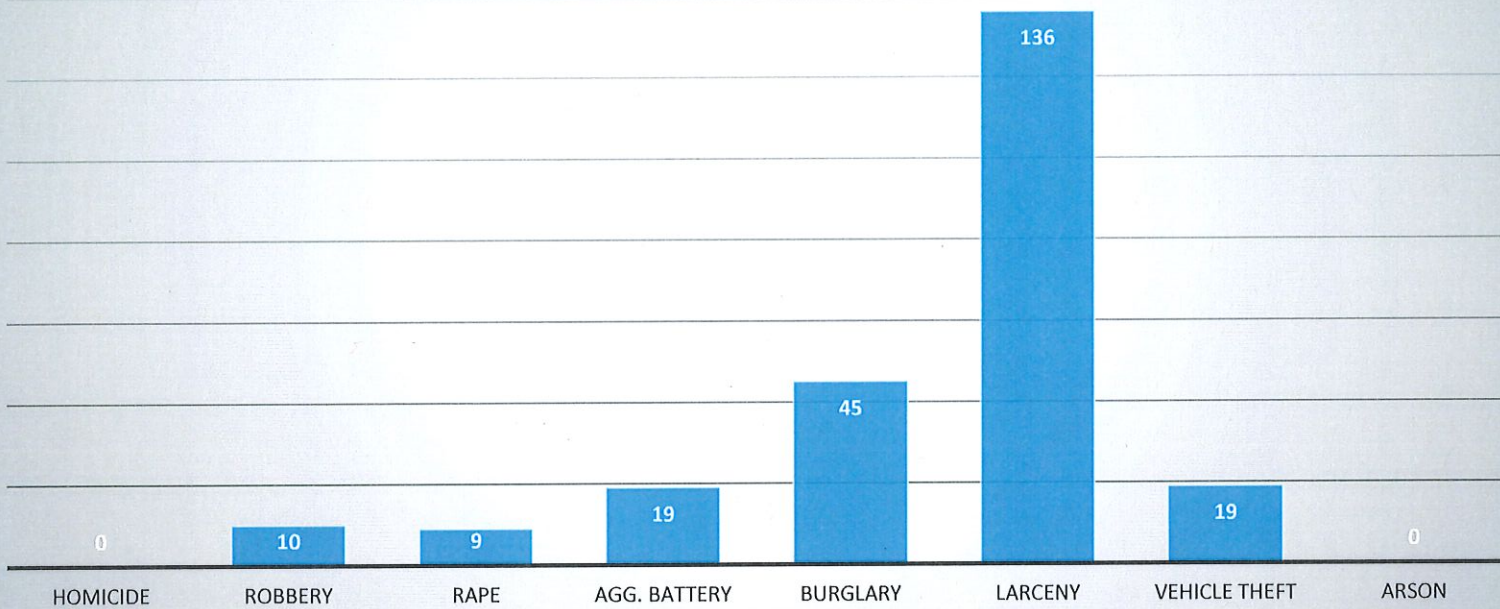
## 2017-2018 Calls For Service Totals



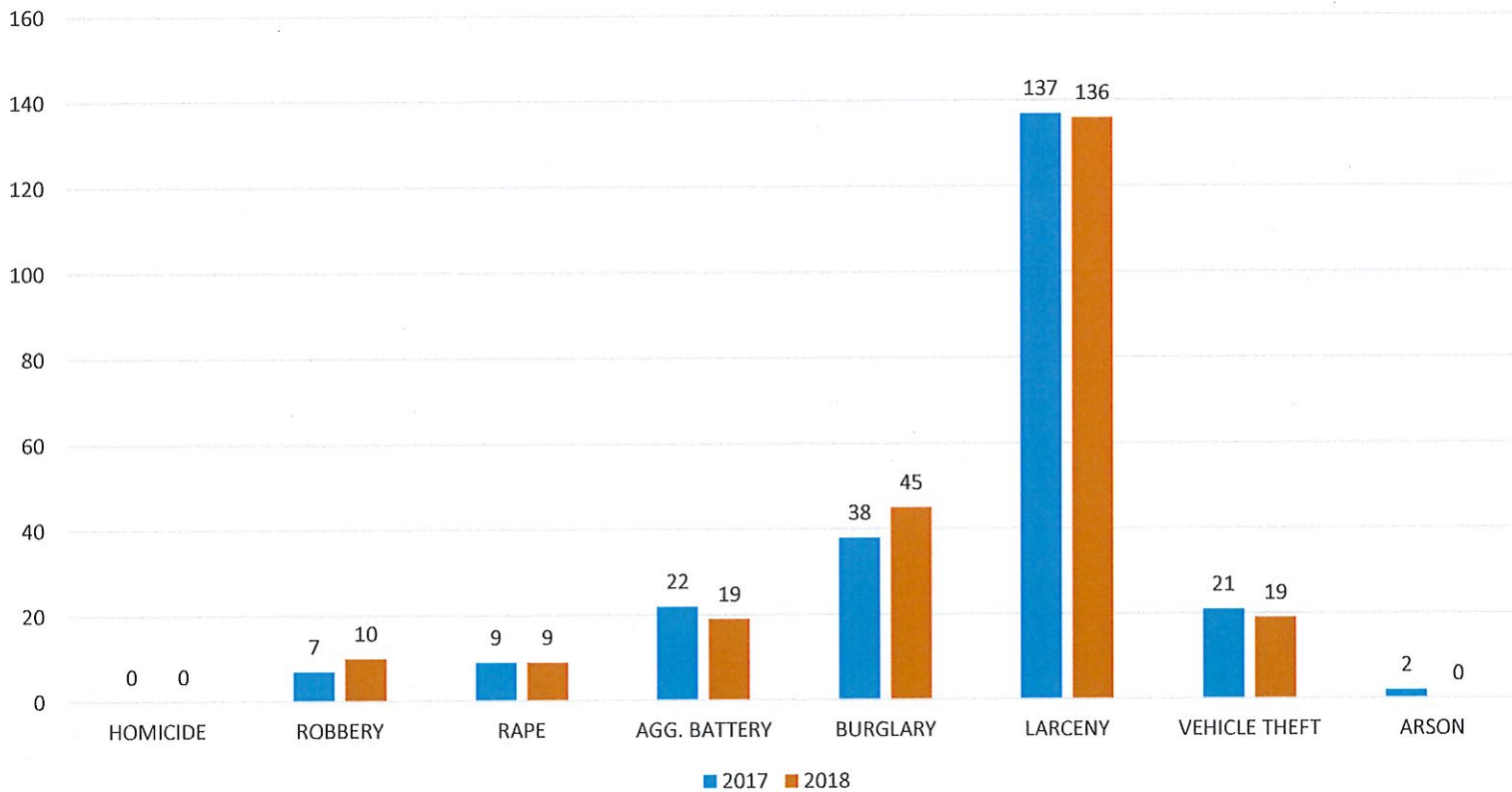
## April 2018 Nuisance Calls for Service



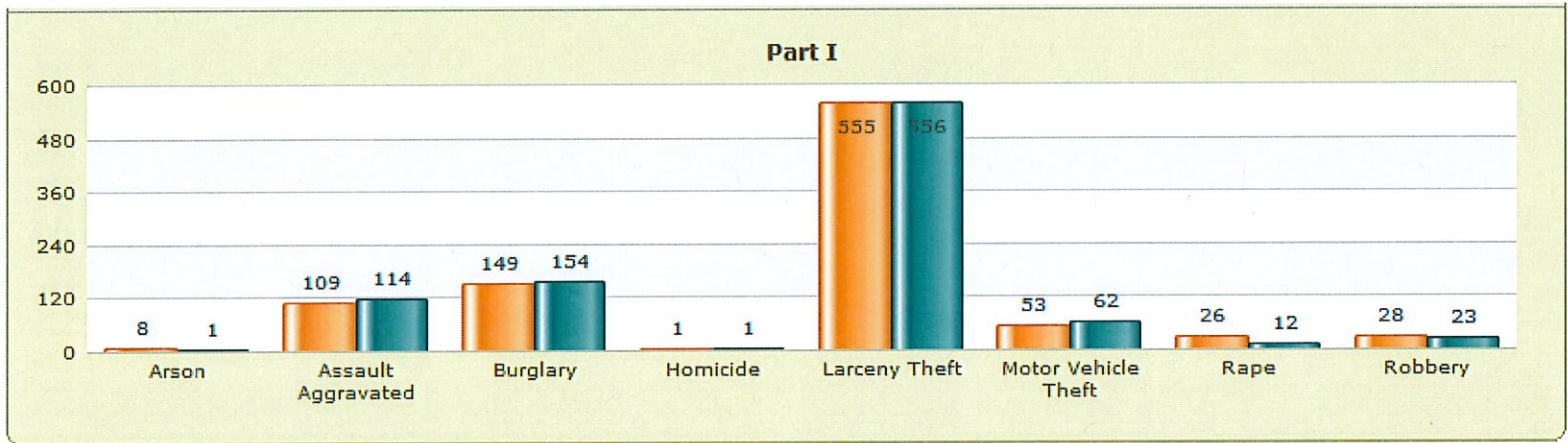
### April 2018 Crimes



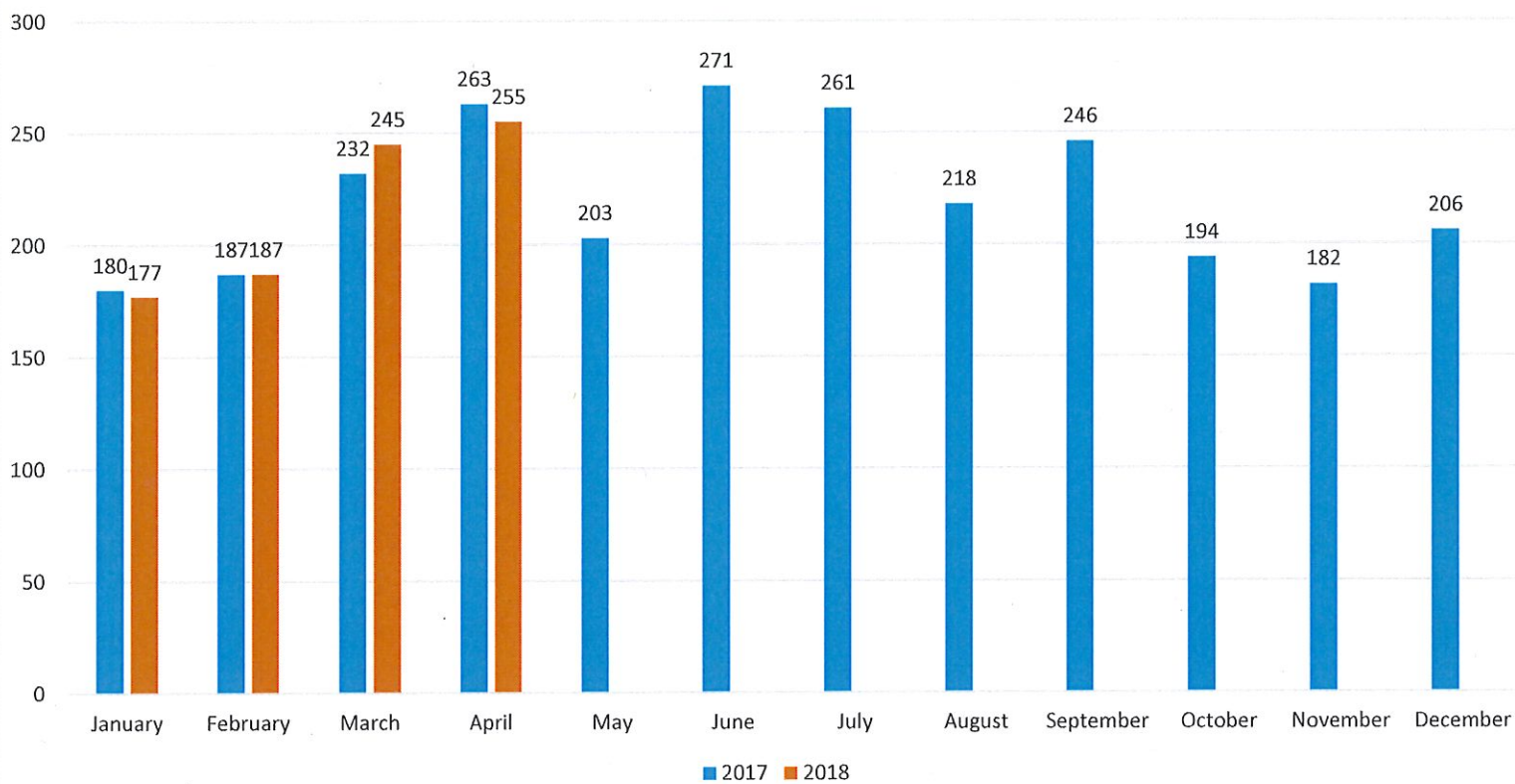
### April 2017 and 2018 Compared



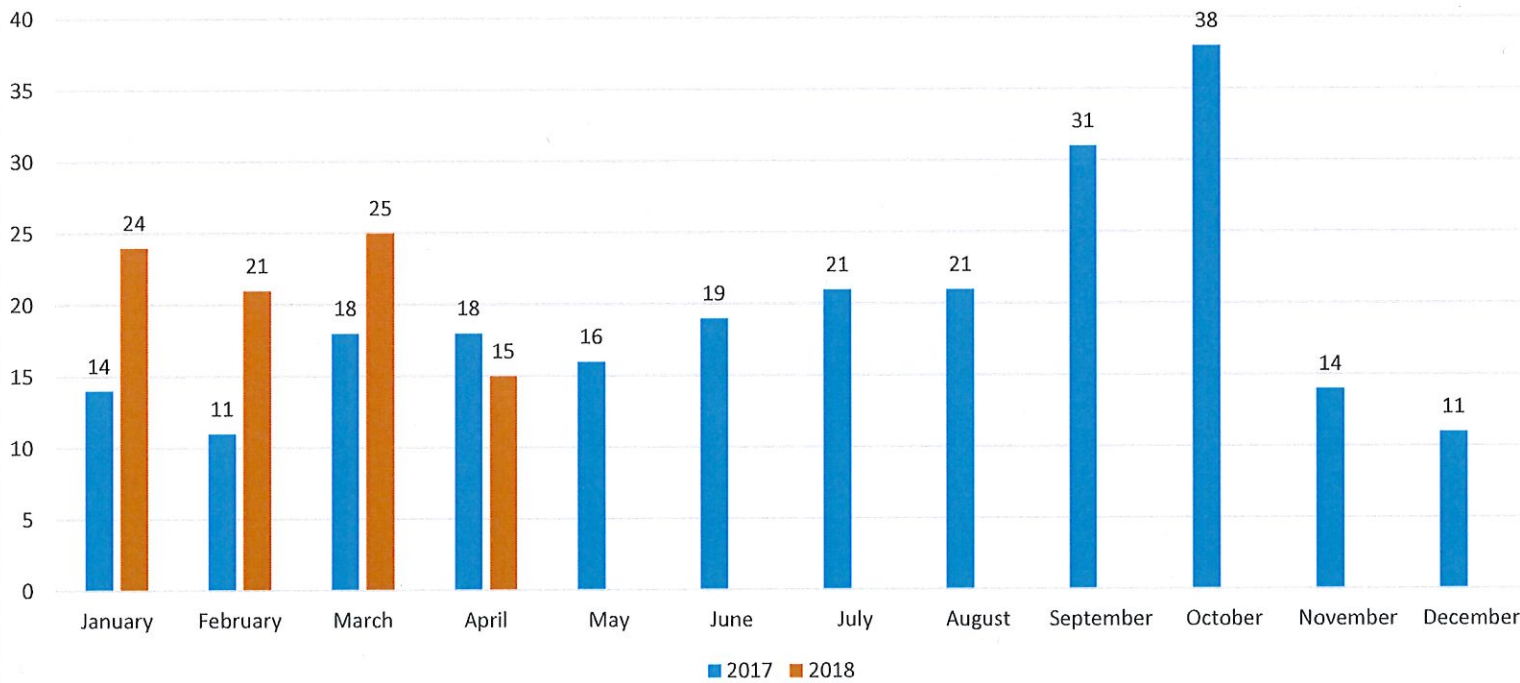
**Period 1: 01-Jan-2017 - 30-Apr-2017 Period 2: 01-Jan-2018 - 30-Apr-2018**



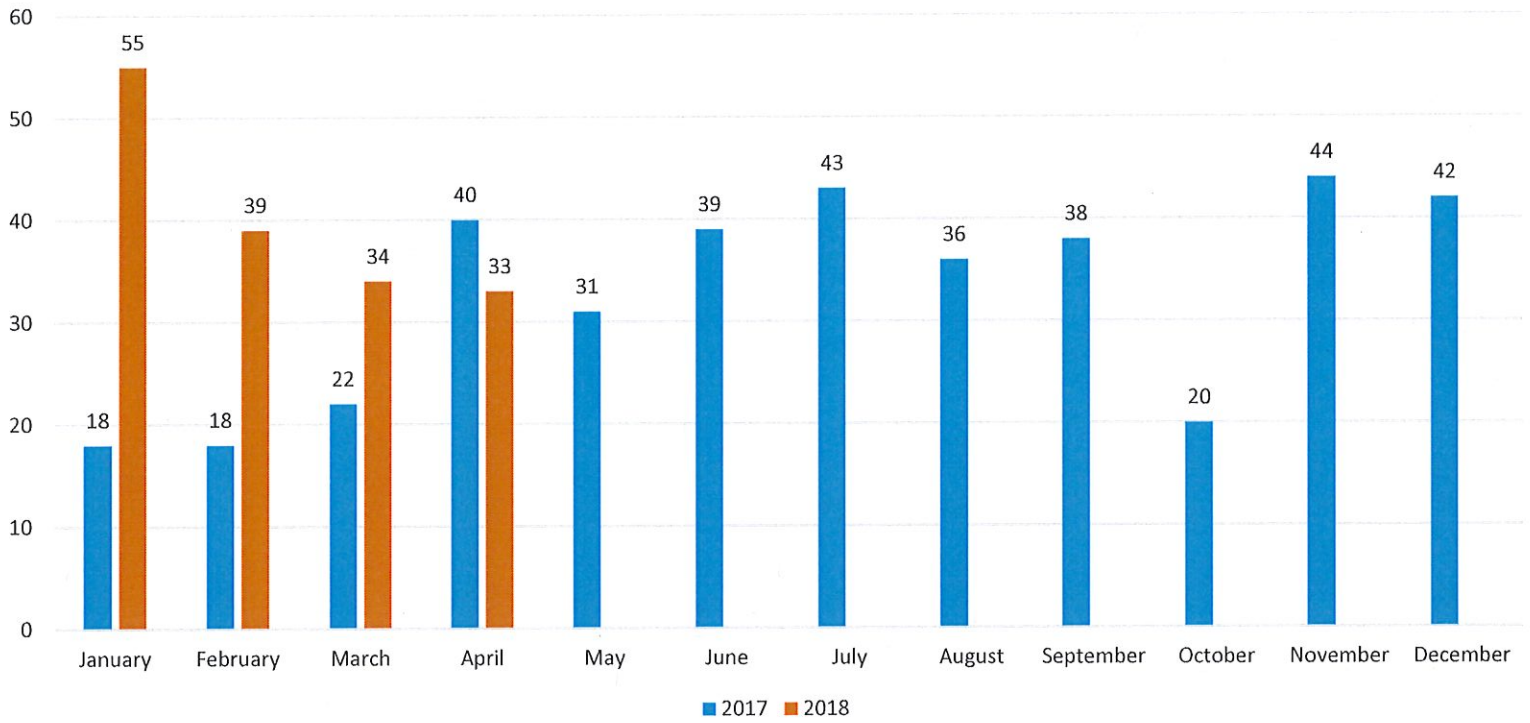
### 2017-2018 Adult Arrests



### 2017-2018 Juvenile Referrals



### 2017-2018 Domestic Violence Cases



UCR/IND. HATE CRIMES		
	2017	2018
Jan-Mar	1	2
Apr-June	4	
July - Sept	3	
Oct - Dec	2	
<b>TOTALS:</b>	<b>10</b>	<b>2</b>

## **BLOOMINGTON BOARD OF PUBLIC SAFETY**

April, 2018

### **CRIME TRENDS/MAJOR CASES:**

- Increase in juvenile referrals is related to school threat cases
- Aggravated battery incidents in April (19) possibly related to Little 500 with 9 occurring in a 5 day period from Thursday-Monday of that weekend

### **TRAINING**

**Training Hours: 775.5**

#### **Training Highlights:**

- 112 hours of transition to new Glock firearms
- 48 hours of active shooter training (part of 3 day training block and CIRT training)
- 34 hours of Human Trafficking

### **COMMUNITY ENGAGEMENT**

**Community Engagement Events: 10**

#### **Community Engagement Events-Prior:**

- Cookies with a Cop at IU (Little 500)
- DEA Prescription Drug Take Back
- Career Day at Bloomington South
- Pizza Fliers for Little 500 (Lifeline Law and Quiet Nights)

#### **Community Engagement Events-Upcoming:**

- May 12<sup>th</sup>-Girls Inc. Flower Sale
- May 17<sup>th</sup>-Coffee with a Cop with Meadows Hospital from 8:30 a.m. to 10:00 a.m. at Holiday Inn

*Letters of Appreciation*

*and*

*Commendation*





Chief DIEKHOFF

Captain Oldham

Captain Kellano

May 1, 2018

I tried to send  
this via KIOSK  
but it is BROKEN!

Date: All of March 2018  
Officer Robert ~~Skelton~~ Skelton

Mr Skelton is the most  
professional & well qualified  
officer you have on your force.  
His ability to protect is  
easy - you give him all the tools  
Uniform, gun, cuffs, Gear, car  
etc. However he excels on his  
own in the Area of SERVICE

Please recognize him for this  
with a pin or medal or badge  
or I will personally have one  
made for him he can put on  
his lapel. Even during an arrest  
or tumultuous time, he is

PS. I have even observed  
win shovel on your side  
lot for citizens to  
access the  
dept.

respectful + lends an ear. ☺  
His expertise reach well  
beyond the miniscule county  
of Monroe Indiana; he  
is qualified for any law  
enforcement position I  
would say, with the citizen's  
best interest in mind along  
with safety at all times.

Please respond by email as  
to how you can recognize Auto  
Officer, Erin Klucash@gmail.com

Sincerely,  
TAX-PAYING, LAW ABIDING VOTING  
CITIZEN  
Erin Klucash 812-318-4501

**From:** Leslie Brinson <[brinsonl@bloomington.in.gov](mailto:brinsonl@bloomington.in.gov)>  
**To:** Scott Oldham <[oldhams@bloomington.in.gov](mailto:oldhams@bloomington.in.gov)>, Joe Johnson  
<[johnsonj@bloomington.in.gov](mailto:johnsonj@bloomington.in.gov)>, Brian Alexander <[alexandb@bloomington.in.gov](mailto:alexandb@bloomington.in.gov)>, Jeffery  
Canada <[jcanada@bloomington.in.gov](mailto:jcanada@bloomington.in.gov)>, RayeAnn Cox <[coxr@bloomington.in.gov](mailto:coxr@bloomington.in.gov)>, Jason  
Moore <[moorja@bloomington.in.gov](mailto:moorja@bloomington.in.gov)>  
**Cc:** Sean Starowitz <[starowis@bloomington.in.gov](mailto:starowis@bloomington.in.gov)>, Paula McDevitt  
<[mcdevitp@bloomington.in.gov](mailto:mcdevitp@bloomington.in.gov)>  
**Subject: Thank you for the Street Fair Assistance**

Hello Everyone!

I wanted to send a huge thank you to you and your staff for all of your help at the Bicentennial Street Fair on Sunday, April 29th. We could not have pulled off such a successful event without all of your help and support!

We estimate attendance to be between 4000-6000 and have many positive comments from visitors, businesses and community groups. I have attached a few pictures for you to see and enjoy!

Thank you to the police for blocking roads, having a positive presence and directing traffic. Thank you to fire for their patience in filling barricades and willingness to work with us on that schedule. Thank you to Brian and all of the parking enforcement for being so easy to work with and their positive attitude during the entire event.

It was a true city event and I appreciate everyone that played a part in the event.

Please pass on my appreciation to all those involved.

Leslie

**ROBERT WOLF (RTC)** <craig.wolf@uss.s.dhs.gov> Apr 27 (11 days ago)

to diekhofm, me

Gentlemen,

My name is Craig Wolf. I am an ATSAIC with the United States Secret Service assigned to D.C. I am writing to extend my gratitude to your department for the professionalism demonstrated in dealing with a recent situation involving my daughter.

Early this morning my wife and I received one of those telephone calls a parent hates to receive; a 0230 call from a distraught college student. She was upset because she believed that her car may have been stolen. After a day of studying for finals, our daughter Kristin Wolf - currently a sophomore at IU - drove to a friend's apartment to relax and watch some movies. When it came time to leave and return to her apartment, she noticed that her car was gone. While she did not believe she was parked in a tow zone, she nonetheless contacted a tow company via a number located on a nearby sign for adjacent parking spots. When she was advised by the company that they had in fact not towed her vehicle, she became very anxious and reached out to her mother and me in Maryland.

Your department was contacted and provided the requisite information. The dispatcher I spoke to was extremely professional and helpful. A short time later, an officer contacted our daughter to advise her that he had located the car, and advised that it had in fact been towed by another company. He apparently had reached out to known towing companies and tracked down the correct one.

In the scope of policing, this morning's events would certainly be categorized as benign. However, for a young college girl away from home, fearful that her car was stolen, the event was a bit more traumatic. She was upset, scared and stressed.

I do not know the name of the officer that contacted my daughter so quickly, nor do I know the name of the dispatcher that I spoke with. However, I would be grateful if you would pass on my sincere thanks for their professionalism.

I felt compelled to personally reach out to you both and pass on my sincere gratitude, and highlight two employees that helped a young woman during a trying time.

All of the best,

Craig Wolf

V/r,

**Craig Wolf | Assistant to the Special Agent in Charge**

Operations | United States Secret Service|Rowley Training Center

Office:240-624-3907 | Cellular:202-603-3897

Email: [craig.wolf@uss.s.dhs.gov](mailto:craig.wolf@uss.s.dhs.gov)

City of Bloomington Fire Department  
Board of Public Safety Report

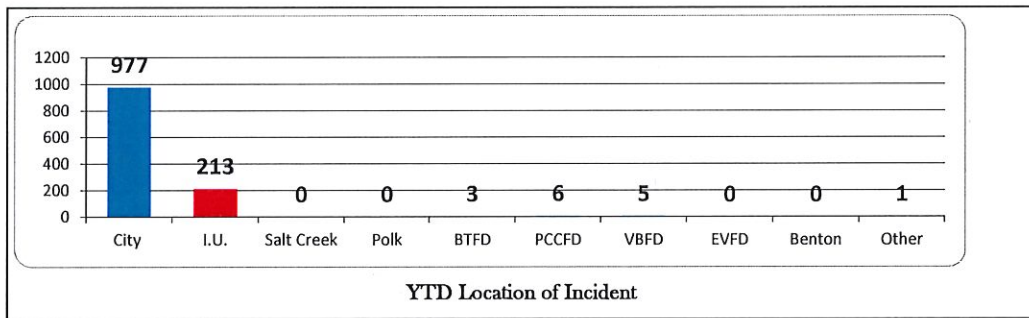
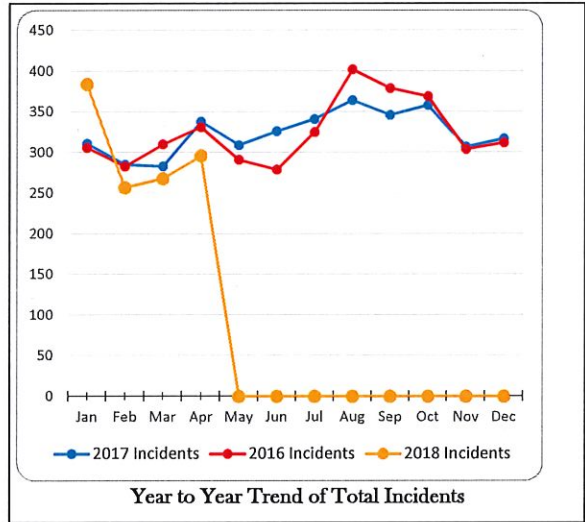
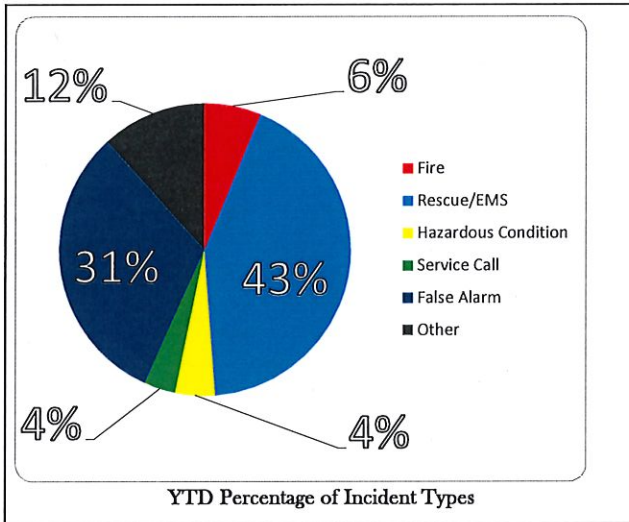
**BLOOMINGTON**



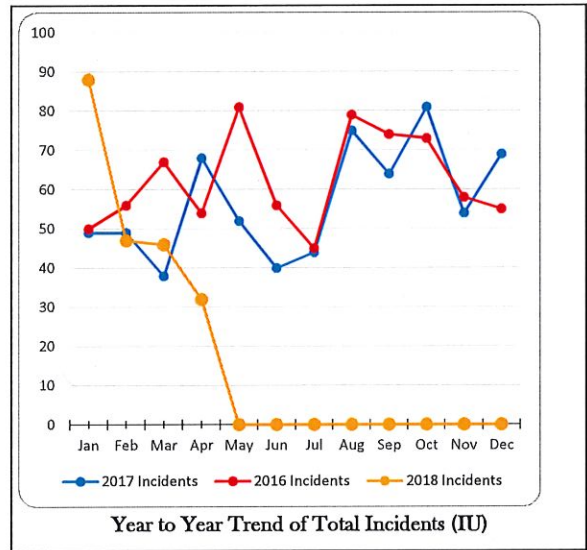
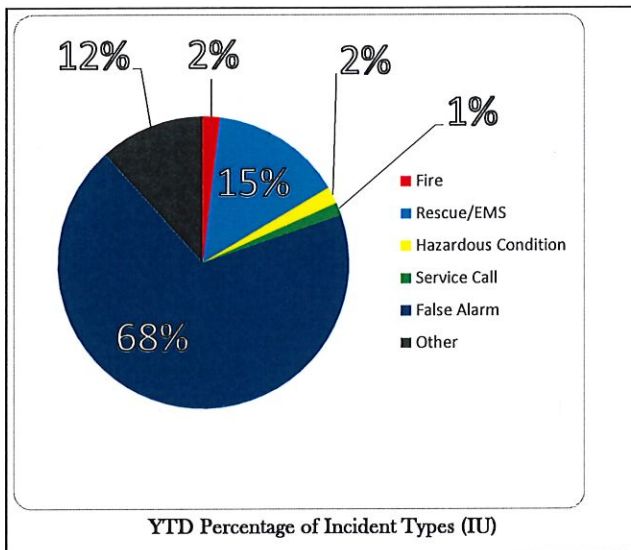
*Established  
February 17, 1900*

May 2018

## Operational Statistics



### Operational Statistics (Cont)



### Major / Significant Incidents During Month

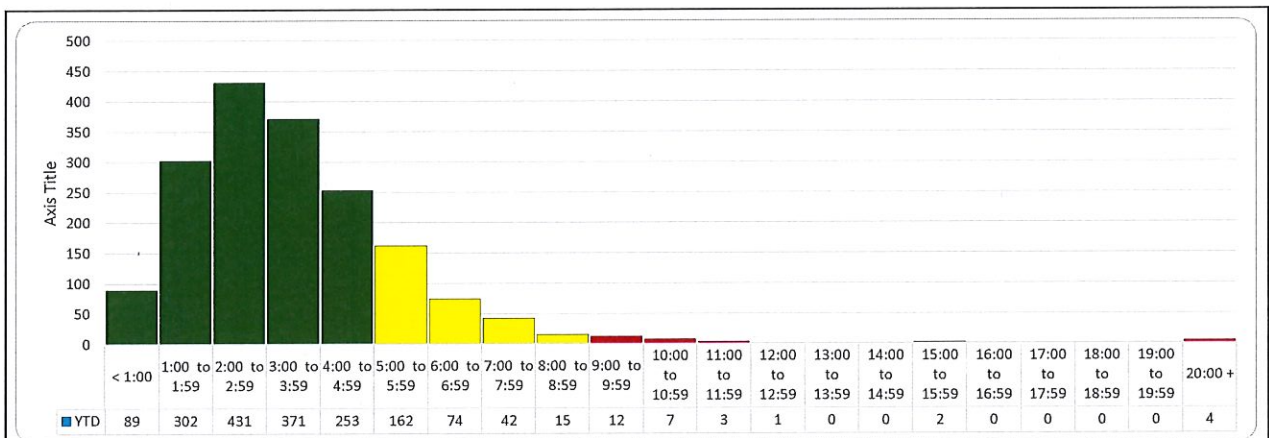
House Fire on Hillside Drive - Fire Fatality (died several weeks later in the hospital)

House Fire on Fenbrook Lane - Total loss, 4 IU Students displaced

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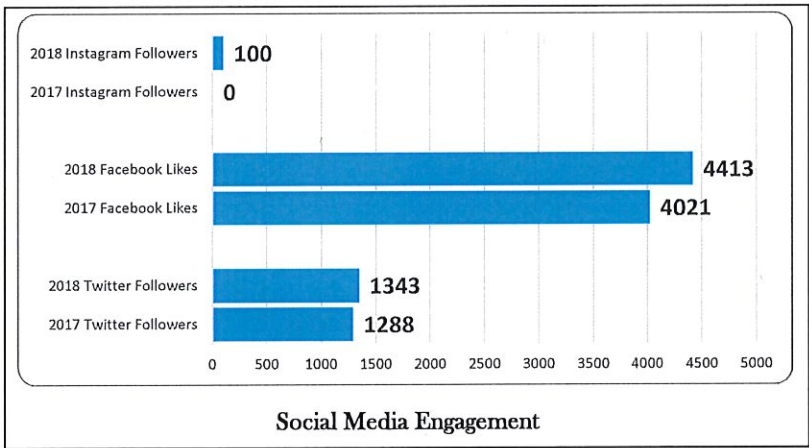
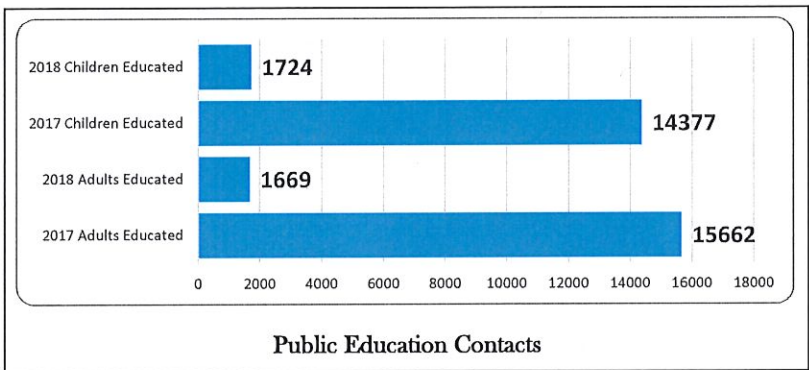
## Response Times / Goals



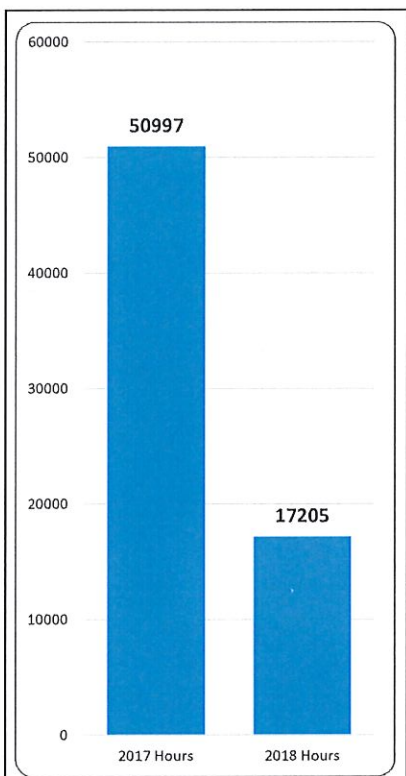
**YTD Response Times Incidents within COB Limits**

<p style="text-align: center;"><b>Our Goal is to be on scene within 4 minutes 80% of the time</b></p>	<div style="border: 1px solid black; padding: 5px; width: 80%; margin: auto;"> <p>We are on scene within 4 minutes</p> <p style="font-size: 1.2em; font-weight: bold; background-color: green; color: white; padding: 2px;">82%</p> <p>of our incidents within City Limits</p> </div>	<div style="border: 1px solid black; padding: 5px; width: 80%; margin: auto;"> <p>We are on scene within 8 minutes</p> <p style="font-size: 1.2em; font-weight: bold; background-color: green; color: white; padding: 2px;">98%</p> <p>of our incidents within City Limits</p> </div>	<p style="text-align: center;"><b>Our Goal is to be on scene within 8 minutes 98% of the time</b></p>
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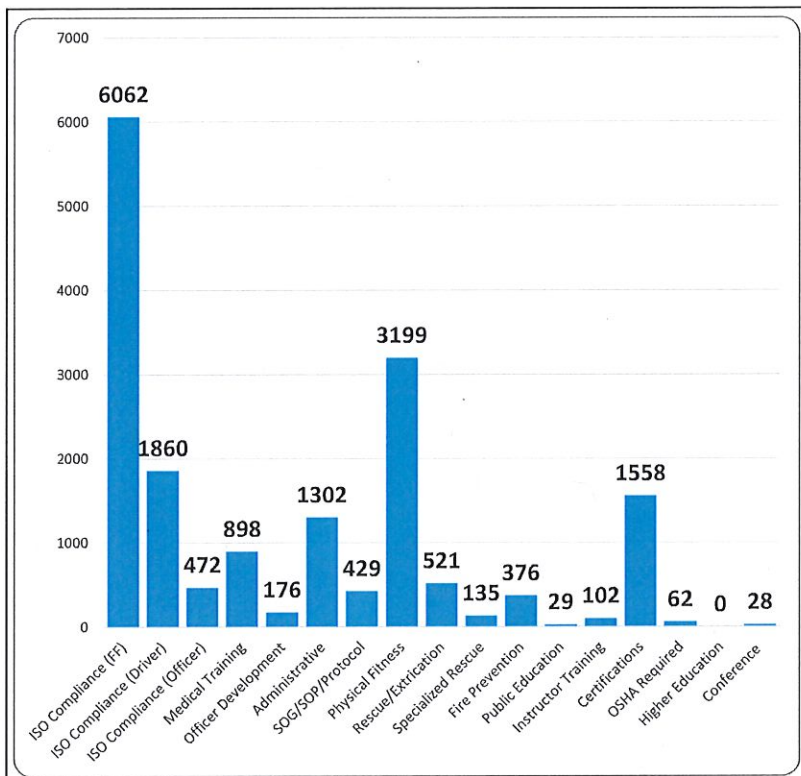
## Prevention and Public Engagement Statistics



## Training and Education



**Training Hour Trend**



**Training Hours YTD**

*Letters Of Appreciation*



*Commendation*

## Letters of Appreciation / Commendation

Good afternoon!

We want to thank the wonderful firemen that came to the Fairview Methodist Church on Saturday, April 28th to cleanup the parking lot after the neighborhood cleanup. Your time and efforts are greatly appreciated. Please pass this on to the fireman that came to help - sorry - we don't know their names. We do want them to know we really appreciate them!

Thanks,  
Jo and Vickie

**RE: Thank you! RE: GSCI Event confirmation Camp Courage Miss Firefighter**  
1 message

Kate Weidner <kweidner@girlscoutsindiana.org> Tue, Apr 24, 2018 at 12:58 PM  
To: Dara Readus <darareadus@yahoo.com>  
Cc: "Janis Daffre (daffre@bloomington.in.gov)" <daffre@bloomington.in.gov>, matty foester <mattyf117@gmail.com>

Thank you, Dara, for your kind words. We owe it all to Joan who developed the event and to the Bloomington Fire Department who continues to support and host it.

We are so glad that your troop enjoyed the event!

Kate

From: Dara Readus [mailto:darareadus@yahoo.com]  
Sent: Thursday, April 19, 2018 4:02 PM  
To: Kate Weidner <kweidner@girlscoutsindiana.org>  
Subject: Thank you! RE: GSCI Event confirmation Camp Courage Miss Firefighter

What an amazing Girl Scout program! We totally enjoyed the experience, and what a training the girls received. It was fantastic to meet Jean, the first female firefighter in Bloomington. Thank you to Girl Scouts, the Bloomington FD and the firefighters (and trainees) that came to teach the girls. This is definitely another activity and experience my daughters would not have experienced if not for Girl Scouts!

Dara Readus



JASON,

Hope you and your family are enjoying, finally, some awesome Spring weather. I wanted to thank you for participating in our Student Leadership Academy - on a Saturday, when you would have been with family. Your leadership and participation in our Day of Service last week was also pretty incredible. I know the Library was super pleased with the much job! Thanks for helping us exceed our dreams of volunteerism this!

# Girls Scouts try their hand at firefighting

By Jonathan Streetman 812-331-4353 | [jstreetman@heraldt.com](mailto:jstreetman@heraldt.com) Apr 14, 2018 (0)



Jade Crouch puts on a firefighting suit with supervision from retired BFD Capt. Jean Magrane, who was the city's first female firefighter. Jeremy Hogan | Herald-Times

Jeremy Hogan

**Ψ**  
SCHOOL OF PUBLIC AND  
ENVIRONMENTAL AFFAIRS  
LEWIS UNIVERSITY

Dear Chief Daffron,

Thank you for hosting us at the Fire Training Facility! We had a great experience and learned a lot about Bloomington's training requirements and processes, not to mention all of the equipment.

Thank you again,  
From Chadwick  
Alison Jones

Sub

We're always  
news, in a

Submit

HTC

## Woman calls 911 to report being trapped inside burning house

By Abby Tonsing 812-331-4245 | [atonsing@heraldt.com](mailto:atonsing@heraldt.com) Apr 2, 2018

Bloomington firefighters carried a 70-year-old woman out of a smoke filled house that caught fire in the 1200 block of East Hillside Drive Mon...



Renee Rose &lt;roser@bloomington.in.gov&gt;

**[cityhall-everyone] Press Release: Bloomington Fire Department Rescues Trapped Residents/Visitors**

1 message

Mary Catherine Carmichael &lt;carmichm@bloomington.in.gov&gt;

Fri, May 4, 2018 at 8:34 PM

Reply-To: carmichm@bloomington.in.gov

To: Cityhall Everyone &lt;cityhall-everyone@bloomington.in.gov&gt;, Fire Everyone &lt;fire-everyone@bloomington.in.gov&gt;, Police Everyone &lt;police-everyone@bloomington.in.gov&gt;, Util Everyone &lt;util-everyone@bloomington.in.gov&gt;, Bloomington Transit &lt;transit-everyone@bloomington.in.gov&gt;, Amber Gress &lt;agress@blha.net&gt;

**FOR IMMEDIATE RELEASE:**

May 4, 2018

**For more information, please contact:**Jason Moore, Bloomington Fire Department Chief, [moorja@bloomington.in.gov](mailto:moorja@bloomington.in.gov), 812-349-3891**Bloomington Fire Department Rescues Trapped Residents/Visitors at Apartment Fire**

**Bloomington, Ind.** - At 10:49 a.m. Friday, May 4, Monroe County Central Dispatch received a 911 call reporting a fire at 2679 East 7th Street. The fire started in the kitchen of apartment E, which was located directly below the stairs that provided access to the other floors. Several other 911 calls came in from occupants who were trapped and unable to escape the fire. Engine 4, the newest engine in the fleet that was just placed into service on April 25, was the first to arrive, four minutes after receiving the dispatch call. With four person minimum staffing, the first arriving crew was able to perform rescues while simultaneously attacking the fire. A total of eight BFD units responded to the call with Bloomington Police Department and IU Health Ambulance Service.

Three civilians were rescued, and seven people jumped from their balconies to escape the fire. Two maintenance technicians, employed at the apartment complex, helped students escape the fire and entered the building notifying everyone to get out. Four pets were also successfully rescued by BFD firefighters.

One of those who jumped to safety was treated on scene for an arm injury and two others were evaluated for smoke inhalation. None of the victims was seriously injured enough to warrant hospital transport.

The fire was extinguished within 14 minutes after the initial 911 call came in.

Two of the 11 apartments had significant fire damage; however, Indiana University representatives helped re-house all 32 occupants and their guests who were identified as IU students or visitors of IU students.

BFD immediately activated a newly established IU protocol that alerts an on-call dean to significant issues relating to students. IU representatives immediately responded and arrived on scene to assist students before the notifications could be completed.

After investigating the fire, preliminary reports indicate that the fire was caused by unattended cooking, and open doors were the primary path for the rapid fire progression. BFD reminds the public to close their doors when they sleep and if they encounter fire conditions. The apartments with closed doors had only minor smoke damage.

Chief Moore issued the following statement: "We are extremely proud of the efforts of the firefighters who responded to this emergency. Their dedication, courage, and teamwork are a credit to the firefighting profession and to the community we are proud to serve. Gold shift, led by Battalion Chief Roger Kerr II, has successfully rescued five of our seven civilian saves within my two years as Fire Chief. This can be directly attributed to the hard work and training of our firefighters who have received major improvements in equipment and technology. Today is the epitome of why we exist. IU Commencement Weekend could have started with a tragic loss of life. However, thanks to our public safety team and great partnership with Indiana University, these students and their guests will get to celebrate their graduation."

###





# *Bloomington Fire Department*



## *2018 Rules and Regulations*



# City of Bloomington Fire Department

**Respect - Integrity - Service - Excellence**

"Saving Lives and Protecting Property with Honor and Professionalism"

TO: Board of Public Safety  
CC: Mike Rouker, City Attorney  
FROM: Jason Moore, Fire Chief  
DATE: 04 May 2018  
RE: Fire Department Rules and Regulations Revision

After a long internal process, our department is proposing a revised version of our Rules and Regulations. The previous version, executed in 2015, had several oversights, include ambiguous language, and no longer aligned with the Collective Bargaining Agreement (CBA) negotiated during 2016. Beyond the updated appearance, the new document is hyperlinked and searchable making it a better reference guide. The proposed version has another major change, it was reviewed and amended based on feedback from our Administrative Review Committee which is comprised of three (3) management positions and four (4) labor positions. The Union President and I were ultimately responsible for an executive review after the committee made their recommendations.

Major changes include:

- Section 3.0 Ranks, Command, and Professional Appointments
  - The 2017 CBA realigned the rank structure of the department; Chauffeurs became a meritted position (Board Approved) and Sergeant became an appointed position (Chief Appointed), Senior Headquarters Captain and Station Captain appointments were also added. The appointed position of Rescue Technician is currently under review so we removed the previous language explaining a Rescue Technician's role.
- Section 10.7.3 Recording and/or Photographing Emergency Scenes and/or Training Events
  - Our community outreach will require our Fire Prevention Officer to develop training and social media material to inform and educate our citizens, we added language to give this individual the latitude to complete their job.
- Section 11.6 Summary of Actions Subject to Discipline
  - Aligned this section with the City of Bloomington Personnel Manual.



# City of Bloomington Fire Department

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- Section 12.2 Loss or Damage
  - This section along with its subsections were added / enhanced to clearly outline the expectations of generally assigned and personally assigned equipment. The prior version only indicated that "any reimbursement charges may be recouped." We felt it was prudent to identify the limitations of administration while clearly establishing what would occur should an employee be found grossly negligent. We also defined "grossly negligent" and established a committee to determine whether the damage or loss was grossly negligent. This committee will include two (2) management representatives, the City's Risk Manager, and two (2) labor representatives. Management shall be limited to recovering up to \$500 or 5% of the City's Insurance Deductible unless the equipment was personally issued, which will result in the recovery of full replacement value.
- Section 13.4 Vehicular Accidents Involving Department Vehicles
  - We added new provisions that will enhance our accident reporting thus establishing better risk management practices.
- Section 14.6 Sick Leave & Section 14.7 Sick Contract
  - This section was completely overhauled to avoid penalizing employees who are really sick or injured. The previous version required a doctor's note for every absence until an employee was placed on a sick contract, which forced an employee to a doctor of our choosing at our expense. The proposed version only requires a return to work note for major illnesses / injuries, removes the penalty for using FMLA approved leave, and will force an employee to go to their personal physician (at his/her expense) for every sick absence during a sick contract. We also changed the time period during which we track sick occurrences. The previous practice used a calendar year, while the new version uses a rotating 365 day cycle.
- Section 15.5 Tobacco Products Policy
  - This version establishes the Department's desire to become tobacco free and added verbiage to include smoke-less and vaporization forms of tobacco.
- Section 16.0 Public Statements
  - The proposed version includes a policy on social media which is designed to balance our employees' right to speak openly on social media with the



# City of Bloomington Fire Department

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Department's interest in avoiding confusion about which statements on social media may be attributed to the Department.

Thank you in advance for your review of this revision. The efforts of everyone involved was substantial and we are looking forward to publishing this updated version.

# **BLOOMINGTON FIRE DEPARTMENT**



## **RULES AND REGULATIONS**

**2018 EDITION**



## CORE VALUES

**R** RESPECT - Treating others like you want to be treated regardless of their similarities or differences.

**I** INTEGRITY - Acting, speaking, and thinking with Honor and Ethics even when no one is watching.

**S** SERVICE - Placing the needs of others ahead of your own and treating everyone like they are important.

**E** EXCELLENCE - Completing all duties to the best of your ability while constantly improving the City, Department, Shift, Crew, and yourself.

## MISSION

The City of Bloomington Fire Department is committed to providing honorable, professional, and safe responses to all emergency and non-emergency calls of the community that we serve. We are dedicated to minimizing the loss of life and property through the advancement of public safety with excellent fire prevention, risk reduction education, investigation, code enforcement, fire suppression, emergency medical service, and rescue.

## VISION

The City of Bloomington Fire Department pledges to meet all national standards in a sustainable manner in order to be a leader in Monroe County and exceed our Citizen's expectations.



**MAYOR**  
John Hamilton

**DEPUTY MAYOR**  
Mick Renneisen

**BOARD OF PUBLIC SAFETY**

Susan Yoon, President  
Kimberly Gray, Vice President  
Martin McCrory  
Maqube Reese  
Luis Fuentes-Rohwer

**FIRE CHIEF**  
Jason Moore

**DEPUTY CHIEF**  
Jayme Washel

**CORPORATION COUNSEL**  
Philippa Guthrie

**CITY ATTORNEY**  
Michael Rouker

**BPS ATTORNEY**  
Christopher Wheeler

**FIRE UNION EXECUTIVE  
BOARD**

Josh Tapp, President  
Bob Loviscek, Vice President  
George Cornwell, Treasurer  
Jim Parrott, Gold Shift Steward  
Jayden Elkins, Black Shift Steward  
Joe Wright, Red Shift Steward



## INTRODUCTION

Under the authority vested in the Board of Public Safety by the laws of the State of Indiana, the following Rules and Regulations are published for the administration, control, disposition and government of the members and civilians of the Bloomington Fire Department.

These Rules and Regulations apply with equal force to all Department members and civilians of all ranks and assignments. They may be revoked, amended, altered, or added to only by the Board of Public Safety.

Each of these Rules and Regulations is necessary for the orderly and professional operation of the Department.

Violations, breaches, and omissions of any rule or rules shall be considered to be actions against the best interest of the Department, the community, and/or the City of Bloomington. Such violations shall be punished with disciplinary action as indicated herein.

These Rules and Regulations are ordered into effect on May 15, 2018. Any policies, rules, regulations or procedures in conflict with the articles herein shall be revoked.

A handwritten signature in black ink that reads "Susan Yoon".

\_\_\_\_\_  
Susan Yoon, President

A handwritten signature in blue ink that reads "Kimberly Gray".

\_\_\_\_\_  
Kimberly Gray, Vice President

A handwritten signature in black ink that reads "Maqubé Reese".

\_\_\_\_\_  
Maqubé Reese

\_\_\_\_\_  
Luis Fuentes-Rohwer

A handwritten signature in black ink that reads "Martin McCrory".

\_\_\_\_\_  
Martin McCrory





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## Definitions

### **DEPARTMENT:**

Whenever the word "Department" is used, it shall refer to and mean the Fire Department of the City of Bloomington, Indiana.

### **CHIEF:**

Whenever the word "Chief" is used, it shall refer to the office of the "Chief of the Fire Department" of the City of Bloomington, Indiana, and to the person occupying that office at the time, whether acting in either a permanent or temporary capacity.

### **BOARD:**

Whenever the word "Board" is used it shall mean the Board of Public Safety of the City of Bloomington, Indiana.

### **MEMBER:**

Whenever the word "Member" is used, it shall mean a sworn or non-sworn member of the Fire Department of the City of Bloomington, Indiana.

### **GENDER:**

In these rules and regulations, the masculine and feminine shall both be covered by the pronoun used, whether the pronoun is "he" or "she" or "his" or "her".

### **GENERAL ORDER:**

A written or verbal order issued by the Chief which may or may not be approved by the Board applicable to the entire Department and which expresses and establishes a principle, policy or procedure concerning a given subject and which is effective permanently or until revoked or amended by a subsequent order.

### **STANDING ORDER:**

A written or verbal order issued by the Chief applicable to the entire Department which deals with daily operations and/or best practices of the Department. These orders do not go before the Board for approval; however they are similar to General Orders in that they are effective permanently or until revoked or amended by a subsequent order.

### **SPECIAL ORDER:**

A written or verbal order issued by the Chief applicable to the entire Department, a particular shift or shifts, or particular members of the Department and which establishes a temporary principle, policy, or procedure concerning a given subject for a stated period of time. When the effective period of the special order is not stated, it becomes inoperative with the passing of the incident.

### **CITY:**

Whenever the word "City" is used it shall mean the land within the corporate boundaries of the City of Bloomington, Indiana.



## 1.0 Administration

### 1.1 General Provisions

Department functions involve the interaction between employees and members of the public. The administration of the Department is committed to improving the ability of its employees to properly perform firefighters' tasks and to strengthening the relationship that exists between all employees and the public they serve.

### 1.2 Departmental Directives

In any organization, the communication of policies, procedures and other information to employees is essential. Thus, the Department utilizes a system of verbal, written, and electronic communication to ensure that all employees receive necessary information and that such information is accurate.

### 1.3 Chain of Command

The Chain of Command is designed to limit the number of persons who report to the Chief and Chief Officers. Employees shall strive at all times to operate within the Chain of Command and shall be aware of their relative position within the organization.

### 1.4 Command Responsibilities

A commanding officer has responsibility and accountability for every aspect of the officer's command. The officer has the authority to coordinate and direct assigned personnel and other allocated resources to achieve the organizational objectives within policy guidelines and legal constraints. In doing so, the officer must perform the full range of administrative functions, using policy, direction, training, and personal initiative to guide the officer's command in achieving the highest level of performance.

### 1.5 Periodic Review

Periodic review is necessary to ascertain whether Department policies, procedures, orders, and rules are adequate and being adhered to, whether Department resources are adequate and are being properly utilized, and to evaluate the overall performance and attitude of the Department. It is the responsibility of each commanding officer and supervisor to continually conduct periodic review within their command to ensure the proper performance of assigned personnel and the most efficient use of assigned equipment, materials, and facilities.

### 1.6 Utilization of Resources

Emergency response, inspections, investigations, public education, and public requests are services provided by the Department. The quality and the extent of service provided can be limited by available resources which are dependent upon revenue sources within the City. To ensure that the highest level of service is obtained from the resources at its disposal, the Department must be managed as efficiently as possible.



## 2.0 Board of Public Safety

### 2.1 Establishment

The Board of Public Safety is established in accordance with the provisions of Indiana Code § 36-8-3-1 et.seq. and Chapter 2.17 of the Bloomington Municipal Code.

### 2.2 Change in Policy, Procedure, Rules & Regulations

The Board may amend, adopt, or rescind any Policies, Standards, Procedures, or Rules and Regulations unless doing so creates a conflict with the current collective bargaining agreement.

## 3.0 Ranks, Command & Professional Appointments

The Fire Department of the City of Bloomington, Indiana shall consist of a Chief, Deputy Chief(s), other officers as may be required by ordinance or for the proper operation of the Department, and any additional firefighters lawfully appointed by the Board of Public Safety. Positions are described as either merited or appointed positions.

Merited positions are approved by the Board and cannot be taken from a member without Board approval or altered without a change to the Collective Bargaining Agreement or Board approval.

Appointed positions are approved by the Fire Chief and may be given, taken, altered, or otherwise changed without Board approval.

### 3.1 Chief of the Fire Department

The Chief shall be the Commanding Officer of the entire Department, subject to the laws of the State of Indiana, City of Bloomington, and the Rules and Regulations of the Department. The Chief, with the approval of the Board of Public Safety, shall prescribe, adopt, and put into effect Rules and Regulations for the government of the Department as from time to time he deems necessary. The Chief shall administer the firefighting, fire prevention, and other emergency and non-emergency response functions for the City through the Department. Such administration shall be consistent with the policies of the Board through the issuance of General Orders, Standing Orders, Special Orders, directions, and instructions to the members of the Department. This position is a mayoral appointment.

### 3.2 Deputy Chief

The Deputy Chief manages, supervises and coordinates the administrative and operational functions of the Department, manages all Department services and activities, and directs, reviews, and supervises the operations of the Department's Divisions. The Deputy Chief assists in the development, implementation and administration of goals, objectives, and procedures for providing effective and efficient fire suppression and prevention. The Deputy Chief acts as the Fire Chief in the Fire Chief's absence. The Deputy Chief shall act at the discretion of the Chief and in conformity with policies of the Board and all legal requirements. This position is a mayoral appointment.



### 3.3 Battalion Chief

#### 3.3.1 Operations

Battalion Chiefs of Operations shall be considered command officers and shall have the authority to act and direct in the name of the Chief. Battalion Chiefs of Operations receive direct supervision from the Deputy Chief. They shall be responsible for the operations, functions, or activities to which they are assigned. Battalion Chiefs of Operations shall act at the discretion of the Chief, or the Chief's designees, in conformity with policies of the Board, the policies of the City, and all legal requirements. This is a merited position, approved by the Board, requiring the Chief's recommendation and the completion of a promotional process.

#### 3.3.2 Training

The Battalion Chief of Training is responsible for the overall management, supervision, planning, and coordination of all training activities for the Department. The Battalion Chief of Training is responsible for promoting training opportunities outside the Department for Department members. The Battalion Chief of Training receives direct supervision from the Deputy Chief. The Battalion Chief of Training shall act at the discretion of the Chief, or their designees, in conformity with policies of the Board, the policies of the City, and all legal requirements. This is a merited position, approved by the Board, requiring the Chief's recommendation and the completion of a promotional process.

### 3.4 Senior Headquarters Captain

The Senior Headquarters Captain shall be considered a Headquarters Captain who has the additional responsibility of tracking, reporting, and ensuring the upkeep of the Headquarters Fire Station through coordinating activities with the other Captains assigned to that station. This is an appointed position, requiring the Chief's recommendation. A member must hold the merited position of Captain to be eligible for this appointment.

### 3.5 Headquarters Captain

Headquarters Captains shall be considered Captains who have the additional responsibility of assuming the duties of the Battalion Chief of Operations in the Battalion Chief of Operations' absence. This is an appointed position, requiring the Chief's recommendation. A member must hold the merited position of Captain to be eligible for this appointment.

### 3.6 Station Captain

Station Captains shall be considered Captains who have the additional responsibility of tracking, reporting, and ensuring the upkeep of their assigned Fire Station through coordinating activities with the other Captains assigned to that station. This is an appointed position, requiring the Chief's recommendation. A member must hold the merited position of Captain to be eligible for this appointment.



### 3.7 Captain

Captains shall be considered supervisory officers, shall be responsible for carrying out the directions and commands of their commanding officers, and shall direct, coordinate, and assist their subordinates in carrying out duties assigned to them. They shall report all irregularities and/or disciplinary problems through the Chain of Command. They shall avoid injuring, degrading, or discrediting their subordinates by abusive language or conduct and shall avoid censorship of subordinates in the presence of others. Captains shall act at the discretion of the Chief, or their designees, in conformity with policies of the Board and all legal requirements. This position is a merited position, approved by the Board, covered under the Collective Bargaining Agreement, requiring the Chief's recommendation and the completion of a promotional process.

### 3.8 Other Officers

#### 3.8.1 Fire Inspection Officer

At the discretion of the Fire Chief or the Chief's designee, the Fire Inspection Officer is responsible for performing a wide variety of administrative tasks, technical tasks and functions in support of fire suppression, fire prevention, inspection, investigation, and other emergency and non-emergency operations. The Fire Inspection Officer receives direct supervision from the Deputy Chief. This is an appointed position, requiring the Chief's recommendation and is eligible for "On-Call" pay in accordance with the City's salary ordinance.

#### 3.8.2 Fire Prevention Officer

At the discretion of the Fire Chief or the Chief's designee, the Fire Prevention Officer is responsible for performing a wide variety of administrative tasks, technical tasks and functions in support of fire suppression, fire prevention, inspection, investigation and other emergency and non-emergency operations. The Fire Prevention Officer's primary job functions shall be public education related and will include being the lead Public Information Officer for the Department. The Fire Prevention Officer receives direct supervision from the Deputy Chief. This is an appointed position, requiring the Chief's recommendation and is eligible for "On-Call" pay in accordance with the City's salary ordinance.

### 3.9 Headquarters Sergeant

Headquarters Sergeants shall be considered Sergeants who have the additional responsibilities associated with assuming the role of Headquarters Captain in the Headquarters Captain's absence. This is an appointed position, requiring the Chief's recommendation.

### 3.10 Sergeant

The Sergeant receives general supervision from higher-ranking officers, assumes the duties of the Captain in the Captain's absence, and assumes the responsibility of a Firefighter, Engineer, or Chauffeur at all other times. This is an appointed position, requiring the Chief's recommendation and the completion of a promotional process. A member must hold the merited position of Firefighter First Class or Chauffeur to be eligible for this appointment.





### 3.11 Chauffeur

Chauffeurs are considered the primary driver of their assigned apparatus and are responsible for performing a wide variety of technical tasks and functions in support of fire suppression, fire prevention, extrication, hazardous materials response, and other emergency operations. The Chauffeur receives general supervision from higher-ranking officers and does not supervise other members of the Department. This is a merited position, approved by the Board, covered under the Collective Bargaining Agreement, requiring the Chief's recommendation and the completion of a promotional process.

### 3.12 Engineer

Engineers are considered the secondary driver of their assigned apparatus or other apparatus within the Department. Engineers are responsible for performing a wide variety of administrative tasks, technical tasks and functions in support of fire suppression, fire prevention, extrication, hazardous materials response, and other emergency operations. The Engineer assumes the responsibility of primary driver in the absence of the Chauffeur and assumes the responsibility of a Firefighter at all other times. The Engineer receives supervision from higher-ranking officers and does not supervise other members of the Department. This is an appointed position, requiring the Chief's recommendation. A member must hold the merited position of Firefighter First Class or Chauffeur to be eligible for this appointment.

### 3.13 Firefighter First Class

Firefighters are responsible for performing a wide variety of administrative tasks, technical tasks and functions in support of fire suppression, fire prevention, extrication, hazardous materials response and other emergency operations. The Firefighter receives supervision from higher-ranking officers and does not supervise other members of the Department. This is a merited position, approved by the Board, covered under the Collective Bargaining Agreement, requiring the Chief's recommendation and the completion of a 365-day probationary period.

### 3.14 Probationary Firefighter

Probationary Firefighters are responsible for performing a wide variety of administrative tasks, technical tasks and functions in support of fire suppression, fire prevention, extrication, hazardous materials response and other emergency operations. The Probationary Firefighter receives supervision from higher-ranking officers and does not supervise other members of the Department. This position is a probationary position, approved by the Board, requiring the Chief's approval, the completion of a recruit academy, and completion of a hiring process.

### 3.15 Fire Secretary

The Fire Secretary is responsible for a wide range of administrative support functions in support of fire department operations and personnel. The Fire Secretary receives supervision from command staff and oversees the fiscal responsibilities of the Station Captains / Senior Headquarters Captain. This is a non-sworn position.



## 3.16 Other Professional Appointments

### 3.16.1 Rescue Technicians

This section of the Rules & Regulations remains under review. The current collective bargaining agreement contains the classification "Rescue Technician." However, the role of Rescue Technicians are being evaluated in order to determine who should receive the additional pay.

### 3.16.2 SCBA (Mask) Technicians

SCBA Technicians are responsible for performing the assigned duties of an SCBA Technician in addition to any position to which they are currently assigned. The SCBA Technician is responsible for performing skilled tasks in the servicing, repair, management, and maintenance of the Department's SCBA equipment. The SCBA Technician is responsible for performing administrative duties related to the Department's SCBA operations and all other duties as assigned. This is an appointed position, requiring the Chief's recommendation and the completion of initial / refresher training established by the manufacturer.

### 3.16.3 Shift Training Instructor

Shift Training Instructors are responsible for performing training and related administrative duties with the training division of the Department. Their focus on training will be identified by the Chief Officers of the Department, disseminated to the members, and shall provide the necessary training required by all governing agencies. Shift Training Instructors are responsible for documentation of training and assisting in maintaining records for other instructors and Chief Officers within the Department. Shift Training Instructors do not supervise other members of the Department. This is an appointed position, requiring the Chief's recommendation and the completion of a promotional process.

### 3.16.4 Shift Fire Investigator

At the discretion of the Fire Chief or the Chief's designees, shift Fire Investigators are responsible for a wide variety of administrative and technical tasks and functions in support of fire origin and cause investigation. This is an appointed position, requiring the Chief's recommendation and the completion of a promotional process.

## 3.17 Probationary Period

All newly-hired firefighters shall serve a three hundred sixty-five (365) day probationary period. However, members of the Department appointed to upper-level policy making positions may be excluded from probationary status at the discretion of the Chief and/or Mayor.

Any probationary period is an introductory period during which the firefighter has the opportunity to demonstrate, and the Department to assess, the firefighter's knowledge, skill, ability, and work performance. Termination may take place at any time during a newly-hired firefighter's initial probationary period.



## 4.0 Chain of Command

The Chain of command is as follows:

<b>Operations</b>	<b>Prevention</b>	<b>Administration</b>
Fire Chief	Fire Chief	Fire Chief
Deputy Chief	Deputy Chief	Deputy Chief
Battalion Chief of Operations	Fire Inspection Officer / Fire Prevention Officer	Battalion Chief of Training
Captain		Fire Secretary (reports directly to Fire Chief)
Chauffeur/Firefighter		

The Chain of Command SHALL be followed in order to maintain Departmental Directives and is not to be compromised, unless an emergency or highly unusual situation presents itself. The Fire Chief maintains an “Open Door” policy. However, prior to skipping command levels, a member must at a minimum notify the rest of the Chain to attempt to resolve their issue / concern. Acceptable reasons to skip the chain of command without notification of intermediate levels include but are not limited to: problems with direct supervisors significant enough the member fears the conflict cannot be properly handled at a lower level, safety issues that have not been properly dealt with through prior attempts at a lower level, or issues of a sensitive or personal nature that the member feels uncomfortable discussing with a direct supervisor.

## 5.0 Authority

Authority in the Department shall be exercised with firmness and impartiality to all of its members. Members who are directed by the Chief, or designees, to act in capacities above their current rank shall, for the necessary time, assume the authority of that rank.

## 6.0 Orders

Members of the Department shall obey and properly execute any lawful order, written or verbal, from any ranking officers. The term “lawful order” means a command or instruction given by the Chief, Deputy Chief, Battalion Chief, Captain, or Sergeant (when filling the role of Captain) of the Department, whether written or verbal, that does not violate law, statutes, or other guiding documents. Orders shall be clear and understandable, in language and inflection that is deemed civil, and shall be issued with the Department’s best interests in mind.

### 6.1 Contradictory Orders

Command and supervisory officers shall not intentionally issue an order that conflicts with any previous order or instruction, which is unjust, malicious, or tends to nullify any Departmental Rule or Regulation, Standing Order, General Order, or a command issued by a Chief or Superior Officer



within the Department. Any member receiving a contradictory order shall advise the person issuing the last order of this fact. Responsibility for correcting the conflicting order shall then rest with the member issuing the last order.

## 6.2 Unjust Orders

Members of the Department who are given orders they deem to be unjust shall first obey the orders to the best of their ability. They may later discuss the orders with their superior officer or submit a report in writing through the Chain of Command. An exception to this would be if an employee is ordered to perform a task in such a manner that performing the task would be in direct violation of a specific safety rule or regulation. In that circumstance, the employee has the right and responsibility to refuse to perform the task until the hazard has been evaluated and a determination of the hazard has been made.

## 6.3 Insubordination

Refusal of any member to obey a lawful order given by a superior officer shall be considered insubordination and shall subject the member to discipline by the Chief and/or Board.

## 7.0 Knowledge of Guiding Documents, Orders, and Bulletins

Members of the Department shall thoroughly familiarize themselves with the Rules and Regulations of the Department, orders, guidelines, bulletins, policies and procedures. They shall, upon return from any absence of any duration, familiarize themselves with all changes that may have taken place during such absence. Members of the Department shall read all orders, bulletins, policies and procedures whether written or electronic, paying particular attention to the items having a direct application to their job assignment or any changes in the Department's operational functions. The responsibility for current knowledge of all Rules and Regulations shall be with each member of the Department.

## 8.0 Reporting for Duty

### 8.1 Reporting on Time

Operational members of the Department shall report for duty and shall be in uniform in accordance with Departmental SOG's by 0700 hours. Administrative members are required to work eight (8) hours per day Monday through Friday. Unless caught abusing the privilege, administrative members are permitted to have a flexible schedule in accordance with the City of Bloomington Personnel Manual Section 7.06 (A). Generally, Administrative employees will report to work by 0900 hours. Any member of the Department that is late or absent will be immediately reported through the Chain of Command. Tardiness or absence will be subject to discipline as set forth in these Rules and Regulations.

### 8.2 Paid Time Off (PTO)

PTO is provided to each member per the Collective Bargaining Agreement or the City of Bloomington Personnel manual in effect at the time. Requests for use of PTO shall be in



accordance with Department SOG's, Standing / General Orders, and/or the City of Bloomington Personnel Manual. Similarly, cancellation of previously requested PTO shall be in accordance with Department SOG's, Standing / General Orders, and/or the City of Bloomington Personnel Manual.

### 8.3 Emergency Leave while On Duty

Occasionally emergencies may arise while a member of the Department is on duty. Any time a member of the Department needs to leave during a tour of duty, the request must be made to the station officer who will immediately forward the request to the Battalion Chief. Approval or denial will be on a case by case basis at the discretion of the Battalion Chief, provided said discretion is in accordance with the Family and Medical Leave Act. At no time will a member be permitted to use more benefit time than accrued unless it is deemed allowable by the Fire Chief in accordance with the City of Bloomington Personnel Manual.

### 8.4 Strikes & Work Actions

Strikes, work stoppages, slowdowns, picketing, interference with or departures from performance of duties as prescribed by the City, Board, or Chief are unlawful. No member of the Department shall engage in, encourage, sanction, or defend such activities. Any violation of this section shall result in disciplinary action, up to and including termination.

### 8.5 PTO Considerations for Transfers

In the event any member of the Department is reassigned to a different shift (or different station on the same shift) for any reason, any approved time off on the books (vacation days) prior to the move will be granted for the same period on the newly assigned shift. Operational members who are provided Kelly Days must select a new Kelly Day that is open on their new shift. If this "shift carry over" creates a staffing shortage by exceeding the maximum allowable members off on that shift, the new person's time off will be covered by call back unscheduled duty for off-duty members.

### 8.6 Relief Procedures

The proper procedure for relieving the previous day's shift shall take place so that members are on duty in accordance with [Section 8.1](#). The oncoming member shall immediately place their turnout gear on the apparatus to which they are assigned for the tour of duty. The oncoming member will gather the previous shift member's turnout gear and accountability device at their assigned position on the apparatus and hang it in the designated location. The oncoming member shall place their accountability device in the appropriate location and firmly attach the appropriate helmet shield designator on their helmet. If there are fewer members on the incoming shift than on the previous day, the oncoming shift is to remove all persons' gear from the apparatus from the previous day's shift once it has been determined that no member is staying over to cover for someone. It is the responsibility of the station officer being relieved to pass any information to the incoming station officer concerning response area, equipment, apparatus, repairs, problems, or any information that will or has had an impact on the Department's operations.



## 9.0 Training

Members are required to meet all training goals outlined by the Battalion Chief of Training. Failure to complete required hours or falsifying training records shall result in disciplinary action. At a minimum, members shall complete proficiency training as outlined in Departmental SOG's. Additional hours may be required for special circumstances, prescriptive corrections due to operational deficiencies, or to develop new capabilities deemed necessary.

### 9.1 Time off for Training

Approval or denial concerning requests for training are at the Chief's or the Chief's designees' discretion and will be based on factors that affect Department's operations. Factors that may affect approval or denial for requests for training include, but are not limited to: budget, staffing, travel, type of training, current and future job requirements, member's status (fit for duty, etc.), and member's active disciplinary record.

### 9.2 Travel, Lodging, Per-Diem for Training

Any time members of the Department travel during work, including travel for training, such travel shall be in accordance with the City of Bloomington Travel Policy then in effect.

## 10.0 Communications and Correspondence

### 10.1 Notices

Members of the Department shall neither deface nor defame any posted notice of the Department. Notices may consist of, but are not limited to: Rules and Regulations, policies, procedures, guidelines, and orders. Notices shall be placed on the appropriate station bulletin board or other areas approved by the Chief or their designees, and only on these areas.

### 10.2 False Reports

Members of the Department shall neither knowingly make false reports nor enter or cause to be entered written, electronic, or verbal information, that is inaccurate, false, or inappropriate, in whole or in part.

### 10.3 Correspondence

Members of the Department shall not utilize Department letterhead, official Department images (including the Department's insignia), or images of other Department property in personal or private correspondence. Members of the Department shall not use letterhead or affix the aforementioned images to personal or private correspondence without prior approval from the Chief. Furthermore, no member shall use "Fire-Everyone" distribution list unless the member has received prior approval from the Chief or Deputy Chief. The Union President and Vice President may use the "Fire-Everyone" for essential labor communications without prior approval from the Chief or Deputy Chief.



#### 10.4 Telephones / Cell Phones

Department telephones shall be answered promptly by stating the station number, rank of the member, and last name of the member answering the phone. Members of the Department shall answer all calls in accordance with normal courtesy, and conversations while on the telephone shall be the same. In the event a member of the Department is currently on the phone and an incoming call is being received, the member of the Department will promptly answer the incoming call. Battalion Chiefs or Acting Battalion Chiefs shall maintain the department issued cell phone. Members of the Department shall be aware of all Departmental policies, procedures, guidelines, and orders when conveying Department communications by phone outside the City.

#### 10.5 Residential Address / Personal Phone

Members of the Department are required to have their residential address and personal phone number on file with the Fire Administration Office, and any changes shall be reported to the Fire Secretary within 24 hours of the change.

#### 10.6 Radio Communications

Members of the Department operating any Department radio, either portable, mobile or fixed, shall strictly observe regulations for such operations as set forth in any Departmental orders, Manual of the Associated Public Safety Communications Officers, and by the Federal Communications Commission. Use of slang, profanity, obscenity, or derogatory remarks is prohibited over Departmental communications equipment.

#### 10.7 Transmission of Information

Members shall demonstrate professionalism especially when placed in a position that is authorized to transmit information to internal / external stakeholders. Unless given prior approval from the Fire Chief or designee to transmit information, members must report all information requests through the chain of command to ensure the request is handled appropriately.

##### 10.7.1 Press Relations

Accredited members of the media are entitled to relevant information concerning emergency incidents and origin and cause fire investigation. Members of the Department who are approached on an emergency scene by an accredited member of the media shall direct such person to the Incident Commander. Members of the Department shall not offer their opinion concerning emergency scenes or origin and cause fire investigation to any accredited member of the media without the approval of the Chief or their designees. Members of the Department must have approval from the Chief, or designees, before releasing the following to accredited members of the press: Rules and Regulations, policies, procedures, guidelines, orders, general business, or any other similar Department records.

##### 10.7.2 Confidential Information

Members of the Department shall treat Department operations as confidential and shall not reveal Department information without the approval of the Chief or their designees. No official record(s)



of the Department shall be removed, altered, destroyed or added to, except as directed by the Chief, their designees, or Federal, State, or local law.

#### 10.7.3 Recording and/or Photographing Emergency Scenes and/or Training Events

Members shall neither record nor photograph emergency scenes. However members, such as investigators or officers, may record and/or photograph emergency scenes when it is necessary to do so as part of their assigned job duties for the Department. When such recordings or photographs are created as part of a member's job duties, the photographs and recordings are property of the Department and may not be disseminated without the approval of the Chief or Deputy Chief. The Fire Prevention Officer is authorized to use photographs to promote the department or develop education material. All recordings and/or photographs must meet the guidelines established in Department SOG's prior to being released.

#### 10.7.4 Personnel Files

Official records are not allowed to be altered, placed in, or removed from a member's Department personnel file without notification of such actions to that member. Any time an official record is to be altered, placed in, or removed from a member's Department personnel file, the member shall be offered the opportunity to sign a document, whether in writing or electronic, verifying that the member is aware of such action. Routine documents such as certifications, awards, or Personnel Information Requests shall not require prior approval as they are understood to be a part of a member's Department personnel file.

#### 10.7.5 Reporting

It shall be the duty of the members of the Department to properly report any information they receive from any citizen regarding matters which indicate the need for Department action or the need to create a Department record. Members of the Department receiving written or electronic communication transmissions through the Chain of Command shall promptly forward such communications, along with a notation that it passed through their person. Only clerks, secretaries, or persons acting in a similar capacity may forward the communication without notation.

#### 10.7.6 Public Information

All information not prohibited through Departmental policies, procedures, guidelines, or orders shall be given to the persons requesting the same in a careful, courteous and accurate manner, avoiding all unnecessary conversation. In regards to Department records, a Request for Public Records form must be filled out by the person requesting the information, a copy of which is on file at the Fire Administration Office, and the proper procedure must be followed upon receiving the request.

#### 10.7.7 Information and Technology Policies and Procedures Manual

Members of the Department shall comply with the Information and Technology Policies and Procedures Manual, which outlines the City's policy on the purchase, use, and conduct of information and technology.





## 11.0 Complaints against Department Members

The City of Bloomington Fire Department will properly handle any and all complaints against a member in a manner that is consistent with all applicable City Policies, State statutes, and legal processes. The severity of the complaint may change how the complaint is handled to ensure the level of investigation needed is not compromised. At no time will an unauthorized member of the department initiate an investigation.

### 11.1 Immediate Actions

Members of the Department who receive any signed or verbal complaint against any Department member, named or unknown, from any source, citizen, or agency, shall take such complaint in its entirety in a courteous and efficient manner. The commanding officer shall take an immediate action through the Chain of Command as would be appropriate depending upon the nature of the complaint and any current Department provisions, including but not limited to: policies, procedures, guidelines, and orders.

### 11.2 Serious Complaints

If a complaint is of a serious or criminal nature, including but not limited to a member of the Department being under arrest or suspected or charged with a crime, any member of the Department with knowledge of the serious complaint shall immediately notify the Battalion Chief on duty who will then follow the Chain of Command.

### 11.3 Failure to Take Action

Failure to take proper action upon receiving a complaint shall be considered a cause for disciplinary action.

### 11.4 Investigation

After receiving a complaint, the Fire Chief shall confer with City Legal to establish the best course of action based on the nature and severity of the complaint. If the Fire Department was not the initiating agency of the complaint investigation, the Fire Chief shall report the findings to all involved parties upon the completion of the investigation.

#### 11.4.1 Complaint Investigations

Upon receipt of a complaint, the Chief or their designees shall investigate all aspects of the complaint. After investigation, if the complaint is found to be sustained, disciplinary action may be taken within the statutory limits of the Chief, or the matter may be forwarded to the Board.

#### 11.4.2 Garrity

When a member of the Department is interviewed as part of an internal Fire Department investigation and has been charged with a crime or may have committed a crime, the Department will provide a Garrity disclaimer when the Department is legally required to do so.



#### 11.4.3 Disposition

After investigation, one of the following dispositions shall be made by the Chief:

- Unfounded: The investigation indicates that the act or acts complained of did not occur or failed to involve a member of the Department.
- Exonerated: The act or acts reported did occur but were justified, lawful, and proper.
- Not Sustained: Investigation fails to discover sufficient evidence to clearly prove or disprove the allegations made in the complaint.
- Sustained: The investigation disclosed sufficient evidence to clearly prove the allegation made in the complaint.
- Not Involved: Investigation establishes that the individual named in the complaint was not involved in the alleged incident.

#### 11.5 Discipline

##### 11.5.1 Disciplinary Measures by the Chief

The Chief or their designees, without the concurrence of the Board, may enforce disciplinary action against any member of the Department. Said discipline may include a written or verbal reprimand, forfeiture of up to forty (40) hours of benefit time, or suspension with or without pay for a period up to forty (40) hours.

##### 11.5.2 Appeal of Chief's Discipline

The action of the Chief, or their designees, will be final unless the member accused of misconduct appeals to the Board within forty-eight (48) hours of the Chief's action. Any requests for appeal to the Board shall be in writing and shall be submitted to the City's Legal Department.

##### 11.5.3 Disciplinary Measures by the Board of Public Safety

As prescribed by Indiana Code § 36-8-3-4, upon receipt of written charges filed by the Chief or their designees, the Board may order any of the following disciplinary measures:

- Discharge and removal from the Department
- Reduction in rank
- Forfeiture of benefit time or suspension without pay
- Other measures as allowed by law or deemed appropriate by the Board

Such order by the Board shall be made in an open meeting, in accordance with Indiana Code § 5-14-1.5, et. seq.

##### 11.5.4 Forfeiture

When the Chief or Board select forfeiture of benefit time or suspension as a disciplinary measure, the chief or designee shall determine the dates of the suspension or use of benefit time.



#### 11.5.5 Criminal Charges, Violation of Rules, Hearings

Any time a member of the Department is arrested or charged with a crime, the member must immediately report such arrest or charge to the Fire Chief. For purposes of this section, a member who fails to report an arrest or criminal charge within twenty-four (24) hours of such arrest or criminal charge will automatically be considered to have failed to timely report their arrest or charge to the Fire Chief.

Furthermore, any time a member of the Department is indicted or criminally charged, the Chief or their designee shall promptly schedule a session to notify the Board. The Board shall determine whether it will place the charged member on administrative leave while the criminal case is pending in the trial court. The Chief may recommend that the Board place a member on administrative leave when the Chief believes the continued performance of duty by the member would threaten the safety of the community, prejudice the good order and discipline of the Department, or conflict with the interests of justice. If the Board places the charged member on such administrative leave, the Board shall determine whether the leave is with or without pay. The charged member has the right to appeal the Board's decision to place them on administrative leave. Such appeal shall be made in accordance with Indiana Code § 36-8-3-4, and any subsequent hearing before the Board shall be in accordance with Indiana law.

Upon disposition of the criminal charges in the trial court, the Board shall schedule a hearing to determine what disciplinary measures are appropriate. A plea of guilty or findings rendered in any court shall be conclusive as to the guilt of the member on that charge, and the Board shall discipline the member as it deems appropriate. If the member chooses to pursue an appeal following the disposition of their criminal case in trial court, the Board may nonetheless take disciplinary action while the member's appeal is pending. A finding of not guilty in a court of competent jurisdiction may be conclusive, and the hearing against the member may be terminated. However, the Board may consider all of the facts and circumstances surrounding the charge(s) and the member's conduct when determining whether the hearing should be terminated. The Board shall not be bound by the rules of evidence normally used in a court of law, but will be guided by the procedures used in administrative hearings.

#### 11.6 Summary of Actions Subject to Discipline

Any member of the Department who violates any of these Rules and Regulations shall be subject to discipline by the Chief, the Chief's designees, or the Board. Behavior subject to discipline includes, but is not limited to, the following:

- Neglect of duty
- A violation of Department Rules and Regulations / City Policies
- Neglect or disobedience of orders
- Incapacity
- Absence without leave
- Immoral conduct
- Conduct injurious to the public peace or welfare
- Conduct unbecoming an officer



- Harassment
- Gambling
- Any action listed in the City of Bloomington Personnel Manual Section 11.09
- Any action which, while not a violation of any rule, regulation, or policy, nonetheless alters Department efficiency, City operations, and/or damages the public interest so that discipline could reasonably be expected to result

## 12.0 Uniforms, Personal Protective Equipment, Property, and Equipment

All members shall represent the department in a professional manner which includes properly wearing the uniform, maintaining City owned property / equipment to include items that are personally issued to employees. No member of the Department shall mark, deface, damage, or vandalize any surface of any Departmental or non-Departmental buildings or property.

### 12.1 Wearing the Uniform

Members of the Department shall wear the official uniform, identified in the Uniform SOG, during any complete or partial tour of duty. The Chief or their designees shall direct employees regarding what Department clothing may be worn at particular times and for particular events. Members of the Department shall wear clothing in accordance with the Chief or the Chief's designees' directives. Civilian clothing will not be worn with any distinguishable part of the uniform while on duty. The following items may be worn off duty: Non-badge jacket, hat(s), fitness wear, navy blue T-shirt, navy blue sweatshirt and job shirt. However, off-duty members may not wear any jacket, clothing, hat, or other similar items which identify the Department while consuming alcohol. Official uniforms while on duty shall not be faded, defaced, torn, ripped, or not up to the standards of the Chief and the Department's directives.

During a period of suspension, or while under other designated disciplinary sanctions, members of the Department shall not wear the official Department uniform or any distinguishable part thereof.

### 12.2 Loss or Damage

Members of the Department are responsible for the proper care of Department property and equipment, whether such equipment is assigned to them or not assigned to them. Members of the Department shall immediately or as soon as practicable report to their superior officer in writing any loss or damage to Departmental property, whether such property is assigned to them or not assigned to them. The member's superior officer is to be notified of any defects or hazardous conditions existing in any equipment or property as soon as such defects or hazards are discovered. In the event that Department property is found bearing evidence of damage which has not been reported, it shall be considered evidence that the last member(s) using the property was responsible. Property which is damaged or lost due to a member's negligence may subject the responsible person to reimbursement charges and appropriate disciplinary action at the discretion of the Chief or their designees. Any reimbursement charges may be recouped from the responsible employee via payroll deduction or other reasonable means.



#### 12.2.1 Personal Protective Equipment (PPE)

Personal Protective Equipment (PPE) shall be maintained and used in accordance with Department SOG's. The Department shall purchase, maintain, and decide on appropriateness of all PPE as required by governing documents. For PPE issued to an individual employee, the employee shall be responsible for properly using, cleaning, and reporting any issues that arise. All issued items remain property of the City of Bloomington and shall be surrendered upon request. All issued PPE items will undergo a thorough annual inspection. Members are required to perform a routine inspection of their PPE prior to the start of every shift to ensure it is serviceable. No personally owned PPE shall be used while on duty without prior approval of the Fire Chief.

#### 12.2.2 Loss or Damage of Department Equipment – Generally Assigned Property

Generally Assigned Property is Department-owned property that is designed to be used by multiple members of the Department and is not assigned to one specific member. Generally Assigned Property that is damaged or lost due to a member's gross negligence will subject the responsible member to discipline. Gross negligence shall be determined in accordance with [Regulation 12.2.5](#). Said discipline shall typically be in the form of an unpaid suspension or forfeiture with said suspension or forfeiture designed to be equivalent to the cost of the damaged or lost property. Said cost shall typically be capped at the lesser of (1) the value of the property, (2) five-hundred dollars (\$500), or (3) five-percent (5%) of the insurance deductible paid by the City to replace or repair the Department Property.

However, the Department reserves the right to impose a more serious punishment where the severity or repeated nature of damage to or loss of Generally Assigned Property warrants a punishment more serious than the suspension or forfeiture directed above.

#### 12.2.3 Loss or Damage of Department Equipment – Personally Assigned Property

Personally Assigned Property is Department-owned property that is, generally, designed to be used by only one member of the Department and is, generally, assigned to one specific member. Examples of Personally Assigned Property include individually issued PPE and individually assigned radios. Personally Assigned Property that is damaged or lost due to a member's gross negligence will subject the responsible member to discipline. Gross negligence shall be determined in accordance with [Regulation 12.2.5](#). Said discipline shall typically be in the form of an unpaid suspension or forfeiture up to the replacement cost of the damaged or lost Personally Assigned Property.

However, the Department reserves the right to impose a more serious punishment where the severity or repeated nature of damage to or loss of Personally Assigned Property warrants a punishment more serious than the suspension or forfeiture directed above.

#### 12.2.4 Preventable Accidents – Disciplinary Measures

Members involved in preventable vehicular accidents shall be subject to discipline in accordance with the City of Bloomington Personnel Manual and the City of Bloomington Occupational Safety and Health Manual.



### 12.2.5 Gross Negligence

Gross negligence is defined as a lack of even slight diligence or care. Gross negligence involves a conscious, voluntary act or omission in reckless disregard of a duty and a disregard of the consequences.

Whether or not Department-owned property was lost or damaged due to gross negligence shall be determined by a review committee. Said committee shall be comprised of the Fire Chief, the Deputy Fire Chief, the City's Risk Manager, and two representatives selected from the firefighters' collective bargaining unit by the unit's executive board. The committee shall determine whether damage to or loss of Department-owned property was due to the gross negligence of a member. It shall take the affirmative vote of three (3) members of the committee to determine that Department-owned property was damaged or lost due to a member's gross negligence.

### 12.3 Care of Quarters and Apparatus

Care of quarters and apparatus shall adhere to Departmental SOG's. All members of the Department shall be responsible for the cleanliness of the stations, company quarters, and apparatus. The station officer has the ultimate responsibility for care of their station, company quarters, and apparatus.

### 12.4 Surrender of Department Property (Including PPE)

Upon separation from the Department, all members are required to promptly surrender all non-personal items such as radios, cell phones, SCBA masks and bag, City identification card, and similar items. When a member leaves the Department, any personal protective equipment assigned to the departing member may not be reissued to another member of the Department when such reissuance would violate any NFPA, Federal, State, or similar regulation. Failure by the departing member to return any City property shall render the member liable to the City for the fair market value of the unreturned items. The City may recover the fair market value of any unreturned items from the responsible employee via payroll deduction.

Additionally, when members are promoted, demoted, appointed, or removed from Department positions and are consequently no longer required and/or permitted to utilize certain Department or City property, members shall promptly surrender said Department or City property. The City may recover the fair market value of any unreturned items from the responsible employee via payroll deduction.

Any items required to be purchased with the employee's clothing allowance are considered personal items and may be taken by the employee upon separation from the Department.

## 13.0 Operation of Vehicles

Members of the Department shall not operate a Departmental vehicle unless they possess a valid operator's license. Members of the Department who have been disqualified from operating a Departmental vehicle by the City's insurance company are prohibited from operating any Departmental vehicle. Members of the Department are required to have a copy of a valid Indiana



driver's license on file with the Fire Administration Office. Any changes to the status of a member's driver's license shall immediately be reported to the Fire Secretary. Every member of the Department assigned to operate a Departmental vehicle shall be held accountable for the proper use and care of the vehicle. Standard equipment in vehicles shall not be changed, interchanged, altered, or removed from such vehicles unless the change is directed by the Chief or their designees.

### 13.1 Drivers of Apparatus

Members of the Department who operate any vehicle or apparatus in an emergency or non-emergency capacity are considered "Drivers." The word "Driver" includes but is not limited to: Engineer, Chauffeur, Sergeant, Rescue Technician, Fire Prevention Officer, Fire Inspection Officer, Battalion Chief, Deputy Chief, and Fire Chief.

### 13.2 Checkout of Vehicle

Drivers shall check out their respective vehicles or apparatus in accordance with departmental SOG's. Response apparatus shall be checked out every morning at the start of shift, after each emergency or non-emergency trip, after maintenance has been performed and any other time specified in the departmental SOG's.

After returning from an emergency or non-emergency response, Drivers shall check all tools and equipment on the vehicle or apparatus for accountability, damage, and proper function. If the Driver discovers a missing, damaged, or misplaced tool or piece of equipment, he/she shall notify their supervisor immediately. Any member of the Department assigned to an apparatus who discovers any malfunction, noncompliance, or problem with the apparatus, tools, or equipment shall notify the Driver immediately. Failure to immediately report missing, damaged, or inoperable equipment may result in discipline. In the event that Department property is found bearing evidence of damage which has not been reported, it shall be considered evidence that the last member(s) using the property was responsible.

### 13.3 Emergency Operation of Vehicle

When responding to an emergency or non-emergency, Drivers shall not operate their apparatus at a speed or in a manner that interferes with their complete control of the apparatus at all times. Special privileges granted to Drivers of Department vehicles on emergency calls do not relieve Drivers from the duty to drive with due regard for the safety of all persons, nor shall it protect them from the consequences of a reckless disregard for the safety of others (see Indiana Code § 9-21-17-20). Drivers of vehicles or apparatus who respond to emergencies shall operate under all Indiana Standards, Federal mandates, and Departmental SOG's.

When emergency lights are activated and the apparatus or vehicle is in motion to respond to a location, the siren shall be activated in accordance with law and departmental SOG's.



### 13.4 Vehicular Accidents Involving Department Vehicles

If a Department vehicle is involved in an accident, no matter how minor, the vehicle shall not be moved until a Chief Officer or police investigator has authorized the vehicle to be moved. Chief Officers shall photograph the accident and attach it to the internal accident investigation report. Every employee present at the time of the accident shall complete the appropriate forms. All accidents shall be investigated in accordance with Departmental SOG's and City Policies / Procedures. In the case of injury to any member of the Department or other involved parties, the ranking officer or Driver shall see that injured individuals are properly cared for and, if necessary, that an ambulance is called.

### 13.5 Post-Accident Testing

The testing protocols employed under this regulation shall be consistent with those outlined in the City of Bloomington Occupational Safety and Health Manual. Any time a member of the Department is involved in a vehicular accident that results (1) in a fatality or (2) in a moving violation issued to the member, the member shall submit to post-accident testing. The member shall be tested both for alcohol and for controlled substances. The alcohol test shall occur within two hours of the accident, and the controlled substances test shall occur within 32 hours of the accident.

### 13.6 Seat Belt Use

All members of the Department are required to wear seat belts any time they are aboard a moving Department vehicle or apparatus. It is the responsibility of each member to ensure he is securely belted in before a vehicle or apparatus is set in motion. If the ranking officer on an assigned apparatus is aware that a member is unbelted, the officer has the authority to immediately remove said member from the apparatus in order to avoid a delayed emergency response. Ranking officers shall report any incident where a member refused to wear a seat belt up the chain of command for disciplinary action.

## 14.0 Personnel Matters

### 14.1 Leave of Absence

Leaves of absence without pay may be granted to any member of the Department, irrespective of rank. The leave shall be from the position and rank the member holds at the time the leave is granted, and, on termination of the leave, the member shall be returned to the same rank held at the time leave was granted. Leaves shall be in accordance with the provisions of State and Federal Law.

All leaves of absence, except for military service, shall be for a period of not more than one (1) year with the privilege of requesting a new leave at the expiration of the first. Leaves of absence shall be granted by the Chief, or their designees, with the written approval of the Board. Any member of the Department on leave of absence who accepts a position other than that for which





leave is granted without the written approval of the Chief and the Board shall be deemed to have resigned.

#### 14.2 Transfers

Any member of the Department may apply for a transfer by forwarding the transfer request in writing through the Chain of Command. The written request will receive due consideration. However, the best interests of the Department shall always be paramount and may not always permit the transfer assignment.

#### 14.3 Resignations

Any member of the Department wishing to resign from the Department shall forward a written resignation to the Chief or their designees at least two weeks prior to the date of resignation. Failure to follow this procedure, unusual circumstances excepted, will render the member disqualified to obtain credit for vacation or time due.

#### 14.4 Emergency Service

Whenever an emergency condition exists or is forecasted, as determined by the Chief or their designees, regular tours of duty, as outlined in the Collective Bargaining Agreement, may be extended and days off, vacation, or leaves of absence of any or all Department member(s) may be cancelled. Time due for overtime worked shall be paid in accordance with the Fair Labor Standards Act.

#### 14.5 Physical and Mental Condition

Members of the Department shall remain in good physical and mental condition to perform all requirements of their position in the Department. The Chief or their designees, including the health care provider that the Department has contracted with for annual physicals, may require any member to consult a physician, psychiatrist, or clinic, in accordance with Indiana law and the Collective Bargaining Agreement in effect at the time.

#### 14.6 Sick Leave

Members of the Department shall report sick or injured only when they are suffering from a condition which would prevent them from properly performing their assigned duties. Such report shall be made in accordance with the provisions of the Collective Bargaining Agreement and Departmental SOG's in effect at that time. Failure to report or comply with requirements regarding a statement from a doctor may result in discipline or loss of pay.

If, during a shift, an officer observes a member exhibiting symptoms indicating that the member is suffering from a condition that would prevent them from properly performing their assigned duties or that would threaten the well-being of other members of the Department, the officer, with the approval of the Battalion Chief, may order the member to leave their shift.

Members do not have to provide a doctor's note for individual occurrences unless placed on a sick contract. However, a return to work note is required for any major illness/injury. If a member



attempts to return to work on a weekend or holiday, they shall provide their physician's determination and return to work note to the on-duty Battalion Chief. If any questions pertaining to the fitness for duty exist, the Deputy Chief shall be contacted. The member may be required, at the Department's expense, to be approved for full duty by the Medical Provider responsible for annual physicals. The intent of this return to duty process is to ensure a member is fully capable to perform job related tasks without further injury or illness.

#### 14.7 Sick Contract

Fire Administration shall track sick occurrences of every member. Members who have a fourth occurrence within a rotating calendar year shall be placed on sick leave contract for a period of three-hundred sixty five (365) days. Regardless of whether or not a member has fewer than four (4) sick occurrences during the preceding twelve (12) months, a firefighter suspected of abusing sick leave may also be placed on a sick leave contract. Reasons for suspected abuse may include, but are not limited to, being denied a vacation day and then marking off sick that day, patterns of marking off on particular days of the week, or use of sick leave before or after a vacation day or Kelly day.

Approved FMLA absences shall not count towards sick occurrences. Each shift or partial shift off on sick leave shall count as an occurrence unless the illness/injury is due to an approved FMLA event.

In addition to the standard obligation to report orally to their officer and battalion chief, a firefighter who is on sick leave contract and is seeking to use additional sick leave must:

- Directly contact Fire Administration by telephone between 0800 and 0900 hours on the date they intend to use sick leave;
- Attend a medical appointment with their personal physician prior to returning to duty;
- Have a copy of the physician's medical determination and return to work note hand delivered to fire administration prior to returning to duty.

Should a member on sick leave contract seek to use additional sick leave on a day or during hours when the non-emergency portions of the City are unopen, the member must call Fire Administration and leave a message.

Copies of sick leave contracts shall be kept exclusively in a firefighter's personnel file in the Human Resources Department unless and until the firefighter is subject to discipline associated with the sick leave contract. It is expressly understood that a firefighter's placement on sick leave contract is not a punitive measure and is not discipline. However, a firefighter, whether under sick leave contract or not, who violates this regulation shall be subject to discipline.

#### 14.8 Additional Compensation / Gifts

Members of the Department shall neither seek nor accept money or other compensation in the line of duty without first notifying the Chief or designees through the Chain of Command in writing of



such money or compensation. The Chief must issue their written approval before the member may accept additional money or compensation.

#### 14.9 Civil Action

Members of the Department served with notices that they are being sued as a result of actions performed in the line of duty shall immediately report such actions through the Chain of Command, ending with the Chief or their designees. Members served with a subpoena, whether such subpoena is part of litigation involving the City as a first party or third party, shall also immediately report receipt of the subpoena through the chain of command.

#### 14.10 Secondary Employment

All members who are engaged in secondary employment shall comply with City of Bloomington Personnel Manual Section 13.08(B)(7). This includes submitting a "Secondary Employment Notification and Approval Form" to the Fire Administration Office. A member's secondary employment shall not pose a conflict with a member's primary job assignments with the Department and shall not cause an embarrassment to or be a detraction from the reputation of the Department.

- Any secondary employment must be scheduled in a manner that does not conflict or interfere with the member's performance of duty with the Department.
- Any member absent due to illness or injury may not work at their secondary employment for twenty-four (24) hours after the start of what would have been their normal tour of duty/workday with the Department.
- Members engaged in any secondary employment are subject to call-out by the Department in case of an emergency and may be expected to leave the secondary employment in such situations.
- Members will not perform duties for compensation for any person or firm or by way of self-employment during scheduled duty hours with the Department.

#### 14.11 Military Leave

Military leave will be granted in accordance with all applicable and Federal Laws.

#### 14.12 Family Medical Leave Act (FMLA)

Members shall complete and submit all necessary FMLA paperwork when they require FMLA-qualifying leave for themselves or have a member of their family (as defined by the FMLA) require FMLA-qualifying leave. If a member fails to complete and submit all necessary FMLA paperwork, the member may be placed on involuntary FMLA leave.

### 15.0 Personal Conduct

All members shall conduct themselves in accordance with our departmental core values: Respect Integrity, Service, and Excellence. Failure to align with these core values may be interpreted as conduct unbecoming and may be subject to discipline.



### 15.1 Common Courtesy and Respect for Others

All members of the Department shall strive to gain public support and acquire citizen cooperation with the Department's programs in order to facilitate the accomplishment of the Department's mission. To that end, members of the Department shall show common courtesy and respect to other members of the Department and the public. All members of the Department shall be courteous and efficient in their encounters with the public, and shall further maintain an impartial attitude toward all persons coming to the attention of the Department, regardless of an individual's race, sex, color, ancestry, national origin, religion, disability, age, marital status, sexual orientation, gender identity, number of dependents, or any other legally protected classification.

### 15.2 Loyalty

Loyalty to the Department and the City of Bloomington is an important factor in Departmental morale and efficiency. Therefore all members of the Department shall maintain a loyalty to the Department and the City which is consistent with the law and personal ethics.

### 15.3 Intoxicants

All members of the Department are prohibited from consuming or possessing intoxicants or other illegal substances while on duty. Members of the Department shall not report for duty while impaired in any way from intoxicants. If an officer has a reasonable suspicion that any members of the Department is impaired or under the influence of an intoxicant, the officer shall notify, through the Chain of Command, the Battalion Chief who will then notify the Chief or their designees. Disciplinary action may follow through the power of the Chief or the Board.

No member shall report for duty while under the influence of any drugs or narcotics, even if legally prescribed to the member, which may impair the member's ability to perform their required duties.

### 15.4 Firearms

Employees are prohibited from possessing firearms inside fire stations and fire apparatus at all times.

### 15.5 Tobacco Products Policy

In the interest of employee health, the City of Bloomington is working towards becoming a tobacco free department. Until such time as the department SOG's mandate the department to be tobacco free and in accordance with current City of Bloomington policy, smoking tobacco products is only permitted in designated areas outside the fire stations. At no time is smoking permitted in open doorways or open windows fire stations, outside of designated smoking areas, or in department apparatus. Smoking materials, such as cigarette butts, are to be disposed of properly in appropriate receptacles. Discarding smoking materials in the yards, landscaping, on the apparatus bay floors, or apparatus aprons is strictly forbidden. This policy shall include smokeless (chew, dip, etc) and vaporization forms of tobacco or other flavored chemicals (vaping).



### 15.6 Duty to Respond

It is the responsibility and sworn duty of every member of the Department to protect the community when called upon to respond to an emergency or non-emergency call. It is not acceptable at any time to miss a call for service whether emergency or non-emergency in nature. Failure to respond to a call of service, unless prior arrangements have been made with an officer, will be treated as a breach of duty and disciplinary action, whether by the Chief or the Board, will be taken.

### 16.0 Public Statements

As public servants, members must be aware that their statements may be construed as the official opinion of the Department and/or City. While the Department acknowledges its members' constitutional right to express their opinions on matters of public concern, members may only do so as private citizens. The Department does not endorse private statements made by members of the Department on social media or other platforms, and such statements shall not be endorsed by or held out as the Department's official opinion.

#### 16.1 Commercial Testimonials

No member of the Department shall permit their name or photographs reflecting their position or employment with the Department to be used in any endorsement, product, or service without prior approval from the Chief or the Chief's designees.

#### 16.2 Public Appearance Requests

Requests for any member of the Department to represent the Department for public appearances, speeches, demonstrations, or similar events shall be routed through the Chain of Command for approval or denial. Such requests shall be subject to approval or denial by the Chief or the Chief's designees. Any member of the Department who is directly approached with a request covering any of the above-described events shall suggest the requesting entity submit the request to the member's supervisor



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ANY QUESTIONS?