

Chapter 2 Department Policies

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Revised 07/12/16

Department Policy

To: All Department Personnel
From: Chief St. Michel
CC: Deputy Lane, Deputy Dimock, Administrative Assistant White
Date: 7/3/2017
Re: Discipline

This policy shall take effect May 1, 2005.

Officers shall address problems with members in an appropriate and professional manner. Officers shall submit written documentation of policy infractions in a timely fashion.

Disciplinary actions are occasionally needed, situations need to be reviewed as quickly as possible and decisions rendered expeditiously, fairly, and uniformly. The Chief shall be responsible to review situations and choose the appropriate course of action. Based on the seriousness of the situation any one or all of the initial actions may be skipped.

First Offense – A disciplinary letter.

Second Offense – A three-month suspension from emergency responses.

Third Offense - Dismissal

Department Policy

To: All Department Personnel
From: Chief St. Michel
CC: Deputy Lane, Deputy Dimock, Administrative Assistant White
Date: 7/3/2017
Re: Personnel Interaction

This policy shall take effect April 4, 2003. Cooperation of all personnel is essential to the efficiency, safety, and professionalism of Durham Fire & Rescue. All personnel are expected to maintain a good working relationship with others. Personnel, who fail to keep personal differences outside department activities, or allow them to become department problems, shall be subject to disciplinary action. Based on the seriousness of the situation any one or all of the initial actions may be skipped.

First Offense – A disciplinary letter.

Second Offense – A three-month suspension from emergency responses.

Third Offense - Dismissal

Department Policy

To: All Department personnel, and People accessing the station
From: Chief St. Michel
CC: Deputy Lane, Deputy Dimock, Administrative Assistant White
Date: 7/3/2017
Re: Smoking

Effective January 1, 2003 smoking shall no longer be allowed in Durham Fire & Rescue Station. Smoking is permissible anywhere on the grounds outside. However, the official smoking area when at the station shall be the side entrance.

All previous policies on smoking shall also remain in effect:

No smoking on the apparatus.

No smoking at trainings or emergency situations in areas where other personnel are required to be or the public is present.

Department Policy

To: All Department Personnel
From: Chief St. Michel
CC: Deputy Lane, Deputy Dimock, Administrative Assistant White
Date: 7/3/2017
Re: Vehicle Responses

This policy shall take effect February 27, 2003. Any Department Personnel reported to have been operating a vehicle in violation of traffic laws or driving irresponsibly while responding to an emergency or the station, shall be subject to disciplinary action, pending substantiation of the charges. Based on the seriousness of the charges any one or all of the initial actions may be skipped.

First Offense – A disciplinary letter.

Second Offense – A three month suspension from emergency responses.

Third Offense - Dismissal

Dispatch Transport Policy

To: Durham Fire Alarm
From: Chief St. Michel
CC: Durham Dispatch, Fire & Rescue Officers
Date: 7/3/2017
Re: Transport Policy

Effective Date: 8/14/2004

Coverage assignment shall be in the evenings from 1900 until 0400, and weekend days will be from 0400 until 1900.

The driver will notify you of starting and ending mileage, destination, and when they are available for a call. In the event of simultaneous calls or if Rescue 25 has not become available Durham First Responders, Engine 21 and the closest transport service should be contacted. In the event of simultaneous calls or when multiple units are needed Incident Command will make the decision how to handle the request.

Requests for ALS should first be a local tone, if unsuccessful destination and direction of travel should be determined by Incident Command and requested from the appropriate service based on those items.

DURHAM FIRE & RESCUE DRUG BOX POLICY

- It is the responsibility of all EMS licensed rescue members to ensure the continuity and integrity of the medications assigned to Rescue 25.
- The medications carried in the drug boxes of the Durham Fire & Rescue are in accordance with Maine Emergency Medical Rules and Regulations, current edition, and with approval by the local medical control authority of the regions. Agreements with Southern Maine Regional Medical Control and MidCoast Pharmacy have been made so that MidCoast Pharmacy is Durham's Southern Regional designated pharmacy. Agreements with Tri-County EMS Regional Medical Control and CMMC Pharmacy have been made so that CMMC Pharmacy will be Durham's designated Tri-County Regional pharmacy.
- Storage and accountability will be in accordance with MEMS rules and hospital requirements. Any discrepancies will be reported to the EMS Deputy Chief verbally and in writing as soon as possible.
- Re-supplying both controlled substances and out-of-drug box medications will be conducted in accordance with the exchanging hospital's policies.
- Exchanging orange drug boxes will be conducted in accordance with the exchanging hospital's policies.
- A drug box log will be maintained aboard Rescue 25 indicating the following:
 - Date/time
 - Usage/replacement/disposal of drugs including MEMS patient run# and hospital
 - Weekly inventory/expiration dates
 - Serial Numbers (old/new)
 - Legible signature of person making the log entry with EMS license number.

Med Vault and Med Safe Access

- Durham's controlled substances will be stored in the Med Vault and Med Safe.
- Only Durham Paramedics will have direct access to the Med Vault and Med Safe
- Approved Durham EMS licensed providers (EMT's and AEMT'S) will be given a 4 digit access code to the Knox box located on Rescue 25. The Knox box key will open the Med Vault. *(The Med Vault will contain the keys to the Med Safe.)* A 4 digit access code to the Med Vault can also be obtained by calling Durham's dispatch center and requesting the code after the intercepting paramedic is on board.
 - ***Controlled substances located in the Med Vault and Med Safe are only to be accessed in the event an intercepting paramedic from another service requires access to Durham's narcotics.***

Controlled Substances

- Controlled substances on Rescue 25 will be inspected by the Durham EMS Deputy Chief or assigned paramedic for seal integrity, expiration dates and log the seal # and expiration dates in a log book on a weekly basis.
- Controlled substances will be stored in a select pouch (MCH) and a black case (CMMC/St Mary's) with a numbered seal and logged accordingly into the log book. The pouch is then placed inside the locked Med Vault and the black box is placed inside the locked Med Safe in the cabinet on Rescue 25.
- If a controlled substance is due to expire within 7 days from inspection, the controlled substance is to be swapped out at the appropriate hospital. ***This must be done by a paramedic.***
- If a controlled substance is used on a call, the controlled substance is to be replaced at the appropriate hospital.

This must be done by the paramedic. The paramedic is responsible for resealing the controlled substances and updating the log book with the new information.

Orange Drug Boxes

- All members can inspect the orange drug boxes for seal integrity. The Durham EMS Deputy Chief or an assigned member will log the seal # and expiration of both drug boxes in a log book on a weekly basis.
- If the solid orange drug box is due to expire in 7 days of inspection, it is to be swapped out at MidCoast Hospital in Brunswick or Maine Medical Center in Portland. The EMS licensed provider (EMT or higher) who swaps out the box is responsible for updating the log book with the new information.
- If the white and orange drug box is due to expire in 7 days of inspection, it is to be swapped out at CMMC or St Mary's in Lewiston. The EMS licensed provider (paramedics only) who swaps out the box is responsible for updating the log book with the new information.
- If a drug box is used on a call, the drug box is to be replaced at the appropriate hospital. This must be done by the appropriate licensed provider according to the hospital's policies. The licensed provider who exchanges the drug box is responsible for updating the log book with the new information.
- The orange drug boxes provided by the hospitals with the pharmacy seal intact will be stored on a designated shelf in Rescue 25.

Out-Of-Drug (OOD) Box

- The OOD medications will be stored in a blue canvas bag on a designated shelf in Rescue 25. The OOD medications

can be used by EMTs, Advanced EMT's or Paramedics as indicated by Maine EMS Protocols. The same OOD medications can be found in the orange drug boxes.

- If an OOD medication is used on a call, the OOD is to be replaced at the appropriate hospital (CMMC and St Mary's only). This must be done by the appropriate licensed provider according to the hospital's policies. The licensed provider who replaces the OOD is responsible for updating the log book with the new information. *(OOD Drugs used when transporting to other hospitals, are to be replaced by the EMS Deputy Chief.)*
- Expiring or expired OOD medications will be replaced by the EMS Deputy Chief.

10/10/16

Department Policy

To: All Department Personnel
From: Chief St. Michel
CC: Deputy Lane, Deputy Dimock, Administrative Assistant Hatch
Date: 7/3/2017
Re: Cell Phone Use

Effective December 2, 2008 personal or department cell phones shall not be used when operating a Durham Fire & Rescue Vehicle; when involved in operations on an emergency scene or transport; or during meetings and trainings.

Exceptions:

When involved in operations on an emergency scene or transport cell phones may be used for operational purposes; however at the discretion of the Incident Commander

During meetings and trainings phones should be on vibrate and use should not interfere with the event.

Department Policy

To: Durham Fire Alarm
From: Chief St. Michel
CC: Durham Dispatch, Fire & Rescue Officers
Date: 7/3/2017
Re: Personal Appearance

Effective Date: 3/15/2016

Personal Appearance

Maintaining a professional public image is essential to our organization as the public judges a fire protection organization by the appearance of its members. The length of the hair and facial hair should not interfere with personal or operational safety. It is essential that we comply with the following rules to support a sense of pride held by the members of our organization

All members shall maintain a clean and neat appearance at all times. This includes personal hygiene such as being groomed, clean-shaven and having a clean well maintained uniform. In compliance with current NFPA and OSHA standards, beards or facial hair that interferes with the sealing surface of respiratory device shall be prohibited for members that are required to use respiratory protection equipment. All Supervisors have an obligation to enforce the policy anytime he/she feels that safety is an issue or that a neat, professional appearance is not being presented.

Hair/Body Art

Hair shall be well groomed and neat in appearance. Hair styles, hair colors or tattoos that distract from the appearance of the uniform shall not be acceptable. Fingernails must be neatly trimmed, clean and a conservative colored fingernail polish may be used. Makeup must be conservative and not draw undue attention to the member.

Jewelry

Jewelry, bracelets or necklaces that are considered a safety hazard or distract from the appearance of the uniform shall not be worn. Necklaces shall not be worn exposed. Post style earrings may be worn in the ears. Sunglasses should be of a contemporary style, modest in color and not detract from the uniform.

Durham Fire & Rescue Emergency Vehicle Operation Requirements

Purpose. To reduce deaths, accidents, injuries and loss of equipment due to apparatus related driving incidents.

Scope. This standard operating guideline clarifies the minimum training requirements for Durham Fire & Rescue personnel who operate apparatus pursuant to Title 26 Ch. 28 2102 1E (training and education for all fire fighters commensurate with the duties they are expected to perform)

Background:

Durham Fire & Rescue Emergency Vehicle Operation Requirements for all apparatus drivers

- 1) All apparatus drivers must possess a valid driver's license
- 2) Durham Fire & Rescue requirements includes
 - Driver selection
 - Drivers must be selected by Fire Chief or Fire/EMS Deputy Chief
 - Driver must be 21 years of age
 - Driver must have received a copy of and thoroughly understand all driving SOG's
 - Driver will be required to have general knowledge of equipment and its operation
 - Annual review of all operators' motor vehicle driving history by the Chief
 - Chief will run a driver license through INFORME
 - Emergency Vehicle response
 - Driver shall read and conform to existing response guideline
 - Use of seatbelts
 - Driver shall ensure the use of seatbelts for drivers and passengers in conformity to Title 29-A
 - Backing apparatus
 - Drivers should avoid backing apparatus when possible. When backing is necessary the use of a spotter will be required within the view of the driver.
 - Vehicle maintenance
 - A monthly vehicle inspection will be accomplished by the assigned company including minor problems corrected.

Periodic maintenance or major repairs will be accomplished by a professional facility.

- 3) Each emergency apparatus must have a proper State of Maine motor vehicle inspection
- 4) Training must consist of:
 - A review of all applicable Maine Title 29-A motor vehicle laws
 - All apparatus drivers must complete an Emergency Vehicle Operations Course (EVOC), or attend Commercial Driver License (CDL) training or other training that meets National Fire Protection Association (NFPA) 1002 training for drivers. For the Rescue only (AVOC) Ambulance Vehicle Operators Course will be acceptable.
 - Operators must have a general knowledge of the specific vehicle(s), equipment and its proper operation
 - Drivers' skills must be evaluated on each vehicle they will drive using a skills evaluation form specific to each apparatus.
- 5) All apparatus drivers must be approved by the Chief
- 6) Individual driver training records must be maintained for duration of employment plus six years.
- 7) All Drivers skills must be assessed every 3 years, documented and kept on file.

Town of Durham

II. EQUAL EMPLOYMENT POLICIES

Equal Employment Issues

The Town is committed to providing equal opportunity in employment to all employees and applicants for employment. No employee or applicant shall be discriminated against on the basis of race, religion, color, sex, age, national origin, veteran status, disability, sexual orientation, whistleblowing, or any other characteristic protected by law. Any employee who believes he or she has been the victim of employment discrimination based on any of these factors should report the matter immediately to their supervisor or Durham Fire Chief or, if uncomfortable or inappropriate for any reason, to the Administrative Assistant to the Board or Chair of the Board.

Employees with questions or concerns about any type of discrimination in the workplace are encouraged to bring these issues to the attention of their immediate supervisor, the Durham Fire Chief, the Administrative Assistant to the Board, or Chair of the Board. Employees can raise concerns and make reports without fear of retaliation. Anyone found to be engaging in any type of discrimination may be subject to disciplinary action, up to and including termination.

The Town prohibits a variety of behaviors in the workplace whether or not those behaviors are illegal. Consequently, the fact that certain behaviors are discouraged or prohibited at the Town does not necessarily mean that those behaviors are illegal. The Town wants its personnel to treat each other well, whether the law requires it or not.

A. Policy Statement

The Town is proud of its tradition of maintaining a work environment that encourages respect for the dignity of each individual. Harassment based on race, religion, color, sex, age, national origin, veteran status, disability, sexual orientation, whistleblowing, or any other characteristic protected by law by anyone, whether in a Town building, in work assignments outside the office, at Town-sponsored social functions or in any employment related context, or retaliation against anyone who complains about harassment, will not be tolerated whether or not it is illegal.

While in some cases individuals may make comments or jokes or personal advances without intending harm, such actions can be unwanted, threatening, and perceived as harassment. Stopping harassment in its many forms requires an increased awareness by everyone at the Town of the impact that such actions may have on others.

B. Definition Of Harassment

Harassment on the basis of sex is a violation of Section 4572 of the Maine Human Rights Act. Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature or targeted at someone because of his or her gender constitute sexual harassment when:

1. submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;
2. submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or
3. such conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

Prohibited harassment can also include harassment based on race, religion, color, age, national origin, disability, whistleblowing, or sexual orientation. A hostile environment can be comprised of various types of conduct. The fact that a situation may feel "hostile" does not mean that it is illegal. Examples of what the Town would like to be told about so that it can respond to whatever the problem may be include offensive jokes, slurs, epithets or name calling, physical assaults or threats, intimidation, ridicule or mockery, insults or put-downs, offensive objects or pictures, and interference with work performance. The bottom line is that harassment is not permitted at the Town whether it is illegal or not. It is also not permitted by Town employees towards members of the public.

The following is a partial list of unwelcome behavior that may be considered sexual harassment:

- Unwelcome sexual jokes, language, epithets, advances, or propositions;
- Written or oral abuse of a sexual nature, or sexually degrading or vulgar words to describe an individual;
- The display of sexually suggestive objects, pictures, posters, or cartoons;
- Unwelcome comments about an individual's body, sexual prowess, or sexual deficiencies;
- Asking questions about sexual conduct;
- Harassment consistently targeted at only one sex, even if the content of the verbal abuse is not sexual;
- Unwelcome touching, leering, whistling, brushing against the body, or suggestive, insulting, or obscene comments or gestures;

- Demanding sexual favors in exchange for favorable reviews, assignments, promotions, continued employment or promises of the same.

Similar conduct based on bias against a protected characteristic other than gender is illustrated by the above examples as well. For example, unwelcome comments about a person's disability or obscene comments targeted at a particular race might be considered disability harassment or racial harassment. The bottom line is for everyone at the Town to think about whether statements and conduct, in addition to being truthful, are also necessary and kind.

C. Individuals Covered Under The Policy

This harassment policy covers all employees, including elected officials and positions required by statute. When individuals are subject to harassment from third parties (*e.g.*, potential and former employees, outside contractors, vendors, members of the public), the Town will take whatever appropriate steps that it can to eliminate the problem.

D. Procedures in Response to Harassment

It is the goal of this policy and its procedures to create an environment in which people who have experienced harassment or who have concerns about harassment issues feel free to discuss those situations or concerns with someone in a position to do something about them, secure in the knowledge that they will be listened to and treated with respect. All information will be handled with the highest degree of confidentiality possible under the circumstances and with due regard for the rights and wishes of all parties, recognizing that there are circumstances where complete confidentiality may not be possible.

Option 1: Mediation

An individual who wants help in handling a harassment problem can contact one of the Town's harassment mediators. They are the Administrative Assistant and Rebecca Webber, Esq. The individual will have a private meeting with that mediator, at which time he or she can discuss the situation. Mediation can take a variety of forms. For example, the individual may wish to have the mediator join him or her in a meeting with the alleged offender. Alternatively, the individual may wish that the mediator act as an intermediary in dealing with the alleged offender without the individual present. In said instances, the form of mediation used shall be selected by the mediator, with due consideration given to the wishes of the individual involved. If the complainant is dissatisfied with the result of the mediation, he or she may file a complaint under Option 2.

Option 2: Complaints

1. Investigation

In those instances where an individual decides that he or she wishes the Town to take action, the individual, or a mediator acting on behalf of the individual, should notify the Administrative Assistant or, in the absence of the Administrative Assistant, the Chairman of the Board. The person contacted will determine whether there is sufficient reason to undertake an investigation.

If that person determines that an investigation is warranted, a harassment investigator shall then be appointed, who may be a man or a woman and may be a person inside or outside the Town. The investigator will meet with and make a record of the individual's statement of events. Specifically, the investigator will request information which may include the following: a description of the incident(s), the name of the alleged offender, times, locations, specific words/actions, and the name of any witnesses to the incident(s). The investigator's notes will be for the investigator's own use during the investigation. An individual making a complaint may bring a friend or colleague from within the Town to the meeting, but may not be represented by counsel.

The harassment investigator will meet privately with the alleged offender. The alleged offender will be informed of the allegations and will have the opportunity to respond to them, including by submitting a written statement. The alleged offender may also submit the names of witnesses. The alleged offender may bring a friend or colleague from within the Town to the meeting, but may not be represented by counsel. Each party will have an opportunity to respond to the other party's statement of events. Witnesses will be interviewed at the discretion of the investigator.

Any witnesses that the investigator decides should be contacted will be interviewed privately. Neither the individual making the complaint nor the alleged offender will be present at witness interviews.

Upon completion of the investigation, the harassment investigator will report the findings to the person who made the appointment, who will review the findings with the Administrative Assistant. This review may result in a plan of action being formulated or, if necessary, the matter may be referred back to the investigator for further investigation and/or fact-finding. When the findings as originally reported or as amended are accepted by the partners, the person making the complaint and the alleged offender will be notified of the action to be taken.

2. Confidentiality

All actions taken to investigate and resolve complaints through this procedure shall be conducted with as much confidentiality as possible without compromising the thoroughness of the investigation or the rights of the alleged offender. The harassment investigators will not discuss the complaint or the investigation with anyone who is not directly involved in the investigation.

3. Resolving the Complaint

The Administrative Assistant or Chairman of the Board shall take appropriate action to resolve the complaint. If the findings reveal that an individual has engaged in actions or conduct constituting harassment, appropriate disciplinary action shall be taken. The disciplinary action will depend on the seriousness of the violation.

E. Protection Against Retaliation

Retaliation is a serious violation of this policy and should be reported immediately to the employee's supervisor or the Chair of the Board. Retaliation against an individual for reporting harassment, whether by the harasser or from another source, will not be tolerated and will be treated with the same strict discipline as harassment itself. Each offense will be investigated and sanctioned separately.

Individuals who are not themselves complainants, but who assist in a harassment investigation, will also be protected from retaliation under the policy.

Pursuant to 5 M.R.S.A. § 4553(10)(D), it is illegal to punish or penalize, or attempt to punish or penalize, any person for seeking to exercise any of the civil rights set out in the Maine Human Rights Act or for complaining of a violation of that Act or for testifying in a proceeding brought under that Act.

F. Maine Human Rights Commission

Employees who have been harassed have a right to file a claim with the Maine Human Rights Commission. Although employees may also file a complaint with a court, by-passing the Commission may limit the remedies available. The Commission will conduct an investigation to determine if harassment occurred. An employee may initiate the complaint process with the Commission by calling (207) 624-6290 or by writing to:

**The Maine Human Rights Commission
State House Station 51
Augusta, ME 04333-0051**