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|  | TRAVIS COUNTY ESD #5<br>MANCHACA FIRE RESCUE<br>Department Memorandum | <b>M2023-001</b>    |
|   |   | Effective: 4/6/2023 |
|   |   | Expires: NA         |
|   | <b>Notice of Disciplinary Actions</b>                                 | From: C Barron      |

On various dates the following actions/violations occurred:

- A Firefighter made a comment alluding to a serious harmful threat to another firefighter. Verbal threats to any person while on duty are a serious policy violation. The firefighter was also not able to complete the Physical Agility Test in the timeframe and extensions given in the 11-2-2022 memo. Given these two violations, the firefighter was released from duty.
  - Personnel handbook (v. 9/2022) 1.2.12 - Harassment - "The district intends to provide a work environment that is pleasant, healthful, comfortable, and free from intimidation, hostility, or other offenses that might interfere with work performance. Harassment of any sort - verbal, physical, or visual - will not be tolerated."
  - Standards of Conduct
    - 2.2 - Whether in uniform or not, members shall conduct themselves in a manner that will bring credit to themselves and the district.
    - 2.11 Members of the district shall not criticize or ridicule the district, its policies, its officers or other members by speech, writing, or other expression, when such speech, writing, or expression:
      - a. Is defamatory, obscene, slanderous, or unlawful; and/or b. Tends to interfere with the maintenance of proper discipline; and/or c. Damages or impairs the reputation and/or efficiency of the District or member
    - 2.21 Members shall not threaten or fight with any person while on duty or on district property
    - 2.25 Members shall be courteous with their relationships to the public and each other, and shall avoid harsh, violent, profane and insulting language and manners.
    - 2.1.1 Suspension/Dismissal Actions:
      - f) Engaging in criminal conduct or acts of violence, or making threats of violence toward anyone on district premises or when representing the district; j) Threatening, intimidating, or coercing fellow employees on or off the premises, at any time, for any purpose; t) Malicious gossip and/or spreading of rumors, including engaging in behavior designed to create discord and lack of teamwork; u) Interfering with another employee on the job;
    - 2.1.2 - Disciplinary Actions - l) Obscene or abusive language toward any supervisor, employee or patient or customer; m) Indifference or rudeness towards a patient/customer or fellow employee; n) Any disorderly/antagonistic conduct on district premises;
    - 2.1.4. Crisis Suspension f) Threat of, or the act of doing bodily harm
  - 11-2-2022 Physical Agility Course
    - After an evaluation is done and retesting is completed, if the firefighter is still not able to pass the test, his/her position with the organization will be reviewed.

- 2.1.5. Dismissal- If your performance is unsatisfactory due to lack of ability, failure to abide by the district rules or failure to fulfill the requirements of your job, you will be notified of the problem. If a satisfactory improvement does not occur, you may be dismissed. Some incidents may result in immediate dismissal.
  
- A Firefighter was under investigation regarding a complaint filed. During the investigation, the firefighter was interviewed and subsequently found to have been untruthful during the investigation. Being dishonest is against one of TCESD#5's core values. After review of the employee's personnel file, existing notices of disciplinary actions and evidence indicating conduct unbecoming of a member of this organization, the employee was dismissed from the department.
  - Policy violations:
    - 2.0 Standards of Conduct
    - 2.2 Whether in uniform or not, members shall conduct themselves in a manner that will bring credit to themselves and the district.
    - 2.10 Members shall not violate any trust or confidence placed or accepted by them regarding personal matters, or any information that would be detrimental, embarrassing, or cause conflict with or to any member of the district.
    - 2.1.1. Suspension/Dismissal Actions w) Improper behavior, conduct or indecency on or off duty that reflects negatively on the district; o) Dishonesty, including willful falsification or misrepresentation on your application for employment or other work records