



2022

Denver Fire Assistant Master  
Mechanic Examination

Study Material for Multiple-Choice Exam

389 Pages

# Section A

Local 858  
2022  
Fire  
Fighters  
Agreement

**DENVER FIREFIGHTERS – LOCAL 858**

**IAFF, AFL-CIO**

**AND**

**CITY AND COUNTY OF DENVER**

**2022 FIRE FIGHTERS AGREEMENT**

**JANUARY 1, 2022 THROUGH DECEMBER 31, 2022**

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## **Article I**

### **SUBORDINATION**

- Section 1.** This Agreement shall in all respects, wherever the same may be applicable herein, be subject and subordinate to the provisions of the Charter of the City and County of Denver, the Directives and Guidelines of the Denver Fire Department and the Rules and Regulations of the Civil Service Commission of the City and County of Denver as promulgated and adopted by the Civil Service Commission, and is further subject and subordinate to all applicable City Ordinances, Statutes, Constitutional provisions and any revisions, amendments or newly adopted provisions to any said Ordinance, Charter, Statute or Constitutional provision which may hereinafter be enacted.
- Section 2.** It is expressly intended that the duties, responsibilities and functions of the City in the operation of its Fire Department shall in no manner be impaired, subordinated or negated by a provision of this Agreement.

## Article II

### RECOGNITION

**Section 1.** The City recognizes Denver Fire Fighters, Local 858, IAFF, AFL-CIO (hereinafter referred to as “the Union”) as sole and exclusive bargaining agent for all fire fighters pursuant to Section 9.7.1, *et seq.*, of the Charter of the City and County of Denver. As used in this Agreement, the term “fire fighter” shall mean the members of the Classified Service of the Fire Department of the City and County of Denver, except any person holding the rank of Chief of the Fire Department, or any person assigned the duties of Deputy Fire Chief or Division Chief.

### Article III

#### UNION SECURITY

**Section 1.** No fire fighter shall be required to become a member of the Union as a condition of their employment or continued employment by the City, and there shall be no discrimination against any fire fighter on account of their membership or non-membership in the Union. Provided, however, that the Union does not discriminate against non-members when it limits its services to and representation of non-members as follows:

The Union's duty of representation to an employee it represents but who is not a member of the Union shall be limited to the negotiation or enforcement of the terms of the agreement with the City. No provision of this article shall be construed to require the Union to provide representation to a non-member:

- (a) during questioning by the employer;
- (b) in statutory or administrative proceedings or to enforce statutory or regulatory rights; or
- (c) in any stage of a grievance, arbitration or other contractual process concerning the evaluation or discipline of an employee where the non-member is permitted to proceed without the Union and be represented by their own advocate.

Nor shall any provision of this Article prohibit the Union from providing legal, economic or job-related services or benefits beyond those provided in this Agreement with the City only to its members.

**Section 2.** The City shall deduct on a regular basis from the pay of all fire fighters who hereafter voluntarily authorize such deductions in writing on a form provided for this purpose by the Union or the City: (1) the amount of Union dues uniformly assessed all fire fighters who are Union members, and (2) initiation fees uniformly assessed against all Union members. Each authorization given under this Section shall state that it is irrevocable for a period of one (1) year or until the termination date of this Agreement, whichever occurs sooner, and is automatically renewable for another year unless written revocation of check-off authorization is given to the City during the thirty (30) day period immediately preceding the end of the period of irrevocability.

The Union will initially notify the City as to the amount of dues, or dues and initiation fees, to be deducted. Such notification will be certified to the City in writing over the signature of the President or Secretary-Treasurer of the Union. Changes in the Union membership dues or fees will be similarly certified to the City and shall be done at least one month in advance of the effective date of such

change. The City will remit to the Union such sums within thirty (30) days and shall accurately account for all changes in membership and monies deducted.

**Section 3.** The Union shall indemnify, defend and save the City harmless against any and all claims, demands, suits or other forms of liability that shall arise out of or as a result from any conduct taken by the City for the purpose of complying with Section 2 of this Article.



## Article IV

### UNION ACTIVITY

- Section 1.** Neither the Union, nor its officers, agents, representatives, or members will intimidate, interfere with, or coerce fire fighters. No Union activity or Union business of any kind will be carried on during working hours without express written permission in advance from the Fire Chief or their designated representative. Violation of this Section 1 of this Article IV by any fire fighter shall be just cause for disciplinary action pursuant to the City Charter. Failure of the City to enforce any of the provisions of this Section 1 of this Article IV in any one (1) or more instances shall not be considered a waiver of any of the provisions of this Section 1 of this Article IV.
- Section 2.** No fire fighter shall be discharged, disciplined or discriminated against because of activity on behalf of the Union that does not interfere with the discharge of their duties or any assignments, or violate any of the provisions of the Agreement.
- Section 3.** The Union shall have the right to post on the bulletin board designated by the Fire Chief or their designated representative, within all respective fire houses and support services, notices of Union meetings, Union recreational and social affairs, notices of Union elections, and appointments and results of Union elections, all of which pertain to the Denver Fire Department, provided that such notices are first approved by the Fire Chief or their designated representative. Any postings of an inflammatory nature are expressly prohibited. There shall be no postings regarding any political candidate or candidates nor of any political matter.
- Section 4.** When approved by the Fire Chief or their designated representative in writing, the two principal officers of the Union shall be granted leave from duty with full pay for conducting necessary Union business. When approved by the Fire Chief or their designated representative in writing, during the term of the deliberations of the Union Bargaining Committee, as constituted pursuant to the Union by-laws, members of the Committee, (not to exceed three) shall be granted leave from duty with full pay for conducting necessary Union business. When approved by the Chief or their designated representative in writing, members of the Union Executive Board (not to exceed four) shall be granted leave from duty with full pay for attending Executive Board and general membership meetings. The Union shall endeavor to conduct all necessary Union business during the non-working time of the greatest number of fire fighters required for such business, to the greatest extent possible. Said approval shall be granted by the Chief or their designated representative in writing when said leave would not disrupt or interfere with the service of the department.
- Section 5.** Such fire fighters (not to exceed four) as may be selected by the Union and approved by the Fire Chief or their designated representative shall be granted leave from duty without pay for Union activities such as attending educational conferences, seminars and training courses for the improvement of fire service and the Fire Department.

**Section 6.** Members of the union's Executive Board shall be permitted to address each Department recruit class at a mutually agreeable time within the first week of the academy.

## **Article V**

### **NON-DISCRIMINATION**

Neither the City nor the Union shall discriminate against any fire fighter on the basis of actual or perceived age, race (including hair texture, hair type, or hairstyle commonly or historically associated with race), creed, color, sex, sexual orientation, gender identity or expression, politics, religion, national origin, marital status or family status, physical or mental disability, military status, genetic information, or membership or non-membership in a labor organization.

Nothing in this section, however, shall be construed to prohibit actions taken because of a bona fide occupational qualification.

## Article VI

### RIGHTS OF MANAGEMENT

**Section 1.** Except as otherwise specifically provided in this Agreement, the City has the sole and exclusive right to exercise all the rights or functions of management, and the exercise of any such rights or functions shall not be subject to any grievance procedure, except as to resolution of whether or not a specific matter is a management right. Without limiting the generality of the foregoing, as used herein, the term “Rights of Management” includes:

- (a) The determination of Fire Department policy including the right to manage the affairs of the Fire Department in all respects;
- (b) the right to assign working hours including overtime;
- (c) the right to establish, modify or change work schedules, staffing of apparatus, amount of apparatus in the main or reserve fleet, etc.;
- (d) the right to assign fire fighters to other duties within the Fire Department when their apparatus is out of service;
- (e) the right to direct the members of the Fire Department, including the right to hire, promote or transfer any fire fighter;
- (f) the table of organization of the Fire Department, including the right to organize and reorganize the Fire Department in any manner it chooses, including the size of the Fire Department and the determination of job classifications and ranks based upon duties assigned;
- (g) the determination of the safety, health and property protection measures for the Fire Department;
- (h) the selection, promotion or transfer of fire fighters to supervisory or other managerial or technician positions or to positions outside the Classified Service of the Fire Department;
- (i) the allocation and assignment of work to fire fighters within the Fire Department;
- (j) the determination of policy affecting the selection or training of fire fighters;
- (k) the scheduling of operations and the determination of the number and duration of hours of assigned duty per week;
- (l) the establishment, modification and enforcement of Fire Department Directives and Guidelines;

- (m) the transfer of work from one position to another within the Classified Service of the Fire Department;
- (n) the introduction of new, improved or different methods and techniques of operation of the Fire Department or a change in existing methods and techniques;
- (o) the placing of service, maintenance or other work with outside contractors or other agencies of the City;
- (p) the determination of the number of ranks and number of fire fighters within each rank;
- (q) the determination of the amount of supervision necessary;
- (r) the transfer of fire fighters from one house, district or support service to another.

**Section 2.** All discretionary power vested in the City and the Fire Chief shall not be exercised in an arbitrary or capricious manner. The term “arbitrary or capricious” in this article shall mean that this is action taken without adequate information, not founded on reason or rational judgment, or done on a whim or impulse without adequate analysis.

## Article VII

### PRODUCTIVITY

- Section 1.** The Union and the City recognize that increased productivity will require the continuation of improvements and technological progress through new methods, techniques and equipment which will contribute to improved quality and efficiency of fire protection for the citizens of Denver. The Union and the City will act in good faith and with a cooperative attitude to achieve these ends.
- Section 2.** There shall be established a Labor/Management Committee comprised of six (6) members, three (3) of whom shall be appointed by the President of Local 858 and three (3) of whom shall be appointed by the Chief of the Fire Department. The Committee shall address any matter of mutual concern. The Committee shall meet at the request of the President of Local 858 or the Chief of the Fire Department within ten (10) days of a request for a meeting. The Fire Chief and the Union may mutually agree upon another system to provide labor/management discussions.
- Section 3.** The Department shall provide the union with copies of and will email to the President and Secretary Treasurer all new or revised:
- (a) department orders;
  - (b) directives;
  - (c) guidelines; and
  - (d) Fire Chief and Division Memoranda (currently those denominated FCM, OPS, TRN, FPB, TEC and ADM).

## Article VIII

### CALL BACK COMPENSATION, FIRE FIGHTER OBLIGATION, AND OVERTIME

**Section 1.** If, in the sole opinion of the Fire Chief or their designees, it is necessary to call fire fighters back to work during their normal time off, such recalled fire fighters must report for duty. Failure to report for duty, if personally contacted, shall subject such fire fighter to disciplinary action pursuant to the Charter of the City unless reporting is excused by the Chief or their immediate designee.

(a) A recalled fire fighter of the following ranks or assignments:

- Emergency Medical Technician
- Fire Fighter Fourth Grade
- Fire Fighter Third Grade
- Fire Fighter Second Grade
- Fire Fighter First Grade
- Technician
- Engineer
- Fire Systems Technical Specialist
- Mechanic
- Lieutenant
- Captain
- Assistant Chief
- Shift Commander
- Assistant Master Mechanic
- Assistant Superintendent of Fire Alarm
- Master Mechanic
- Superintendent of Fire Alarm

shall be compensated at the rate of time and one-half (1-1/2) of their regular rate of compensation for the time worked, in 15-minute increments or a minimum of three (3) hours if required to respond to a station, work location or incident, in cash if the money is available, otherwise in the form of compensatory time off. Such time off shall be taken within one (1) year of the time in which it is earned, provided that the time to be taken off is approved by the Fire Chief or their designee in writing. If the call back is contiguous to the beginning or end of the scheduled shift, the three (3) hour minimum shall not apply.

**Section 2.** In the event that a fire fighter is called upon to work overtime in excess of fifteen (15) minutes after their regular shift has ended, the fire fighter shall be compensated at the rate of time and one-half (1-1/2) of their regular rate of compensation for all overtime worked after their regular shift has ended, in cash if the money is available, otherwise in the form of compensatory time off. Such time off shall be taken within one (1) year of the time at which it is earned, provided that the time is approved by the Fire Chief or their designee in writing.

**Section 3.** If a fire fighter of the following ranks or assignments:

Emergency Medical Technician  
Fire Fighter Fourth Grade  
Fire Fighter Third Grade  
Fire Fighter Second Grade  
Fire Fighter First Grade  
Technician  
Engineer  
Fire Systems Technical Specialist  
Mechanic  
Lieutenant  
Captain  
Assistant Chief  
Shift Commander  
Assistant Master Mechanic  
Assistant Superintendent of Fire Alarm  
Master Mechanic  
Superintendent of Fire Alarm

is required to attend court due to job related matters during hours other than scheduled work hours, such fire fighter shall receive compensation as provided in Section 1 of this Article VIII.

**Section 4.** Fourth Grade Fire Fighters taking the intermediate (if any) and final tests in hours other than their normally scheduled work hours shall be compensated for such time at their regular rate of pay until the total hours worked, including such testing time, exceeds 144 hours within a twenty-one (21) day work period. Any time worked in excess of the 144-hour limit shall be compensated at the overtime rate as provided in Section 2 of this Article.



## Article IX

### UNIFORM ALLOWANCE AND REGULATIONS

- Section 1.** The City shall pay the total cost of procurement and replacement, including replacement for line of duty mishaps, of all uniforms, including replacement of Department issued blue T-shirts, except socks, ties, belts, briefs, panties, and brassieres, that are required to be worn by fire fighters. The style, quality, design, components and the quantity of uniforms shall be specified by the Manager of Safety for the individual fire fighter in an economical, equitable manner in the best interests of the City.
- Section 2.** Turnout gear required by the Fire Department is not considered to be part of the uniform for purposes of Section 1 above. All fire fighters shall have turnout gear and required personal protective equipment (PPE) provided by the City. If, in the sole opinion of the Fire Chief or their designated representative, any item of a fire fighter's turnout gear or required PPE becomes unserviceable, such article of turnout gear or PPE shall be replaced by the City. Whenever feasible, at the time of purchase, turnout gear and required PPE shall meet or exceed current National Fire Protection Agency safety standards and specifications.
- Section 3.** All fire fighters will maintain complete uniforms and turnout gear in good condition. Periodic inspections will be made by the Fire Chief or their designees to ensure the service-ability of each fire fighter's uniforms and turnout gear.
- Section 4.** If a non-uniformed fire fighter sustains line-of-duty damage to their clothing, the cost of such damaged article of clothing will be reimbursed by the City upon the submission of a claim accompanied by proof of loss and approved by the Fire Chief or their designated representative.
- Section 5.** Fire fighters assigned to the Fire Investigation Division and who are required to wear firearms, shall receive from the City a \$400.00 per year firearm allowance pro-rated for the time a firearm was required. Proration will be based on monthly increments only. Eligibility for a given month will be credited if said assignment is effective on or before the 15th day or transfer from the Fire Investigation Division is after the 15th day of the month. This payment shall be made at the end of each calendar year or upon termination or retirement from the Fire Department of each member entitled to such allowance.
- Section 6.** The practice of providing those fire fighters assigned to the repair shop with work uniforms and garments shall be pursuant to Executive Order No. 110, and the amendments thereto, for the term of this Agreement.
- Section 7.** Effective January 1, 2022, each fire fighter shall be paid an annual cleaning and maintenance allowance of \$550.00, payable with the last paycheck in November.
- Section 8.** Fire fighters may wear the official union insignia on both their dress and work uniforms. Such insignia shall be a pin not larger than the size of a dime.

**Section 9.** The City shall provide a cache of wildland PPE to be utilized by fire fighters who are deployed on urban interface strike teams, in accordance with policies and procedures to be determined by the Fire Chief.

## Article X

### INSURANCE, HEALTH AND SAFETY

**Section 1.** The City shall pay monthly, on behalf of each fire fighter, 80% of the total premium of the medical insurance plan selected by the fire fighter, a vision plan, and a mid-level Delta Dental plan. At a minimum, the City shall offer a high deductible plan with a health savings account, a co-pay based HMO and a deductible based co-insurance medical plan to the fire fighters that have a benefit level no lower than the same type of plan offered by the City to Career Service employees. The City's contribution for each individual will depend on the plan selected and the status of the fire fighter as qualifying either for employee, employee plus spouse, employee plus child(ren), or family plan coverage as may apply under the selected plan which will have a separate rate for each such category of coverage.

If during open enrollment or upon hiring a fire fighter selects a high deductible medical insurance plan offered by the City and opens a Health Savings Account (HSA), or if as of January 1 each year of this Agreement, a fire fighter is already enrolled in the high deductible medical insurance plan offered by the City and has a HSA, the City will contribute monthly to the fire fighter's HSA: (1) fifty dollars (\$50) if the fire fighter is enrolled in an employee only plan; or (2) one hundred dollars (\$100) if the fire fighter is enrolled in an employee plus spouse, employee plus child(ren) or family plan.

The Union will substantially participate with the City in the development of and negotiations for medical, vision and dental plans to be offered to fire fighters. The Union will have the opportunity to comment and make recommendations on proposals prior to their being finalized and offered to fire fighters.

**Section 2.** The City recognizes the right of the Union to consult with the City and make recommendations on safety matters.

**Section 3.** The City will continue to provide a physician's services and assistance on all multi-alarm emergencies. Occupational injuries or diseases shall be treated under Revised Municipal Code Sections 18-307 to 18-312.

**Section 4.** In the event a fire fighter is killed in the line of duty or dies from injuries or illness sustained in the line of duty, the City shall pay the cost of reasonable funeral expenses up to a maximum of \$20,000, which amount shall be offset by any other payments for funeral expenses made by insurance or by any other agency or organization or person(s) (other than relatives of the fire fighter.) This payment shall be made to the fire fighter's estate.

**Section 5.** Fire fighters are entitled to a maximum of 1.5 times one year of base pay up to a maximum of three hundred thousand dollars (\$300,000) in term life insurance with a double indemnity for accidental death or dismemberment in a plan chosen by the City for which the City will pay 100% of the cost.

**Section 6.** In the event a fire fighter is killed or has been killed in the line of duty, the City shall pay the full cost of health insurance and dental insurance for a surviving spouse, or spousal equivalent as defined by the City, and children of the fire fighter, subject to the following conditions:

- a. The payments for a surviving spouse or spousal equivalent will end five (5) years after the fire fighter's death or upon remarriage, whichever occurs first.
- b. The payments for an unmarried child shall continue through the end of the month in which the child reaches age 25.

**Section 7.** Any fire fighter who is diagnosed with any cancer specified in C.R.S. § 8-41-209 of the Colorado Workers' Compensation Act (as it may be amended from time to time) that is ultimately determined to be compensable shall be entitled to the following:

- a. Reasonable, necessary and related medical care with authorized providers.
- b. Any intermittent or consecutive leave of absence at their full salary for the rank that the member holds in the department and benefits, so long as the leave is necessary in reaching recovery from the sickness, until maximum medical improvement is reached.

## **Article XI**

### **STRIKES AND OTHER DISRUPTIONS OF NORMAL WORK ROUTINE**

- Section 1.** The protection of the public health, safety and welfare demands that neither the Union, nor the fire fighters, or any person acting in concert with them, will cause, sanction, or take part in any strike, walkout, sitdown, slowdown, stoppage of work, picketing, retarding of work, abnormal absenteeism, withholding of services or any other interference with the normal work routine.
- Section 2.** Violation of any provision of this Article by the Union shall be cause for the City terminating this Agreement upon the giving of written notice to this effect to the President of Denver Fire Fighters Local No. 858, in addition to whatever other remedies may be available to the City at law or in equity.
- Section 3.** Violation of any of the provisions of this Article by any fire fighter shall be just cause for the immediate discharge of that fire fighter, in addition to whatever other remedies may be available to the City at law or in equity. No fire fighter shall receive any portion of their salary while engaging in activity in violation of this Article.

## Article XII

### SALARY SCHEDULE

**Section 1.** (a) **Fire Fighter.** For the duration of this Agreement, the position Fire Fighter First Grade will be paid as follows:

Effective July 1, 2022	\$94,489
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The positions of Fire Fighters 2nd grade through 4th grade, for the duration of this agreement will be paid in accordance with the following schedule:

Fire Fighter 2nd	80% of Fire Fighter 1st
Fire Fighter 3rd	72% of Fire Fighter 1st
Fire Fighter 4th	65% of Fire Fighter 1st

(b) **Engineer.** For the duration of this Agreement, the Engineer will be paid 111% of Fire Fighter First Grade pay.

(c) **Technician.** For the duration of this Agreement, the Technician will be paid 107.5% of Fire Fighter First Grade pay.

(d) **Lieutenant.** For the duration of this Agreement, the rank of Lieutenant will be paid 118% of Fire Fighter First Grade pay.

(e) **Fire Systems Technical Specialist and Mechanic.** For the duration of this Agreement, the positions of Fire Systems Technical Specialist (or "FSTS") I and Mechanic I will be paid 117% of Fire Fighter First Grade pay. The positions of Fire Systems Technical Specialist and Mechanic Second Grade through Fifth Grade will be paid in accordance with the following schedule:

FSTS II/Mechanic II	95% of FSTS I/Mechanic I
FSTS III/Mechanic III	90% of FSTS I/Mechanic I
FSTS IV/Mechanic IV	85% of FSTS I/Mechanic I
FSTS V/Mechanic V	80% of FSTS I/Mechanic I

Fire Systems Technical Specialists and Mechanics hired after the effective date of this Agreement shall be classified as Fire System Technical Specialist V or Mechanic V and shall progress through the steps annually on their anniversary date.

(f) **Captain.** For the duration of this Agreement, the rank of Captain will be paid 114.5% of Lieutenant pay.

(g) **Assistant Master Mechanic and Assistant Superintendent of Fire Alarm.** For the duration of this Agreement, the ranks of Assistant Master Mechanic and Assistant Superintendent of Fire Alarm will be paid 105% of Captain pay.

(h) **Assistant Chief, Master Mechanic, and Superintendent of Fire Alarm.** For the duration of this Agreement, the ranks of Assistant Chief, Master Mechanic, and Superintendent of Fire Alarm will be paid 115% of Captain pay.

(i) **Engineer - Suppression Specialty Operation.** For the duration of this Agreement, an Engineer assigned to Specialty Operation will be paid 113.5% of Fire Fighter First Grade pay.

(j) **Lieutenant - Suppression Specialty Operation.** For the duration of this Agreement, a Lieutenant assigned to Specialty Operation will be paid 120.5% of Fire Fighter First Grade pay.

(k) **Captain - Suppression Specialty Operation.** For the duration of this Agreement, a Captain assigned to Specialty Operation will be paid 114.5% of Lieutenant pay plus 2.5% of Fire Fighter First Grade pay.

(l) **Shift Commanders.** For the duration of this Agreement, Shift Commanders will be paid 107.5% of Assistant Chief pay.

(m) **Emergency Medical Technician.** For the duration of this Agreement, an Emergency Medical Technician will be paid 50% of Fire Fighter First Grade pay.

A member of the Fire Department shall be a Firefighter 4th Grade from the date of original appointment and until such time as the member has served nine months after completion of the Fire Academy. A member of the Fire Department shall be a Firefighter 3rd Grade if that member has served for more than nine-months after completion of the Fire Academy and less than twenty-one months after the completion of the Fire Academy. A member of the Fire Department shall be a Firefighter 2nd Grade if that member has served for twenty-one months or more after completion of the Fire Academy and less than thirty-three months after the completion of the Fire Academy. A member of the Fire Department shall be a Firefighter 1st Grade if that member has served for thirty-three months or more after completion of the Fire Academy. The graduation ceremony date shall be the culminating event for completion of the Fire Academy.

**Section 2. Longevity Pay.** All fire fighters, upon reaching their fifth (5<sup>th</sup>) anniversary date of employment shall be paid longevity pay. Effective January 1, 2010, fire fighters shall be paid at a rate of \$12.00 per month for each year of service.

The additional salary provided in this Section 2 is an addition to base salary provided for in Section 1 of this Article and shall be considered or included in determining or computing the pension or retirement benefits of fire fighters.

**Section 3.** Any fire fighter who is assigned the duties of Technician, who meets the qualifications of the position to which they are assigned, and who has the certification required for the position to which he or she is assigned (if any is required) shall begin receiving Technician pay upon commencing the assignment. If any fire fighter assigned the duties of Technician does not meet the qualifications

or have the certification required for the position, that fire fighter shall not be paid Technician pay until he or she meets the qualifications or has the certification. This provision shall not limit the City's right to reassign a fire fighter to non-technician duties. All fire fighters below the rank of Engineer that are assigned to apparatus that perform special operation (Diving, Collapse, HazMat, High Angle, Trench, Confined Space, DeCon) shall receive Technician level wages.

**Section 4.** Fire fighters who are certified and designated as bilingual fire fighters in accordance with procedures published by the Chief or the Chief's designee shall be paid one hundred fifty dollars (\$150) per month. The Denver Civil Service Commission's current Firefighter Informational Booklet shall be used as a guideline for establishing specific languages that qualify for bilingual pay.



## Article XIII

### HOLIDAYS

**Section 1.** The following days are recognized as holidays for Fire Fighters for the purpose provided herein:

New Year's Day	(January 1)
Martin Luther King, Jr. Day	(Third Monday in January)
Presidents' Day	(Third Monday in February)
Cesar Chavez Day	(Last Monday in March)
Memorial Day	(Last Monday in May)
Independence Day	(July 4)
Labor Day	(First Monday in September)
Veterans' Day	(November 11)
Thanksgiving Day	(Fourth Thursday in November)
Christmas Day	(December 25)
Birthday	(To be used and/or paid in accordance with Sections 3 and 4 of this Article)

**Section 2.** Fire fighters holding the rank or assignment of Emergency Medical Technician, Fire Fighter Fourth Grade, Fire Fighter Third Grade, Fire Fighter Second Grade, Fire Fighter First Grade, Technician, Engineer, Lieutenant, Captain, Fire Systems Technical Specialist or Mechanic who are called out under the provisions of Article VIII of this Agreement on any of the above mentioned holidays shall receive their regular rate of pay, for a minimum of three (3) hours in addition to that compensation provided in Article VIII.

**Section 3.** Support Service Personnel. This Section shall control the granting of holidays and holiday premium for personnel in all support services other than Fire Dispatch, and Fire Investigation.

Where a holiday, except a birthday, as listed in Section 1 of this Article, falls on the first day of a regularly scheduled period of off days, it shall be observed on the immediately preceding work day. Where a holiday except a birthday, falls on the second and third off days of a scheduled period of off days, it shall be observed on the first regularly scheduled work day following the off days. A birthday holiday will be taken by the fire fighter within 30 days of the birthday under procedures approved by the Chief.

When a fire fighter covered by this Section is called out to work on a holiday which is observed on the same day as specified in Section 1, the fire fighter shall be entitled to a holiday premium in addition to the regular rate of compensation.

In situations where the observed holiday except a birthday differs from the holiday specified in Section 1, this paragraph applies. When a fire fighter covered by this Section is called out to work either on the holiday specified in Section 1 or the "observed holiday," compensation shall be determined as follows:

(a) A fire fighter called out on the “observed holiday” will receive holiday premium only for those hours actually worked on that calendar day which do coincide with their regularly scheduled work hours.

(b) A fire fighter called out on the holiday spelled out in Section 1 will receive holiday premium only for those hours actually worked on that calendar day which do not coincide with their regularly scheduled work hours.

The holiday premium payable under this Section shall be equal to the fire fighter’s regular hourly rate of pay and shall be computed to the nearest fifteen (15) minutes.

**Section 4.** (a) In addition to those above-listed holidays, any day declared a special holiday by the Mayor or the City Council, by proclamation promulgated or resolution or ordinance adopted, during the term of the Agreement, shall be considered a recognized holiday for the purposes provided herein.

(b) Any fire fighter who is required to actually work on a holiday other than their birthday, as set forth in this Article, shall be paid a holiday premium in addition to their regular rate of compensation. Such holiday premium shall be the fire fighter’s regular hourly rate of pay, and shall be paid for each hour actually worked between 12:01 a.m. and 12:00 midnight on a holiday as provided in Section 1 of this Article, computed to the nearest fifteen (15) minutes.

When a holiday falls on a support service fire fighter’s vacation, as set forth in Article XIV of this Agreement, that holiday shall not be counted as a vacation shift. When a holiday other than a birthday falls on a suppression fire fighter’s vacation, as set forth in Article XIV of this Agreement, that day shall nevertheless be treated as a vacation day for all purposes relevant under this Agreement; however, the fire fighter shall receive the holiday premium identified in this Section for all hours that they would have worked on that day, but for the fact that such day was a vacation. In no event shall a holiday premium or any other compensation be awarded to a fire fighter by reason of a holiday other than a birthday falling on a Kelly Day. When the birthday occurs on their Kelly day, they shall be paid the holiday premium provided hereunder. In all other instances, the fire fighter must actually work on a holiday other than a birthday to be eligible for the holiday premium. All fire fighters assigned to fire suppression, to the Fire Investigation Division, or to fire alarm dispatching duties shall be paid a holiday premium equal to eight (8) times their regular hourly rate of pay in lieu of time off for their birthdays. All other fire fighters shall have their birthday off, in the same manner as other holidays provided for in this Article.

**Section 5.** Effective January 1, 2022, each fire fighter will receive 96 hours of time in a separate Holiday Time Bank, subject to the following:

(a) Any fire fighter hired on or after January 1, 2021 will not receive this Holiday Time Bank.

(b) The Holiday Time Bank can be used starting January 1, 2022 in accordance with the rules for use of vacation leave under Article XIV, provided, however, no more than 24 hours may be used as vacation during a calendar year. Alternatively, fire fighters may sell back 24 hours from the Holiday Time Bank each calendar year; such payments will be made in the first quarter of the succeeding year. In any given year, fire fighters may elect to use or sell back 24 hours from the Holiday Time Bank, but not both.

(c) Hours in a fire fighter's Holiday Time Bank may be carried forward from year-to-year until they are exhausted.

(d) Any hours remaining in a fire fighter's Holiday Time Bank shall be payable upon separation.

## Article XIV

### VACATION

**Section 1.** Each fire fighter shall accrue vacation leave at their regular rate of pay in accordance with the following:

(a) Those fire fighters who have less than three (3) years of service shall accrue one hundred twenty (120) hours vacation annually at the rate of ten (10) hours for each month.

(b) Those fire fighters who have three (3) or more years of service shall accrue one hundred forty-four (144) hours of vacation leave annually at the rate of twelve (12) hours per month.

(c) Those fire fighters who have ten (10) or more years of service shall accrue one hundred sixty-eight (168) hours of vacation leave annually at the rate of fourteen (14) hours per month.

(d) Those fire fighters who have fifteen (15) or more years of service shall accrue one hundred ninety-two (192) hours of vacation leave annually at a rate of sixteen (16) hours per month.

(e) Effective January 1, 2022, those fire fighters who have twenty (20) or more years of service shall accrue two hundred sixteen (216) hours of vacation annually at a rate of eighteen (18) hours per month.

(f) Effective January 1, 2022, those fire fighters who have twenty-five (25) or more years of service shall accrue two hundred forty (240) hours of vacation annually at a rate of twenty (20) hours per month.

**Section 2.** If a fire fighter is employed only part of a month, they will earn vacation leave for the month only if they started on or before or terminated after the 15th day of the month.

**Section 3.** If the fire fighter's third (3rd), tenth (10th), fifteenth (15<sup>th</sup>), twentieth (20<sup>th</sup>) or twenty-fifth (25th) anniversary of their hiring date occurs on a day other than the first day of the month, they will earn vacation leave for that month at the rates described in Section 1 of this Article only if the anniversary date is on or before the fifteenth (15<sup>th</sup>). If the third (3rd), tenth (10th), fifteenth (15<sup>th</sup>), twentieth (20<sup>th</sup>) or twenty-fifth (25th) anniversary date of hire falls on a day after the fifteenth (15<sup>th</sup>) day of the month, they will earn at the higher rate beginning the first day of the following month.

**Section 4.** (a) Vacation hours accrued under the provisions of this Agreement may not be used until the calendar year after they are accrued. In no case may a fire fighter use more hours of vacation than the sum of what they accrued in the previous calendar year, credited monthly. Any unused vacation leave left over from the previous year

that the fire fighter is unable to use, in the sole opinion of the Fire Chief or their designee, shall be paid in cash at the fire fighter's regular rate of pay in effect at the time of payment, and such payment shall be made within the first quarter of the succeeding year.

(b) Where a fire fighter assigned to suppression or dispatch accrues vacation hours not evenly divisible by the number of hours in their shift, that fire fighter shall be paid in cash, but only for the hours of vacation which are less than a full shift which remain on December 31 of the year following the year of accrual so long as that fire fighter continues to be assigned to suppression or dispatch. Where a fire fighter assigned to arson has accrued vacation hours not evenly divisible by twelve, that fire fighter shall be paid in cash only for the hours of vacation which are less than 12 hours which remain on December 31 of the year following the year of accrual so long as that fire fighter continues to be assigned to arson. The cash payment shall be at the fire fighter's regular rate of pay in effect in the year following the year of accrual and shall be paid within the first quarter of the succeeding year.

**Section 5.** The additional vacation time allocated pursuant to Section 4 of Article XVIII - Sick Leave - shall not exceed one hundred forty-four (144) hours and shall be utilized in full shift increments directly related to the fire fighter's assignment. Any unused vacation leave left over from the previous year that the fire fighter is unable to use, in the sole opinion of the Fire Chief or their designee, shall be paid in cash at the fire fighter's regular rate of pay in effect at the time of payment, and such payment shall be made within the first quarter of the succeeding year.

**Section 6.** Vacation selections shall be made by the members of the Fire Department according to seniority in grade or rank within each administrative district and support service. Vacation selections made by Dispatchers shall not be made from the same vacation pick sheets as other members of the bargaining unit and shall in no way limit or restrict other members of the bargaining unit in their vacation selections. The most senior member in the highest grade or rank shall have the opportunity to select their vacation first. The least senior member in the lowest grade or rank shall pick last. The City shall open ten (10) days per administrative district in fire suppression per shift more than are required pursuant to this determination. It is understood and agreed that the City has the right to balance staffing by restricting the availability of certain days in any district. The method used for selecting vacations and balancing staffing shall be a single day selection method. The City will use its best efforts to evenly distribute the necessary vacation opportunities per shift, over the entire annual schedule specific to each shift.

Suppression fire fighters 1st, 2nd, 3rd, and 4th grade, engineers and technicians shall be permitted to select a vacation period which is the same as the officer assigned to the same company and platoon with the following exceptions: (1) engineers assigned to Denver International Airport (DIA) ARFF apparatus shall not select a vacation period which is the same as other engineers assigned to the same company on the same platoon; and (2) the policy shall be permitted only as long as the present policy of providing "roving" lieutenants to fill company

officers' vacancies created by vacations continues. Should the policy change, the change will be discussed with the Union prior to implementation.

Vacation schedules shall not be changed unless the fire fighter is promoted or granted a requested transfer, in which case the City shall exercise its best effort to allow the fire fighter to retain their original selection. The transfer of a fire fighter shall not affect the vacation schedule of any other fire fighter. The parties agree that during the term of this agreement, the Union and the authorized representative of the City may, by mutual agreement, change the provisions for vacation picks in this Section 6.

Vacation selection for the rank of Emergency Medical Technician will be a seniority-based selection, and separate from other members of Suppression.

If agreed to by authorized representatives of the Union and the City, an alternative vacation selection method may be used during the term of this Agreement.

## Article XV

### GRIEVANCE PROCEDURE

**Section 1.** A grievance is a claim that the City has violated an express provision of this Agreement, and does not include any disciplinary matters. Any fire fighter or group of fire fighters may discuss any matter with their Division Chief, Deputy Chief or the Fire Chief, without invoking the formal grievance procedure provided for in this Article. Neither the City nor the Union shall threaten, restrain, or coerce any fire fighter for asserting said fire fighter's rights pursuant to this Agreement.

**Section 2.** A grievance must be initiated by an aggrieved fire fighter. The aggrieved fire fighter must reduce their entire grievance and all the reasons therefor, and the provisions of this Agreement which the aggrieved fire fighter feels have been violated, to writing and present the written grievance, signed and dated by the fire fighter, to their Division Chief within ten (10) calendar days after the fire fighter knew or should have known the facts which gave rise to the grievance. If not submitted within ten (10) calendar days, the grievance shall not be entitled to consideration. Nothing in this section shall be construed to limit or prevent the Union, through an aggrieved member or members, from filing a grievance on a belief that the Agreement is being violated.

**Section 3.** All grievances shall be settled in the following manner:

**Step 1.** The grievance shall be submitted to the grievant's Division Chief within ten (10) calendar days after the fire fighter knew or should have known the facts which gave rise to the grievance. Within ten (10) calendar days after receipt of the grievance the Fire Chief or their designated representative shall discuss the grievance with the aggrieved fire fighter and two (2) members of the Grievance Committee of the Union. The Fire Chief or their designated representative will give the aggrieved fire fighter, through the Union Grievance Committee, their answer in writing within ten (10) calendar days after holding such meeting. If the grievance is not answered within said ten (10) days it will be considered denied.

**Step 2.** If the Union Grievance Committee is not satisfied with the answer obtained at "Step 1," a Union officer must give written notice of intent to arbitrate to the corporate authorities of the City within fourteen (14) calendar days. The Grievance Arbitration Board shall consist of:

- (a) Appointee of the City;
- (b) Appointee of the Union;
- (c) The representatives of each party shall select the third member of the Grievance Arbitration Board, who shall be the Chair;
- (d) If within twenty-one (21) calendar days, the representatives of the

City and the Union fail to select a third member, either party or its representative may refer the matter to the American Arbitration Association for the selection of an impartial arbitrator to act as the third member of the Grievance Arbitration Board, in accordance with the Rules of the American Arbitration Association. The majority of the Arbitration Board shall render a decision within thirty (30) calendar days after hearing the grievance, and failing to reach a majority, the decision of the Chair shall prevail.

The award of the Arbitration Board, or failing a majority decision, the decision of the Chair shall be final and binding on the City and the Union.

The costs of any arbitration shall be borne equally by the parties to this Agreement.

**Section 4.** Failure of the aggrieved fire fighter, or the Grievance Committee, or any official of the Union, to comply with the time limits set forth above will serve to declare the grievance as settled based upon the last answer received, and no further action can be taken.

**Section 5.** Anything in this Agreement to the contrary notwithstanding, the following matters are not subject to the grievance procedures of this Agreement:

- (a) Any grievance which is not filed in accordance with the provisions of Section 2 of this Article or does not meet the definition of a grievance as set forth in Section 1 of this Article; or
- (b) Any matter reserved solely to the Rights of Management (Article VI), or to the discretion of the City or the Fire Chief by the terms of this Agreement; or
- (c) Any matter which would require a change from the wages, rates of pay, hours, grievance procedures, working conditions, and all other terms and conditions of employment as set forth in this Agreement; or
- (d) Any matter which is not covered by this Agreement; or
- (e) Any matter covered by the Charter of the City and County of Denver, the Directives and Guidelines of the Denver Fire Department not inconsistent with the express terms of this Agreement, the Rules and Regulations of the Civil Service Commission of the City and County of Denver, City Ordinances, Statutes and Constitution provisions.

**Section 6.** (a) The time limits for processing grievances as set forth in this Article may be extended by mutual written agreement of the Chief of the Fire Department or a designee of the Chief and a representative of the Union.

(b) The parties shall consider and may by mutual agreement use a mediator at any time during the grievance process to resolve the grievance.



## Article XVI

### TEMPORARY ASSIGNMENT TO HIGHER RANK OR POSITION

**Section 1.** When a fire fighter is designated to perform the duties of a higher pay classification or rank due to a vacancy in such higher position, such fire fighter shall receive the existing base rate of compensation paid the classification or rank to which the fire fighter is so designated provided:

- (a) Fire fighters assigned to suppression divisions work at least six (6) hours of the shift; or
- (b) Fire fighters assigned to support services work at least 50% of the shift.

This Article shall apply to a Fire Fighter 1<sup>st</sup> Grade, Engineer, Lieutenant, and Captain who is eligible to work on technical apparatus and is required to act due to operational need as a technician at the direction of the City; Fire Fighter 4th Grade through Technician acting as an Engineer or Lieutenant; a Mechanic acting as Assistant Master Mechanic or Master Mechanic; a Fire Systems Technical Specialist acting as Assistant Superintendent of Fire Alarm or Superintendent of Fire Alarm; an Engineer acting as a Lieutenant; a Lieutenant acting as a Captain; and a Captain acting as an Assistant Chief in all support services. However, except that, whenever possible, an Engineer shall remain in that position and shall perform the duties and functions of an Engineer.

## Article XVII

### WORK DAY AND WORK WEEK

**Section 1. Fire Suppression and Dispatch.** Fire fighters in the fire suppression force and those assigned dispatcher duties shall work a work schedule consisting of twenty-four (24) hour shifts for an average work week of forty-eight (48) hours. This will be implemented by the use of a three (3) platoon system with each fire fighter working one (1) twenty-four (24) hour shift followed by forty-eight (48) hours off, with a Kelly day to be taken within each twenty-one (21) calendar day cycle. A Kelly day shall not be counted as a working shift for any purpose.

Until such time as the U.S. Department of Labor determines that the provisions of 29 U.S.C. § 207(k) apply to Denver fire fighters assigned dispatcher duties, all such fire fighters shall be scheduled for and receive between five (5) and eight (8) hours of uninterrupted sleep time and up to two (2) hours, in at least thirty (30) minute increments, of uninterrupted meal periods during the twenty-four (24) hour shift. These hours shall not be deemed as time worked for purposes of calculating FLSA overtime.

Kelly day selections shall be made annually by the members of the Fire Department except Assistant Chiefs according to seniority in grade or rank within each administrative district. Kelly day selections made by Assistant Chiefs shall not be made from the same Kelly day selection sheets as other members of the bargaining unit and shall in no way limit or restrict other members of the bargaining unit in their Kelly day selections. The most senior member in the highest grade or rank shall have the opportunity to select their Kelly day first. The least senior member in the lowest grade or rank shall pick last. The City shall determine prior to the time Kelly days are selected the number of Kelly day picks required in each administrative district per shift. The City shall open one (1) Kelly day pick per administrative district more than is required pursuant to this determination. It is understood and agreed that the City has the right to balance staffing by restricting the availability of certain picks in the last column in any district.

Each time a Kelly day is changed, the fire fighter shall be granted one (1) additional Kelly day; provided, no more than two (2) additional Kelly days shall be awarded in a contract year; provided, further, if a Kelly day change results in a return to the originally selected Kelly day, an additional Kelly day shall not be awarded; provided, further, if a fire fighter is transferred at their request, is promoted, or when a roving Lieutenant receives a permanent assignment and the change results in a change in Kelly days, an additional Kelly day shall not be awarded.

If agreed to by the authorized representatives of the Union and the City, an alternative work schedule for fire fighters assigned dispatcher duties may be used during the term of this agreement.

Fire fighters assigned dispatcher duties will select Kelly days only among themselves.

**Section 2. Non-Fire Suppression.** Each support service, excluding Dispatch, shall establish a work period of at least 7, but not more than 28 days. The Department office personnel who are not on round-the-clock schedules will normally work a schedule of five (5) eight (8)-hour work days during a seven (7) day work period. A flexible or staggered work schedule averaging forty (40) hours per week and providing for more economical and efficient functioning of the support service may be established by the Division Chief with the approval of the Fire Chief or their designated representative, provided that such new schedule shall not provide for a work shift in excess of twelve (12) hours and provided further that all fire fighters affected by such change in work schedule shall continue to receive as many gross hours of sick leave, sick leave converted to vacation, and vacation as they would have had, had their schedules not been changed.

If agreed to by the authorized representatives of the Union and the City, an alternative work schedule may be used during the term of this Agreement.

**Section 3.** In the event of enactment of State or Federal legislation affecting the hours of work or overtime for Fire Department personnel, the City and the Union will meet in an attempt to make any work schedule changes which are mandated by said legislation.

**Section 4. Fire Investigations Bureau.** Notwithstanding the provisions of Section 2 of this Article XVII, a fire fighter other than a Lieutenant, Captain, or Assistant Chief assigned to Fire Investigations Bureau shall work a schedule consisting of two (2) consecutive 6:00 a.m. to 6:00 p.m. work shifts, followed by twenty-four (24) hours off-duty, followed by two (2) consecutive 6:00 p.m. to 6:00 a.m. work shifts, followed by ninety-six (96) hours off duty. During each twenty-four (24) day work period, one (1) work shift shall be reduced to five (5) hours. For purposes of calculating hourly rates, fire fighters assigned to the Fire Investigations Bureau are considered to work forty (40) hours per week. Schedules for Lieutenants, Captains, and Assistant Chiefs shall be determined by Section 2 of this Article.

If agreed to by the authorized representatives of the Union and the City, an alternative work schedule may be used during the term of this agreement.

**Section 5. Emergency Medical Technician.** Emergency Medical Technicians shall work a 40-hour work week, 7 calendar day cycle. A flexible or staggered work schedule averaging forty (40) hours per week and providing for more economical and efficient functioning may be established by the Division Chief with the approval of the Fire Chief or his/her designated representative, provided that such new schedule shall not provide for a work shift in excess of twelve (12) hours and provided further that all Emergency Medical Technicians affected by such change in work schedule shall continue to receive as many gross hours of sick leave, sick leave converted to vacation, and vacation as they would have had, had their schedules not been changed.

If agreed to by the authorized representatives of the Union and the City, an alternative work schedule may be used during the term of this Agreement.

**Section 6.** Notwithstanding the provisions in Section 1 of this Article, one Shift Commander or Assistant Chief, at the discretion of the Chief, may be assigned to a supplemental shift based on a twenty-one (21) day cycle ranging from A-Shift Sunday to A-Shift Sunday. The Shift Commander or Assistant Chief assigned to this supplemental shift will not be able to exceed forty-eight (48) consecutive working hours with a minimum of twenty-four (24) hours off in between work shifts. They will maintain a Kelly day to be taken every twenty-one (21) day cycle and hours worked within the twenty-one (21) day cycle will not exceed 144 hours.

## Article XVIII

### SICK LEAVE

**Section 1.** Each fire fighter shall be credited with twelve (12) hours of sick leave monthly for each month of service for a maximum annual accumulation of one hundred forty-four (144) hours per year of sick leave. If a fire fighter is employed only part of a month, they will be credited with sick leave for the full month only if they started on or before or terminated after the fifteenth (15th) day of the month. If a fire fighter is employed after or terminated before the fifteenth (15th) day of the month, they shall be credited with six (6) hours of sick leave. Any unused portion of such sick leave shall be accumulated until said fire fighter shall have a reserve of seven hundred-twenty (720) hours of sick leave.

**Section 2.** Any sick leave taken by a fire fighter with seven hundred-twenty (720) hours or less of accumulated reserve shall be first charged against the current year's accumulation of sick leave to date of absence. If the current year's accumulation of sick leave is exhausted, any sick leave taken shall be charged against the fire fighter's accumulated reserve of sick leave.

Any sick leave taken by a fire fighter with more than seven hundred-twenty (720) hours of accumulated reserve shall be first charged against the accumulated reserve.

**Section 3.** When a fire fighter uses sick leave due to off-duty injury or sickness, the fire fighter will be charged one (1) hour sick leave for each hour the fire fighter misses rounded to the nearest quarter hour. On February 1st of each year, each fire fighter shall receive a written report of their accumulated sick leave reserve.

**Section 4.** On December 31st of each year, after the fire fighter has accumulated their reserve of seven hundred-twenty (720) hours of sick leave, unused sick leave of a fire fighter for that year shall be allocated as follows:

- (a) Each fire fighter may take unused sick leave accumulated in the previous year not to exceed one hundred forty-four (144) hours as a cash payment, if approved by the Chief or their designated representative, to be paid at the regular rate of pay in effect at the time of payment on or before February 1st of each year. The approved amount may be allocated between cash, deferred compensation or a HSA contribution, at the fire fighter's option, consistent with legal restrictions.
- (b) Each fire fighter may take all or any part of unused sick leave as vacation, if approved by the Chief or their designated representative. Sick leave converted to vacation may only be used in full shifts. Any sick leave not taken as vacation shall be taken as cash payment at the fire fighter's regular rate of pay in effect at the time of payment.

Each fire fighter must declare their option before regular vacation and sick leave converted to vacation for the following year are selected.

**Section 5.** Fire fighters who have an accumulated reserve of more than seven hundred-twenty (720) hours of sick leave as of December 31, 1983, will maintain that accumulated reserve balance unless used for sick leave pursuant to the provision of Section 2 above. Such fire fighters shall continue to be credited with sick leave pursuant to the provisions of Section 1 above. This credited sick leave shall be either paid for or taken as vacation in accordance with the provision of Section 4 above.

**Section 6.** At the termination of a fire fighter's term of service with the Denver Fire Department for any reason, the said fire fighter shall receive compensation in full at their regular rate of pay at the time of such termination for all accumulated sick leave and vacation time due to them in hours at the termination of their service, except that a portion of this compensation shall be paid into the Post Employment Health Plan for eligible fire fighters as set forth in Article XX.

**Section 7.** (a) Prior to separation of service for any reason, other than as outlined in Section 7(b) below, the fire fighter may elect to have any or all accumulated sick leave and unused vacation time paid as compensation. The election to have these monies paid cannot be made more than 12 months prior to separation and must be made at least 5 days prior to separation and shall be paid at least two (2) working days before separation. The fire fighter may contribute this compensation into the City's Deferred Compensation Plan pursuant to the rules of that Plan. Any accumulated sick leave or unused vacation remaining after the election, shall be paid into the Post Employment Health Plan for eligible fire fighters as set forth in Article XX. This provision is subject to all limits and regulations governing a § 457 plan as enforced by the Internal Revenue Service, including deferral limits and the timing of deferral election forms.

(b) If a fire fighter is involuntarily terminated, or resigns or retires in lieu of involuntary termination, the fire fighter will be given the option of receiving all or part of their accumulated sick leave and unused vacation in cash rather than having that amount be paid into the Post Employment Health Plan (PEHP) established in Article XX of this Agreement. The fire fighter must exercise this option within five (5) calendar days of being informed of the involuntary termination decision, or giving notice of resignation or retirement in lieu of involuntary termination. The failure to exercise this option within five (5) calendar days shall be deemed consent to have the entire amount of the fire fighter's accumulated sick leave and unused vacation paid into the PEHP, as set forth in Section 7(a) above.

**Section 8.** Upon the death of a fire fighter of the Denver Fire Department, all monies due such fire fighter by reason of unpaid salary, accumulated unused vacation time, sick leave reserve or from other sources, at the time of their death shall be paid to their surviving spouse, or if there be no surviving spouse, then to the fire fighter's estate; provided however that if the Charter is amended the payment shall be made as required by the Charter as amended.

**Section 9.** Fire fighters may donate sick leave to the sick leave bank of, and accept sick leave donations from, another member of the classified service of the Fire Department in accordance with the procedures established by the Chief or the Chief's designee.

**Section 10.** Sick Leave Use

- (1) Statement of intent: The purpose of this section is to allow fire fighters, in connection with sickness or injury, to achieve a balance between family responsibilities and work demands. Each fire fighter must recognize that the responsibility of the Denver Fire Department is to provide a continuous high level of service to the public. Supervisors, when granting such leave, shall insure that the Fire Department mission is not jeopardized.
- (2) In addition to using sick leave when a fire fighter is incapacitated by sickness or injury, sick leave may be used for parental leave or for necessary care and attendance during the serious illness of a member of the fire fighter's family.
  - a. "Family" is defined as:
    1. a person who is related by blood, marriage, civil union, or adoption;
    2. a child to whom the employee stands in loco parentis or a person who stood in loco parentis to the employee when the employee was a minor; or
    3. a person for whom the employee is responsible for providing or arranging health- or safety-related care.
  - b. The amount of sick leave granted for parental leave or for necessary care of a sick member of an employee's family shall not exceed ninety days per twelve-month period without approval of the fire fighter's supervisor and the Chief.
  - c. Fire fighters using extended leave under the provisions of this agreement will return to work at their same or equivalent positions.
  - d. In all but emergency cases, the fire fighter needing extended family or medical leave shall document the need in writing and forward it to the Human Resources Bureau (HRB) office through the chain of command. A Sick Leave Request shall also be submitted. In emergency situations, the supervisor who grants the leave shall document the circumstances and forward the letter and Sick Leave Request to the HRB office, through the chain of command.

- e. Sick leave may also be used for any reason found in C.R.S. §§ 8-13.3-404 and 8-13.3-405, as they may be amended from time to time.
- (3) Up to 90 days leave for personal illness, illness of a family member, or parental leave may be granted. Fire fighters have the option of using unpaid leave in lieu of paid leave.
- a. When paid leave is elected, fire fighters shall use sick time when available.
  - b. Fire fighters who have no more than ten days remaining in their sick banks may then use vacation time and/or compensatory time.
  - c. Use of vacation time must follow the provisions of Article XIV. However, at the discretion of the Chief or designee, a scheduled vacation can be changed.
  - d. Fire fighters who require more than 90 days or who do not have a sufficient bank of sick leave, vacation time, or compensatory time may apply to the Chief for donated sick time.
- (4) Fire fighters using sick leave under subsection (2) above for extended periods may apply to the Chief for a reduced work schedule, *i.e.*, a leave schedule that reduces the fire fighter's usual number of hours per work week. The Chief may require the fire fighter to transfer to another assignment to better accommodate the reduced work schedule.

(5) Parental Leave

Up to 90 days parental leave may be granted to care for a child at the time of birth or adoption. Granting of such leave shall be subject to the approval of the Chief or designee. A fire fighter together with their spouse, who is also a fire fighter or employee of the City of Denver, are limited to a combined total of ninety days parental leave.

The parties agree that during the term of this Agreement, the authorized representatives of the Union and the City may, by mutual agreement, change the provisions for Sick Leave Use in this Section 9 of this Article XVIII.

**Section 11. Bereavement Leave**

- (a) Upon proper notification to the Department, a fire fighter shall be granted authorized absence from duty because of the death of a member of the fire fighter's immediate family, which includes the fire fighter's spouse, mother, father, mother-in-law, father-in-law, stepfather, stepmother, child, stepchild, brother, sister, brother-in-law, sister-in-law, grandparent, grandchild, spousal equivalent as defined by the City or other person



residing within the immediate household. Such absence shall not exceed five (5) consecutive calendar days, unless the Chief or their designee grants additional leave. Authorized bereavement leave for an immediate family member will not be charged against the fire fighter's accumulated sick or vacation leave.

- (b) Upon proper notification to the Department, at the discretion of the Chief or their designee, a fire fighter may be granted authorized absence from duty because of the death of relative other than an immediate family member. Such absence shall not exceed one (1) calendar day and may only be granted if staffing is available. Authorized bereavement leave for a relative other than an immediate family member shall be charged against the fire fighter's accumulated sick or vacation leave.

**Section 12. Military Leave**

- (a) Leave of absence shall be granted to eligible fire fighters for military service as defined by the Uniformed Services Employment and Reemployment Rights Act, 38 U.S.C. §§ 4301, *et seq.* A fire fighter shall give advance written notice of an absence due to military service, unless precluded by military necessity or giving advance notice is otherwise impossible or unreasonable.
- (b) Military leave with pay. Fire fighters shall be eligible for up to fifteen (15) calendar days (not to exceed 120 hours) of military leave with pay each calendar year.
- (c) Military leave without pay. In addition to fifteen (15) calendar days of military leave with pay for which a fire fighter may be eligible, fire fighters shall be granted military leave without pay to perform their military service obligations. A fire fighter may elect to use any accrued vacation leave or accumulated sick leave in lieu of unpaid leave for all or part of the fire fighter's absence from duty due to military service.
- (d) While a fire fighter is on military leave, eligibility for vacation and sick leave accrual shall not be affected, and a fire fighter shall be entitled to all benefits afforded under this Agreement to fire fighters who are absent for reasons other than military service.

**Article XIX**

**MILEAGE ALLOWANCE**

Fire fighters using their personal vehicles to conduct City business shall be entitled to mileage reimbursement in accordance with the City and County of Denver Fiscal Accountability Rule 10.7, and any revisions thereto made during the term of this Agreement.

## Article XX

### RETIREE HEALTH

**Section 1.** If this Article is declared by a court of competent jurisdiction to be unenforceable, the monies specified herein will be used for a purpose that benefits the bargaining unit and that is mutually approved by the Union and the City.

**Section 2.** Post Employment Health Plan

- (a) The City agrees to participate in the Post Employment Health Plan (PEHP), Health Care Insurance Premium Sub-account, for Collectively Bargained Public Employees (Plan) in accordance with the terms and conditions of the Plan's Participation Agreement, a copy of which has been provided to the City. The Plan Administrator for the Plan shall be mutually agreed upon by the City and the Union and the City agrees to contribute to the Plan as set forth in this Article.
- (b) Except as provided in subsection (c), upon termination of employment for any reason (which does not include death), one-hundred percent (100%) of the eligible fire fighter's accumulated sick leave and accrued but unpaid vacation that would have otherwise been paid to the eligible fire fighter had the City not participated in the Plan shall be contributed to the Participant's Health Care Insurance Premium Reimbursement Sub-account. Those fire fighters who separated from service prior to January 12, 2005 shall not be subject to the Plan. This subsection (b) is further subject to the following restrictions:
  - (1) The City shall deduct any overpayments to the fire fighter or other legal offsets due to the City from the fire fighter prior to making the contribution to the Participant's Health Care Insurance Premium Reimbursement Sub-account; however, before overpayment deductions and other legal offsets are made from accumulated sick leave and accrued but unpaid vacation, the City will first make the deductions and offsets from other compensable absences of the fire fighter, if any, and then any remaining balance shall be deducted and offset from the accumulated sick leave and accrued but unpaid vacation.
- (c) Fire fighters who are eligible for fully paid family retiree medical benefits through TRICARE or by their status as a Native American through the Bureau of Indian Affairs medical benefit programs shall not be eligible for or subject to the contribution amount set forth in Section 2(b).

**Section 3.** For the duration of this Agreement, the City's contribution to either the Fire and Police Pension Association Statewide Health Care Defined Benefit Plan (FPPA plan) or the Post Employment Health Plan (PEHP) shall be one and one-quarter percent (1.25%) per year of base pay on behalf of each fire fighter.

**Article XXI**

**DEATH AND DISABILITY CONTRIBUTION**

During the term of this agreement, the City shall pay, on behalf of all fire fighters hired after January 1, 1997, the state mandated contribution for death and disability coverage pursuant to C.R.S. § 31-31-811(4).

## **Article XXII**

### **WAIVER AND NOTICE**

- Section 1.** Failure of the City to enforce, or insist upon the performance of any term, condition or provision of this Agreement in any one or more instances shall not be deemed a waiver of such term, condition, or provision. No term, condition or provision of the Agreement shall be deemed waived by the City unless such waiver is reduced to writing and signed by an agent of the City who has actual authority to give such a waiver. If such written waiver is given, it shall apply only to the specific case for which the waiver is given and shall not be construed as a general or absolute waiver of the term, condition or provision, which is the subject matter of the waiver.
- Section 2.** Where any provision of this Agreement requires that any notice or information be given by the Union to the City within specified time, such requirement will not be met unless the official of the City specified herein who has actual authority to receive such notice actually receives the notice or information within the time limit specified in this Agreement.

## ARTICLE XXIII

### ENTIRE AGREEMENT

- Section 1.** The City and the Union shall not be bound by any requirement which is not specifically stated in this Agreement. Specifically, but not exclusively, the City and the Union are not bound by any past practices of the City or the Union, or understandings with any labor organizations, unless such past practices or understandings are specifically stated in this Agreement.
- Section 2.** The Union and the City agree that this Agreement is intended to cover matters affecting wages, rates of pay, grievance procedure, working conditions and other terms and conditions of employment and similar or related subjects, and that during the term of this Agreement, neither the City nor the Union will be required to negotiate on any further matters affecting these or any other subjects not specifically set forth in this Agreement.
- Section 3.** Notwithstanding any other provisions of this Agreement to the contrary, in the event that any Article, or Subsection(s) thereof, of this Agreement shall be declared invalid by any court of competent jurisdiction, or by any applicable State or Federal law or regulation, or should a decision by any court of competent jurisdiction or any applicable State or Federal law or regulation diminish the benefits provided by this Agreement, or impose additional obligations on the City, the parties shall negotiate on the Article or Subsection(s) thereof affected. All other provisions of this Agreement not affected shall continue in full force and effect.

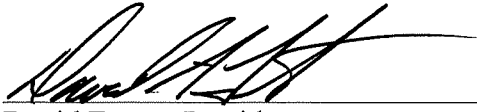
## **Article XXIV**

### **EFFECTIVE DATE, RATIFICATION AND TERMINATION**

- Section 1.** This Agreement shall be effective January 1, 2022 and shall continue to and include December 31, 2022.
- Section 2.** This Agreement is subject to ratification by the fire fighters of Denver Fire Fighters Local 858, IAFF, AFL-CIO, and the approval of an adopting ordinance by the City before the Union or the City is bound by the terms of this Agreement.

**DENVER FIRE FIGHTERS – LOCAL 858**

**CITY AND COUNTY OF DENVER**



David Foster, President

Michael B. Hancock, Mayor  
City and County of Denver



Phil Cordova, Secretary-Treasurer

**ATTEST:**



Aaron Abrams, Co-Chair  
Bargaining Committee

Paul D. López, Clerk and Recorder



Ashaun Drumgo, Co-Chair  
Bargaining Committee

**REGISTERED AND COUNTERSIGNED:**

Brendan Hanlon, Chief Financial Officer

Timothy M. O'Brien, Auditor

**APPROVED AS TO FORM:**

Kristin M. Bronson, City Attorney  
City and County of Denver

**RECOMMENDED AND APPROVED:**


By: \_\_\_\_\_

Murphy Robinson, Executive Director  
Department of Safety




**Contract Control Number:** SAFTY-202159642-00  
**Contractor Name:** Denver Firefighters Local 858


IN WITNESS WHEREOF, the parties have set their hands and affixed their seals at Denver, Colorado as of: 9/3/2021

**SEAL** DocuSigned by:  


**CITY AND COUNTY OF DENVER:**

**ATTEST:**


By: DocuSigned by:  
  
5D2CBE4562B2464...  
Deputy Mayor  
Murphy Robinson


DocuSigned by:  
  
401385B9DD354C3...  
Clerk and Recorder/Public Trustee  
Paul López


**APPROVED AS TO FORM:**

**REGISTERED AND COUNTERSIGNED:**

Attorney for the City and County of Denver

By: DocuSigned by:  
  
4820007070A54D0...  
Assistant City Attorney  
Jason Moore

By: DocuSigned by:  
  
075CC37373E64C1...  
Chief Financial Officer  
Brendan J Hanlon

By: DocuSigned by:  
  
0260604F0B784ED...  
YAuditor  
Timothy M. O'Brien

**Contract Control Number:** SAFTY-202159642-00  
**Contractor Name:** Denver Firefighters Local 858

**SIGNATURE LOCATED ABOVE ON PAGE 44**

By: \_\_\_\_\_

Name: \_\_\_\_\_  
(please print)

Title: \_\_\_\_\_  
(please print)

ATTEST: [if required]

By: \_\_\_\_\_

Name: \_\_\_\_\_  
(please print)

Title: \_\_\_\_\_  
(please print)

# Section B

## Denver Fire Department Directives

**DENVER FIRE DEPARTMENT**

**DIRECTIVE**

<b>Topic No:</b>	<b>1000.00</b>
<b>Date:</b>	<b>05-19-2021</b>
<b>Approved:</b>	<i>JAV</i>
<b>Review Date:</b>	<b>05-19-2023</b>
<b>Replaces:</b>	Same, dated 10-21-16

**Topic: Written Communication**

**DEPARTMENT DOCUMENTS**

**1000 – Denver Fire Department Directives**

**2000 – Denver Fire Department Standard Operating Guidelines**

- **2100 Operations**
- **2500 Safety and Training**
- **2600 Airport**

**Department Memoranda**

**DIVISION DOCUMENTS**

**Division Memoranda**

**GENERAL CORRESPONDENCE**

**E-Mail: All general correspondence shall follow proper chain of command procedures**

**Form 1A – Internal Correspondence**

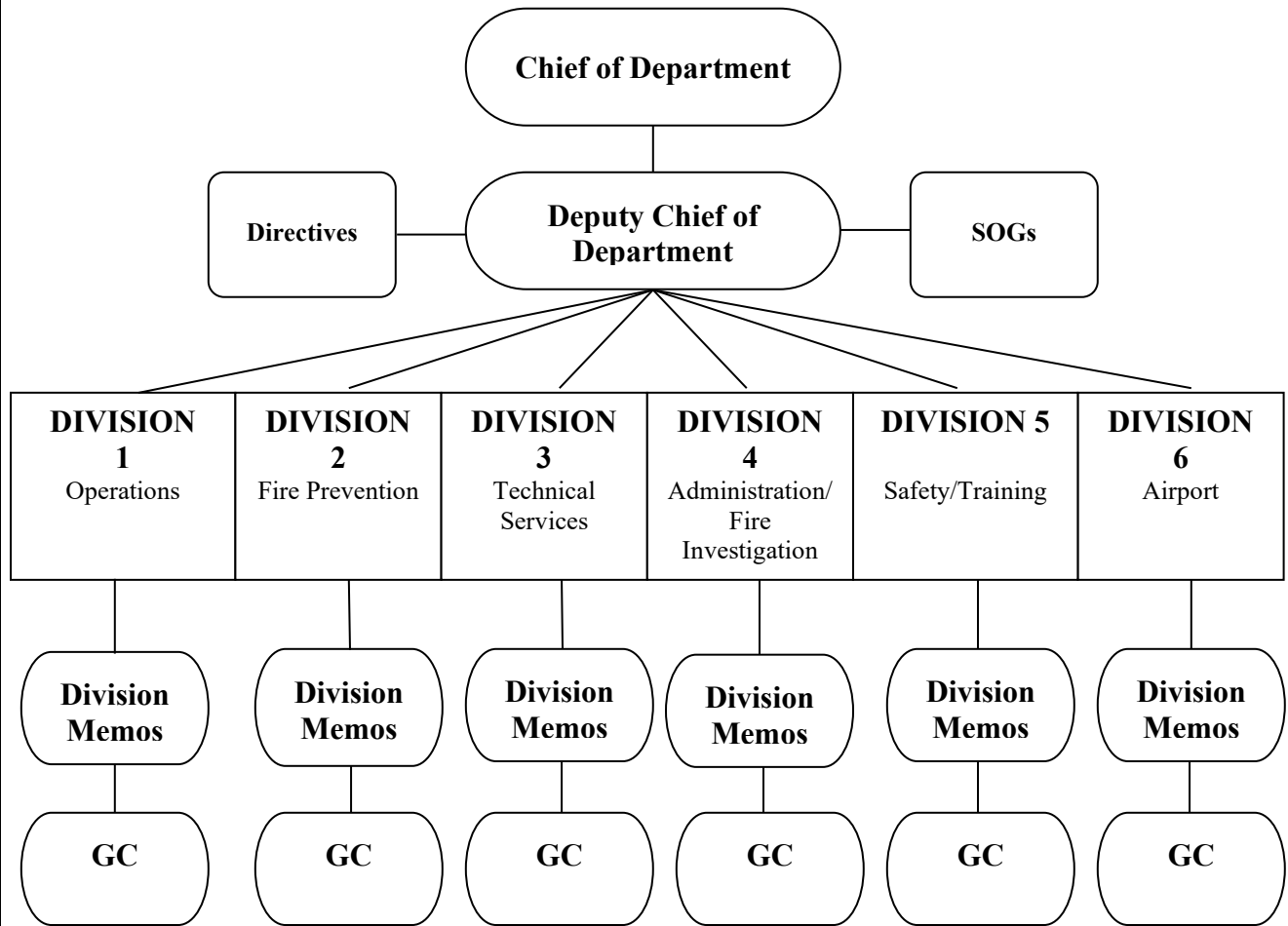
**Denver Fire Department Letterhead – External Correspondence**

DIRECTIVE

Topic No:	1000.00
Date:	05-19-2021
Approved:	JAV
Review Date:	05-19-2023
Replaces:	Same, dated 10-21-16

Topic: Written Communication

Department Documents – Flow Chart



\* GC (GENERAL CORRESPONDENCE)

DENVER FIRE DEPARTMENT

DIRECTIVE

<b>Topic No:</b>	<b>1000.00</b>
<b>Date:</b>	<b>05-19-2021</b>
<b>Approved:</b>	<i>JAV</i>
<b>Review Date:</b>	<b>05-19-2023</b>
<b>Replaces:</b>	<b>Same, dated 10-21-16</b>

**Topic: Written Communication**

**DEPARTMENT DOCUMENTS**

**Directive:** A statement of what to do that must be obeyed

Administrative in nature  
Established through the Fire Chief  
Applies to all members  
Permanent in nature  
Written in standard paragraph format to the extent possible

**Standard Operating Guideline (SOG):** A rule of principle that provides guidance to appropriate behavior

Established through the Fire Chief  
Applies to all members  
Permanent in nature  
Written in standard paragraph format to the extent possible

**Department Memorandum:** Brief written communication

Written by/through the Fire Chief  
Applies to all members  
May introduce revisions to a Directive or Standard Operating Guideline (SOG)  
Temporary in nature; does not change guidelines or directives  
Has a Department-specific Memorandum Control Number (MCN)

**DIVISION DOCUMENTS**

Division Memoranda shall not contradict or supersede a Department Directive or Standard Operating Guideline!

**Division Memorandum:** Brief written communication

Written by/through the Division Chief  
Applies to all members of the Division  
Temporary in nature; does not change guidelines or directives  
Has a Department-specific Memorandum Control Number (MCN)

DENVER FIRE DEPARTMENT

DIRECTIVE

<b>Topic No:</b>	<b>1000.00</b>
<b>Date:</b>	<b>05-19-2021</b>
<b>Approved:</b>	<i>JAV</i>
<b>Review Date:</b>	<b>05-19-2023</b>
<b>Replaces:</b>	<b>Same, dated 10-21-16</b>

**Topic: Written Communication**

**GENERAL CORRESPONDENCE**

**Internal Correspondence (Form 1A):** General purpose document used primarily for communication within the Department

Written by ANY member

Can be addressed to any member through the Chain of Command

**External Correspondence (Letterhead):** General purpose document used primarily for communication outside the Department

Official in nature

Written by any member within their official capacity

**Email:** Department-business related

General purpose written communication used for communication within the Fire Department or outside the Department

**Memorandum Control Number (MCN):** Located in the upper left corner of memorandum

Abbreviations:

All Members – Fire Chief Memo	FCM
Division 1 – Operations	OPS
Division 2 – Fire Prevention	FP
Division 3 – Technical Services	TEC
Division 4 – Administration	ADM
Division 5 – Safety and Training	TRN
Division 6 – Airport	DEN

Example: FP-004-2016 (e.g., Fire Prevention Division memorandum; fourth (4<sup>th</sup>) document of 2016)

004 = Number of memoranda, in sequential order, starting over at 000 at the beginning of each year

2016 = Year released

**DENVER FIRE DEPARTMENT**

**DIRECTIVE**

**Section:** WRITTEN COMMUNICATIONS  
**Topic:** Communication Responsibilities

<b>Topic No:</b>	<b>1001.00</b>
<b>Date:</b>	<b>05-19-2021</b>
<b>Approved:</b>	<i>JAV</i>
<b>Review Date:</b>	<b>05-19-2023</b>
<b>Replaces:</b>	<b>Same dated 4-30-2010</b>

**RESPONSIBILITIES**

**All Department personnel shall be responsible for:**

Familiarizing themselves with, maintaining a constant awareness of, and following all Department Directives and Standard Operating Guidelines

**All supervisory personnel shall be responsible for:**

Informing and educating their members regarding any new or revised written document(s)

Compliance by subordinate personnel with all Department Directives and Standard Operating Guidelines

**Division Chiefs are responsible for:**

Informing and educating their members

**Chief of Department is responsible for:**

Identifying, on an ongoing basis, the need to establish or modify a Department Directive, Standard Operating Guidelines (SOG), or memorandum

Ensuring that new or modified Department Directives, Standard Operating Guidelines (SOGs), and memoranda are prepared and distributed in a timely manner

Maintaining a current master file of all Department written communications in hard copy and/or electronic format as determined by the Chief or his/her designee



DENVER FIRE DEPARTMENT

DIRECTIVE

Section: WRITTEN COMMUNICATIONS  
Topic: Non-Written Communication

Topic No:	1002.00
Date:	April 30, 2010
Approved:	JAS
Review Date:	April 30, 2012
Replaces:	DOG 201.01 (01/01/00)

**PURPOSE:** To identify means of communication other than radio communications, and to establish a consistent, professional protocol for their usage

**SCOPE:** Applies to all Denver Fire Department personnel

**I. RADIO**

A. FCC Regulations:

The FCC (Federal Communications Commission) has authority in regard to use and operations of the Denver Public Safety radio system. Sections 501 and 605 of the FCC Manual cover Fire Department operations.

FCC regulations prohibit the following:

1. Transmission of superfluous signals, messages, or communications of any kind.
2. Use of profane, indecent, or obscene language.
3. Causing unlawful or malicious interference with any radio communications.
4. Willfully damaging or permitting radio equipment to be damaged.
5. Interception and use or publishing the contents of any radio message without the written permission of the Fire Department.
6. Making unnecessary or unidentified transmissions.
7. Transmitting without first making sure the intended transmissions will not cause harmful interference.
8. Denying access to radio equipment or records to a properly identified representative of the FCC. Equipment and/or records must be made available for inspection at any reasonable hour.
9. Transmitting a call signal, letter, or numeral which has not been officially assigned.

B. Radio Transmissions

Fire Department radio transmissions are monitored by many other agencies. The press, radio, TV, and private citizens are often interested in our activities. It is important to maintain professionalism at all times when using the Denver Fire Department radio. Use plain English in a clear, calm voice. Short, concise messages are most easily understood. The use of radio codes is not necessary, with the exception of Codes 9, 10, 96, 97, 98, 99, and 100:

DENVER FIRE DEPARTMENT

DIRECTIVE

Section: WRITTEN COMMUNICATIONS  
Topic: Non-Written Communication

Topic No:	1002.00
Date:	April 30, 2010
Approved:	JAS
Review Date:	April 30, 2012
Replaces:	DOG 201.01 (01/01/00)

1. Code 9: Non-emergency movement. No use of emergency warning equipment.
2. Code 10: Emergency movement. Use of all installed emergency warning equipment.
3. Code 96: A police officer is needed at your location. The Dispatcher will request a police response as soon as possible. Please give the Dispatcher the nature of the problem. The police will ask for that information. This code could be used during an EMS call where a patient is giving you trouble, is very unruly, or in any way poses a threat to someone.
4. Code 97: Unruly crowd. Small, localized situation, demonstration, or sit-in. Possibly hostile crowd. The Dispatcher will notify the Duty Officer and Police Department when necessary. The Duty Officer should notify the Chief of Department, Operations Chief, and District Chief as necessary.
5. Code 98: The number of people involved in a Code 97 is increasing. Hostile or violent acts occurring. Dispatcher will:
  - a. Alert all Stations and units on the air.
  - b. Put the Hold Order in effect.
  - c. Keep the Duty Officer informed.
  - d. Monitor the police tactical channel being used for the incident.
6. Code 99: Major disturbance, either imminent or in progress and affecting large or multiple portions of the city. The Incident Command System will be implemented. All procedures in Codes 97 and 98 have been implemented.
7. Code 100: An individual company or member is calling for emergency assistance.

C. Radio Messages

A two-way message initiated by the Dispatcher consists of five parts:

1. Contact: Initiates the conversation: “Dispatcher to Engine 28.”

DENVER FIRE DEPARTMENT

DIRECTIVE

Section: WRITTEN COMMUNICATIONS  
Topic: Non-Written Communication

Topic No:	1002.00
Date:	April 30, 2010
Approved:	JAS
Review Date:	April 30, 2012
Replaces:	DOG 201.01 (01/01/00)

2. Response: The response completes the contact and authorizes the sender to proceed with the message: *“Engine 28, Quincy and Sheridan, standing by.”*
3. Text: The text of message is the information being conveyed: *“Engine 28, respond to a car fire at Quincy and Stuart.”*
4. Confirmation: The confirmation is the receiving unit’s way of saying that the message has been received and understood: *“Engine 28, message received, responding to a car fire at Quincy and Stuart.”*
5. Close: The Dispatcher will close all messages with the time of day that indicates the Dispatcher is ready for additional radio traffic.

Message Types:

1. Urgent:

Requires immediate acknowledgement and response. (Activating the **emergency button** on your radio will also alert the Dispatcher that you are in trouble or have Urgent traffic.)

Urgent messages are initiated by transmitting the unit ID and the word “Urgent.” The Dispatcher will acknowledge the transmission and clear all other radio traffic for the emergency message if necessary. Example: *“Engine 28, Urgent! We have witnessed a serious accident at Quincy and Sheridan. We will need Denver Health and a truck to respond to this location. Cover for us at Quincy and Stuart.”*

Examples of Urgent messages that should be made immediately:

- a. Reporting fires or stills
- b. Transmissions of task force assignments and greater alarms of fire
- c. Requests for ambulance, police, or other resources
- d. Accidents involving Denver Fire Department vehicles
- e. Mechanical breakdowns en-route to alarms
- f. “Code Red” utility calls
- g. Firefighters or civilians trapped or in need of immediate assistance

DENVER FIRE DEPARTMENT

DIRECTIVE

Section: WRITTEN COMMUNICATIONS  
Topic: Non-Written Communication

Topic No:	1002.00
Date:	April 30, 2010
Approved:	JAS
Review Date:	April 30, 2012
Replaces:	DOG 201.01 (01/01/00)

2. Routine

No emergency. Transmitted as soon as time and radio traffic permit:

- a. Units reporting in service, in quarters, etc.
- b. Requests for utilities and other public agencies
- c. Arrival/size-up reports
- d. Requests for information
- e. Routine tests and messages

Pertinent information that would affect apparatus “on the air” shall be relayed as soon as possible. This includes street and alley closings, hydrants in or out of service, and apparatus out of service or out of position. The Dispatcher must use discretion in determining the immediacy of any message.

**II. VOCALARM**

The VocAlarm is the primary method of communicating with the firehouses. VocAlarm messages are acknowledged manually in the stations. The acknowledgement is displayed on the Dispatcher’s VocAlarm screen.

A. Dispatched Calls

Companies selected to respond to an alarm will be given a brief description of the incident and then will receive an oscillating tone signal (long ring). After the station(s) have acknowledged the tone, the Dispatcher will give a complete description of the response, including type of alarm, units responding, map page, address, building and/or apartment identification, cross street, units responding from on the air or from locations other than their normal response area, and any other information that might be helpful to the responding companies. The complete message will be repeated three times. The dispatching sequence will conclude with the time.

At the Dispatcher’s discretion, units assigned to an incident that will be responding from on the air may be contacted either before or after those responding from their stations.

At the conclusion of the VocAlarm dispatch, the Dispatcher will broadcast the same information at least twice on the radio. The Dispatcher should leave about a

DENVER FIRE DEPARTMENT

DIRECTIVE

Section: WRITTEN COMMUNICATIONS  
Topic: Non-Written Communication

Topic No:	1002.00
Date:	April 30, 2010
Approved:	JAS
Review Date:	April 30, 2012
Replaces:	DOG 201.01 (01/01/00)

one-minute interval between broadcasts. Radio transmissions conclude with the time of day.

B. VocAlarm Messages

Messages to fire station on the VocAlarm are generally limited to the following:

1. Hold Order in effect or lifted
2. Streets, alleys, and hydrants in or out of service
3. Conditions, including weather, that may affect response
4. Messages of general interest

**III. BUSINESS/ADMINISTRATIVE AND OTHER STATION TELEPHONES**

The City of Denver business phone system can be used as a backup method of dispatching in the event of failure of all other means of communications.

- A. Answer promptly.
- B. Identify yourself: For example: “*Fire Station 16, Smith speaking.*”
- C. Take information, be prepared to take notes; you may receive a fire response or other Urgent message.
- D. If the caller asks for someone else, stay on the line until that person answers.

**IV. FACE-TO-FACE COMMUNICATION**

This may provide a good alternative to the radio when communicating sensitive information.

**V. PAGE TAP**

Page tap data is sent to the station receiver/printer as soon as companies are committed to an incident in CAD and will usually precede VocAlarm notification.

DENVER FIRE DEPARTMENT

DIRECTIVE

<b>Topic No:</b>	<b>1004.00</b>
<b>Date:</b>	<b>05-05-2021</b>
<b>Approved:</b>	<i>JAV</i>
<b>Review Date:</b>	<b>05-05-2023</b>
<b>Replaces:</b>	<b>Same, dated 08-03-10</b>

**Topic:** Attendance at Incidents

**PURPOSE:** To address who is authorized to respond to incidents.

**SCOPE:** Applies to all personnel

The only personnel authorized to respond to incidents are:

- A. On-duty personnel dispatched by Fire Alarm, or
- B. Personnel paged by an authorized designee of the Department, or
- C. Other individuals, with a letter of and/or authorization from the Chief of the Department, which may include the following but are not limited to:
  - 1. Department Command Staff
  - 2. Department Duty Chief and Division Duty Officers as assigned
  - 3. Support personnel requested by the Incident Commander
  - 4. Public Information Officer

Anyone responding to an incident shall report to the Staging Officer (if assigned) or to the Incident Commander.

Any member responding to an incident will notify Dispatch to assign them to the incident for accountability purposes.

DENVER FIRE DEPARTMENT

DIRECTIVE

Topic No:	1006.00
Date:	01-14-2021
Approved:	JAV
Review Date:	01-14-2023
Replaces:	Same, dated 08-04-2010

Topic: Checking Department Email

In order to streamline internal communications and provide the most up-to-date information to our members as quickly as possible, **all DFD members are required to check their Denver Fire Department email as part of their daily job duties.** This practice will reduce the need for hard copy distribution of much of our Department's internal correspondence and reduce waste, keeping in line with the Mayor's Greenprint Denver Initiative.

DENVER FIRE DEPARTMENT

DIRECTIVE

<b>Topic No:</b>	<b>1006.01</b>
<b>Date:</b>	<b>06-10-2021</b>
<b>Approved:</b>	<i>JAV</i>
<b>Review Date:</b>	<b>06-10-2023</b>
<b>Replaces:</b>	<b>Same, dated 10-05-17</b>

**Topic:** Use of Interdepartmental Mail

**PURPOSE:** To outline guidelines pertaining to the use of interdepartmental mail

**SCOPE:** Applies to all DFD and CSA Personnel

The interdepartmental mail system is not to be utilized for sending personal information and/or messages that are not Fire Department business.

Any person and/or organization that feels a need to utilize the interdepartmental mail service for purposes other than conducting Department business must receive permission from the Fire Chief or his/her designee, prior to distribution.

Official Union and Association documents that have already been pre-approved shall continue to be authorized for interdepartmental distribution.



DENVER FIRE DEPARTMENT

DIRECTIVE

Topic No:	1009.00
Date:	September 22, 2010
Approved:	JAS
Review Date:	September 22, 2012
Replaces:	N/A

Topic: Non-Line of Duty (NLOD) Medical  
Restriction Temporary Administrative  
Assignments

**I. OVERVIEW**

Temporary re-assignment is a short-term alternative employment opportunity for members with temporary work restriction resulting from non-line of duty medical conditions.

**Temporary Reassignment**

Temporary reassignment *may* be available throughout the Department depending upon:

- A. Needs of the Department
- B. Position vacancy
- C. Nature of the condition and medical restrictions
- D. Member expertise and Skill

Any reassignment will be considered a benefit, not a privilege. All temporary reassignments will be available on a first-come, first-served basis. Department administration reserves the right to determine whether a temporary reassignment would be within the best interest of the City and Department, and to determine the placement of the employee and duration of the temporary reassignment under this Directive. All reassignments will be reviewed on a case-by-case basis. Previous NLOD temporary reassignments will not set precedent for future NLOD reassignments.

**Periodic Review**

The Department will review NLOD temporary reassignments on a periodic basis and may require the member to provide updated medical information as needed, but not more than once every 30 days. Any change in medical restrictions should be reported as quickly as practicable to the member's supervisor.

**II. NLOD v. LOD**

Non-line of Duty (NLOD) conditions will be treated differently than injuries sustained on duty (LOD). Subject to the approval of the Chief of the Fire Department and the proper examining physician, members who have injuries received *on duty* are entitled to:

DENVER FIRE DEPARTMENT

DIRECTIVE

<b>Topic No:</b>	<b>1009.00</b>
<b>Date:</b>	<b>September 22, 2010</b>
<b>Approved:</b>	<b>JAS</b>
<b>Review Date:</b>	<b>September 22, 2012</b>
<b>Replaces:</b>	<b>N/A</b>

**Topic: Non-Line of Duty (NLOD) Medical  
Restriction Temporary Administrative  
Assignments**

- A. When necessary, with hospitalization, doctors, surgeons, nurses, and medical care
- B. Any intermittent or consecutive leave of absence not to exceed one calendar year at his or her full salary and benefits so long as the leave is necessary in reaching recovery from the injury or sickness for the rank that the member holds in the Department. At the discretion of the Fire Chief, the one year of leave may be taken intermittently over the course of more than one calendar year.
- C. In case of additional leave of absence in excess of one year, he or she may use his or her accumulated sick leave at full pay (Charter § 9.5.7)

However, medical conditions sustained other than in the line of duty do not permit members to these same entitlements. Any member of the Denver Fire Department who shall become injured or develop any other medical condition otherwise than in the performance of his or her official duties shall be entitled to receive full pay from the Department payroll for the rank he or she holds in the Department for such time as he or she may have accumulated for sick leave.

While members with NLOD conditions are not entitled to modified duty, often times a temporary reassignment to a different position or a special assignment may be beneficial to both the member and the Department. In order to receive an administrative temporary reassignment requested as a result of NLOD condition, the member must:

- A. Obtain the available position description from HRB regarding the temporary reassignment position sought and present the description to the employee's medical provider
- B. Provide documentation from their medical provider that they are released to work in the assignment

Reassignments will not be made to currently occupied positions. Positions will not be created to accommodate a member with a NLOD injury with the exception of special assignments as needed by the Department. Special assignments include but are not limited to: dive instructors and night club inspections.

If a reassignment is requested, it will be treated as any reassignment, including a temporary change in job classification, if necessary for the temporary reassignment position sought. The Department will attempt to return members to their pre-NLOD assignment when the member requests such return and provides written clearance from the employee's treating medical provider showing that

DENVER FIRE DEPARTMENT

DIRECTIVE

<b>Topic No:</b>	<b>1009.00</b>
<b>Date:</b>	<b>September 22, 2010</b>
<b>Approved:</b>	<b>JAS</b>
<b>Review Date:</b>	<b>September 22, 2012</b>
<b>Replaces:</b>	<b>N/A</b>

**Topic: Non-Line of Duty (NLOD) Medical  
Restriction Temporary Administrative  
Assignments**

they are medically able to return to full duty in the pre-NLOD condition assignment. The employee will need to provide a copy of their regular assignment position description to their medical treatment provider to make this determination.

If the employee's pre-NLOD condition assignment is not available, Department administration will use best efforts to place employee in a comparable position but can not guarantee immediate return to the pre-NLOD condition assignment.

**III. FMLA / ADA**

The member is still entitled to apply for leave under Family and Medical Leave Act (FMLA) and, if approved, be entitled to all protections and benefits provided by the FMLA.

Additionally, members may be entitled to a reasonable accommodation if they are determined to be disabled under the Americans with Disabilities Act (ADA). Any reassignment under this order does not constitute any admission by the Department that it regards the member as disabled.

Any member seeking to use benefits provided by the FMLA, or believing they may be entitled to a reasonable accommodation under the ADA should contact Shared Services or their Human Resources department.

Department members receiving either line-of-duty or NLOD work restrictions shall notify their supervisor as soon as possible.

## DIRECTIVE

<b>Topic No:</b>	<b>1009.01</b>
<b>Date:</b>	<b>02-23-18</b>
<b>Approved:</b>	<b>TAB</b>
<b>Review Date:</b>	<b>02-23-20</b>
<b>Replaces:</b>	<b>Same, dated 11-09-17</b>

**Topic: Non-Line of Duty (NLOD) Sick Leave**

**PURPOSE:** To outline procedures for members with NLOD injuries or illness

**SCOPE:** Applies to all uniformed members

**SICK LEAVE (Non-Line of Duty Illness or Injury)**

It is the responsibility of each member to notify their respective officer of any absences and/or injuries.

It is the responsibility of Company Officers and Support Service Heads to monitor the use of sick leave of members assigned to them. They shall contact the members at their place of confinement for verification whenever there is a reasonable doubt as to compliance by any member.

Any time a member cannot be contacted by the above procedure, the immediate supervisor shall contact the Administration Division for further action. The Administration Division is authorized to perform "welfare checks."

**All members are reminded that current information must be on record with the Administration Division concerning their home address and telephone number.**

Violation of the above-listed procedures may subject the member to disciplinary action.

**RETURN TO WORK**

If a member assigned to a 48-hour work week has missed three (3) consecutive shifts (72 hours); **not** including a Kelly Day, or if a member assigned to a 40-hour work week has missed 40 hours consecutively; **not** including a Kelly Day, the member must have a doctor's note releasing the member to full duty with no restrictions based on the member's job description. Before the member can return to work, this doctor's release must be given to the member's officer, who will immediately forward it to the Administration Division. In addition, the member's officer shall notify the Administration Division of the sick leave usage within 72 hours of the member's absence. Based upon FMLA law, paperwork will be sent to the member explaining the employee rights under the Family and Medical Leave Act.

DENVER FIRE DEPARTMENT

DEPARTMENT DIRECTIVE

Topic: Driver Safety Program and Operator Classifications

Topic No:	1010.01
Date:	12-03-19
Approved:	TAB
Review Date:	12-03-21
Replaces:	Same, dated 08-01-19 (was named Driver Safety Program)

**PURPOSE:** It is the intent of this Driver Safety Program to allow the Department, the Department Driving Coordinator, and the Safety and Training Division greater control in the management of Fire Department driving issues.

**SCOPE:** Applies to all members driving Department vehicles.

The benefits of this program are:

1. Strict accountability for the operation of Fire Department vehicles.
2. Greater traffic safety for citizens and Department personnel.
3. Enhance the abilities of promoted driver/operators and acting driver/operators to operate Department vehicles safely and effectively.

*Colorado Revised Statutes (CRS) Title 42, 'Vehicles and Traffic', shall be used for the assessment of points and shall apply to all emergency and non-emergency driving violations and to violations of the Department code 10 policy.*

**No Department member shall be authorized to operate any emergency vehicle without having first completed the Denver Fire Department Driver Safety Program.**

The Driver Safety Program shall include obtaining a Denver Fire Department Driver Certification for emergency vehicles. The requirements for obtaining the Denver Fire Department Driver Certification shall include, but are not limited to, the following:

- Possessing a valid Colorado State Driver's License. Restrictions on a member's Colorado Driver's License shall prevail when certification is considered by the Driving Coordinator.
- 3<sup>rd</sup> grade Firefighter rank or greater.
- Successful completion of all steps required by the Department Driver Safety Program.

**NOTE:** The Department Driving Coordinator operates under the authority of the Division Chief of Safety and Training.

Company officers are free to consult with the Department Driving Coordinator about participation of company members in the Driver Safety Program.

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DEPARTMENT DIRECTIVE

**Topic: Driver Safety Program and Operator Classifications**

<b>Topic No:</b>	<b>1010.01</b>
<b>Date:</b>	<b>12-03-19</b>
<b>Approved:</b>	<b><i>TAB</i></b>
<b>Review Date:</b>	<b>12-03-21</b>
<b>Replaces:</b>	<b>Same, dated 08-01-19 <i>(was named Driver Safety Program)</i></b>

All members are required to obtain a Denver Fire Department Driver Certification in either Class 2, Class 3, or both, within 12 months of becoming a 3<sup>rd</sup> grade Firefighter.

There are seven classifications of Fire Department Certifications. Certifications for each specific vehicle allow members to drive only those that are included on that certification. Exception: Members qualified on Quints may also drive/operate either an Engine or a Truck and members qualified for Trucks and Towers may operate Class 5 apparatus.

- Class 1 – Light vehicles (Car, Pickup, Van, Civil Defense Rig, Stake Bed Trucks, Type 6 Wildland, and Warehouse Vehicles).  
Class 1 licenses may be issued to any Department member who holds a valid Colorado State Driver’s License. Members operating specialized vehicles (i.e. Air / Light Truck) shall complete training in the operation of that specialized equipment. Class 1 also includes:  
(a) Non-emergency vehicles where the member has not completed the Driver’s Safety Program regardless of rank and (b) Emergency vehicles where the member has completed the Driver’s Safety Program and has attained the rank of 3<sup>rd</sup> Grade Firefighter or greater.
- Class 2 – Engine, Wildland Type 3, Air/Light, Dump Truck, and Single Axle Rescue
- Class 3 – Aerial Truck
- Class 4 – Quint (or a combination of Class 2 and Class 3)
- Class 5 – Tandem Rear Axle Rescue, Tandem Rear Axle Hammer
- Class TT – Tractor Trailer (Collapse Rig)
- Class X – Crash Fire Rescue Apparatus

The certification classes described above may be modified where appropriate and additional certification classes may be added as new types of apparatus become available and are added to the Denver Fire Department fleet.

Wildland Apparatus may require an additional endorsement to operate off road.

Any member found to be driving a Fire Department vehicle with a suspended Colorado State Driver’s License or a suspended Denver Fire Department Certification will be in violation of Department policy and will be subject to disciplinary action.

DENVER FIRE DEPARTMENT

DEPARTMENT DIRECTIVE

Topic: ALL DFD Related Accidents and Driver Review

Topic No:	1010.02
Date:	12-03-19
Approved:	<i>TAB</i>
Review Date:	12-03-21
Replaces:	Same, dated 11-07-14 (was named Accidents Involving DFD Vehicles or Apparatus); and 1010.00, 1010.03, and 1010.04

**PROCEDURES FOR DFD VEHICLE AND APPARATUS ACCIDENTS**

Whenever **any** vehicle or apparatus assigned to the Denver Fire Department is involved in a traffic accident, the incident will be classified by dispatchers as an “Accident-Fire Dept. Vehicle” or “Accident-Fire Dept. Apparatus.” All accidents involving DFD vehicles or apparatus shall be reported and investigated and the accident packet shall be fully completed. All accidents occurring off Department property will require a police response. The following procedures shall be followed in the event a Department vehicle or apparatus is involved in an accident. All Fire Department vehicles and apparatus shall carry a complete Accident Packet. It shall be the responsibility of the officer in charge and/or the driver/operator to complete all required actions and forms and to make sure forms are available in the vehicle. Forms are available online in Target Solutions .

**DO NOT MAKE STATEMENTS REGARDING THE ACCIDENT TO ANYONE EXCEPT POLICE OR DEPARTMENT INVESTIGATORS.**

**I. PROCEDURES FOR ACCIDENTS INVOLVING ALL FIRE DEPARTMENT VEHICLES, INCLUDING FIRE APPARATUS, WITH ANOTHER PERSON OR AGENCY INVOLVED**

- A. All vehicles and apparatus involved in an accident, **including apparatus responding on emergency responses, must stop immediately, render aid as needed, and begin the reporting procedure.**
- B. Notify the dispatcher immediately of the following:
  - 1. Dept. vehicle or apparatus involved
  - 2. Location
  - 3. Need for a cover-in company (for responding apparatus)
- C. Request the following:
  - 1. DFD Fire Company (if additional DFD resources are needed)
  - 2. Ambulance for injured parties (include details of injuries and the number of injured parties)

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3. Police (if determined by the investigating Chief that damage was NOT limited to Department vehicle)
4. Activation of Accident Call List
5. Opening of an Incident for the accident
6. Notification of District Chief, or if a Support Division vehicle, the Division Assistant Chief (during business hours) for investigation

D. Document the following:

1. Name, age, and date of birth of all injured parties
2. Address and phone numbers of all involved parties (work/cell if possible)
3. Ambulance company name/s, number/s, and attendant name/s
4. Hospital destination of all injured parties

E. Obtain and document:

1. Name, address, and phone numbers for all involved drivers
2. Driver's license number for all involved drivers (**copy the number from the license**)
3. License plate and VIN number from all vehicles involved
4. Insurance company, policy number, agent, and agent telephone numbers - note expiration dates
5. Name, address phone number, and statement for each witness

F. The investigating Assistant Chief or other Denver Fire Department investigator shall make certain that comprehensive photographs are taken of involved vehicles and the accident scene. (See photo guidelines in accident packet)

G. Include only **known** facts in written or verbal reports. Obtain statements from all parties and crew members present. **DO NOT MAKE CONCLUSIONS OR ASSUME LIABILITY FOR THE ACCIDENT.**



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H. Refer to Executive Order 94 for guidance in completing post incident testing.

I. **All items in the Accident Packet shall be completed and returned to the Administration Division, through the District Chief, Shift Commander and/or appropriate Division Chief within 72 hours after an accident.**

Completed packets may be submitted electronically through the chain of command via the Administration Division email address at: FireAdmin@denvergov.org. The completed packet should contain:

1. Completed Accident Packet checklist
2. Copy of the letter from the Company Officer (apparatus) or driver/operator (DFD vehicle) explaining the details of the accident, through the chain of command to the Chief of the Department
3. Accident Information Exchange Form(s)
4. Driver/Operator Vehicle Accident Report
5. Letter from the Fire Department officer investigating the accident. **All supervisory letters on accident investigations shall include whether or not Executive Order 94 was invoked, with reasons why or why not.**
6. Photographs (may be emailed to the Master Mechanic, Driving Coordinator and FireAdmin@denvergov.org)
7. Witness statements and crew statements

J. The Administration Division will notify the Deputy Chief and the appropriate Division Chief of all accidents involving their Division in a weekly report. After review of the accident documentation, the Administration Division will forward copies to the Chief of Department through the chain of command and initiate the review committee process as appropriate.

K. Complete NFIRS reports.

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Topic: ALL DFD Related Accidents and Driver Review

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L. Accidents Outside of the City of Denver:

DFD Vehicle or Apparatus accidents occurring outside the City of Denver shall be handled as above. The Company Officer (apparatus) or driver/operator (DFD vehicle) is still responsible for completing an accident packet and for completing the exchange of information with the other driver(s) and for ensuring a police report is filed. Company Officers or driver/operators should get information as to how to obtain a copy of the official report of the accident from the Police Officer of the jurisdiction in which the accident occurred.

**II. PROCEDURES FOR ACCIDENTS INVOLVING ALL FIRE DEPARTMENT VEHICLES, INCLUDING FIRE APPARATUS, ON DEPARTMENT PROPERTY WITH NO OTHER PERSON OR AGENCY INVOLVED AND WITH NO INJURIES:**

- A. Notify Dispatcher if the accident has put you out of service and request an incident number. (Stay *In Service* if the above conditions exist and you are able to respond to an incident).
- B. Request that the Dispatcher initiate the Accident Call List and to send the District Chief/Supervisor/Department Driving Coordinator or other investigator from Safety and Training.
- C. Make certain that pictures are taken at accident scene by the District Chief or Fire Department investigator. \*Refer to Accident Packet for Guidelines for Taking Photos
- D. Completed packets may be submitted electronically through the chain of command via the Administration Division email address at: FireAdmin@denvergov.org. The completed packet should contain:

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Topic: ALL DFD Related Accidents and Driver Review

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1. Completed Accident Packet checklist
2. Copy of the letter from the Company Officer (apparatus) or driver/operator (DFD vehicle) explaining the details of the accident, through the chain of command to the Chief of the Department
3. Accident Information Exchange Form(s)
4. Driver/Operator Vehicle Accident Report
5. Letter from the Fire Department officer investigating the accident. All supervisory letters on accident investigations shall include whether Executive Order 94 was invoked, with reasons why or why not.
6. Photographs (may be emailed to the Master Mechanic, Driving Coordinator and FireAdmin@denvergov.org).
7. Witness statements and crew statements.

**III. REVIEW OF ACCIDENTS INVOLVING FIRE DEPARTMENT VEHICLES / APPARATUS AND PERSONNEL**

All accidents involving fire apparatus shall be reported, investigated, and have a completed accident packet submitted. **No member shall investigate their own accident.**

- A. The Assistant Chief of the involved Division and the on-duty member of the Administration Division staff shall be notified of **ALL** Fire Department vehicle accidents.

A member of the Administration Division and/or a member of the Safety and Training Division staff shall respond to **ALL** accidents where injury or death has occurred.

**Include all forms.** If a form is not applicable, mark with a large "N/A."

- B. The Administration Division will be responsible for notifying the Deputy Chief of the Department of all accidents.

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C. The Department Driving Coordinator will request a quarterly meeting for the Department Driver/Operator Safety Review Board to the appropriate Divisions. It shall be the duty of the Department Driver/Operator Safety Review Board to review all Department vehicle accidents. The Driver/Operator Safety Review Board shall, upon review of the incident, determine whether an accident was preventable or non-preventable and determine a primary cause when necessary.

1. Preventable: Accident was principally caused by driving actions in violation of traffic laws and/or Department policy.
2. Non-preventable: Unavoidable accident; proper defensive techniques were practiced.
3. The DFD Driver/Operator Safety Review Board will present its recommendations to the Division Chief of Safety and Training for determination of points and/or any recommendations of remedial training. Any disciplinary recommendations from the Review Board will be presented to the Division Chief of Administration.
4. When the consideration of the accident is complete, the Department Driving Coordinator shall record the findings. Point values are determined as follows:

**IV. FIRE DEPARTMENT VEHICLE / APPARATUS ACCIDENT CLASSIFICATION**

Non-preventable – 0 points, accidents determined to be unavoidable with reasonable preventive measures and actions consistent with Department driver training.

Preventable – 0 to 12 points, taking into consideration the circumstances surrounding the accident and report information from the Police Department. Traffic violations will be assessed that number of points similar with the penalty point schedule in state statutes and used by the State of Colorado Motor Vehicle Division.

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Replaces:	Same, dated 11-07-14 (was named Accidents Involving DFD Vehicles or Apparatus); and 1010.00, 1010.03, and 1010.04

To maintain a valid DFD driver/operator license, a member shall not accrue more than 12 points within any twelve consecutive months or more than 18 points within any twenty-four consecutive months.

Primary Cause: Additional point assessment where there is a violation of any Department driving policy.

If the accident is found to be non-preventable, the Safety and Training Division will file a document in the Department Driving Records, with a copy to the operator's Division Chief. No points will be assessed.

If the accident is found to be preventable, the total of preventable points plus primary cause points (if applicable) will be applied to the driver's record and a determination of discipline (if applicable) will be initiated by the operator's supervisor according to the Department disciplinary process (see NOTE below).

Accrued points for only one accident could subject the driver/operator to disciplinary procedure without regard to any time limits.

**NOTE: Discipline given for driving matters is subject to the same rules for representation and appeal as discipline levied for any other reason.**

Points assessed for the current accident will be added to the points assessed during the past twenty-four consecutive months.

Drivers who have been involved in either preventable or non-preventable accidents may be required to complete assigned JPRs if the Department Driving Coordinator believes that a driver/operator would benefit from such training and one of the following situations exists:

1. Three non-preventable accidents within an 18-month period
2. Any accident resulting in death or serious injury
3. Any vehicle accident that includes circumstances that indicate there would be a benefit to the member or the Department

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**Topic: ALL DFD Related Accidents and Driver Review**

<b>Topic No:</b>	<b>1010.02</b>
<b>Date:</b>	<b>12-03-19</b>
<b>Approved:</b>	<b><i>TAB</i></b>
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<b>Replaces:</b>	<b>Same, dated 11-07-14 (was named <i>Accidents Involving DFD Vehicles or Apparatus</i>); and <b>1010.00, 1010.03, and 1010.04</b></b>

Flagrant Violations: Violations that contradict other Department standards or result in extreme damage and/or injuries may result in severe disciplinary recommendations.

Driver training shall be provided by the Department and may include defensive driving or emergency driving and maneuvering.

Questions concerning this policy may be directed to the Administration Division.

Point assessment values will correlate with the following corrective actions:

- 0 – 4 points: Company Level Training
- 5 - 8 points: Verbal Reprimand and Company Level Training
- 9 – 11 points: Written Reprimand
- 12 or more points: Suspension of Denver Fire Department driver’s license, possible reassignment, and appropriate disciplinary action which may include suspension, demotion, or termination

**Drivers or Company/Chief Officers shall report vehicle accidents they are NOT involved in by:**

1. Contacting the Dispatcher and reporting the accident. The driver or officer should state that his/her vehicle is not involved.
2. Giving the accident location and requesting Police. Where applicable, ask for an ambulance response – giving as many details about number of injured parties and type of injuries as possible.

**DENVER FIRE DEPARTMENT**  
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**Topic: ALL DFD Related Accidents and Driver Review**

<b>Topic No:</b>	<b>1010.02</b>
<b>Date:</b>	<b>12-03-19</b>
<b>Approved:</b>	<b><i>TAB</i></b>
<b>Review Date:</b>	<b>12-03-21</b>
<b>Replaces:</b>	<b>Same, dated 11-07-14 <i>(was named Accidents Involving DFD Vehicles or Apparatus); and 1010.00, 1010.03, and 1010.04</i></b>

3. Informing the Dispatcher if the driver or crew is giving assistance at the scene. Request additional apparatus as needed – giving details about what type of assistance is required - i.e. fire, extrication, hazard removal, sand, hazardous materials, etc.

DENVER FIRE DEPARTMENT  
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Topic No:	1010.05
Date:	06-11-19
Approved:	<i>TAB</i>
Review Date:	06-11-21
Replaces:	Same, dated 01-03-12

Topic: Driver's License and Violation Reporting

**MEMBER RESPONSIBILITIES** –

A member shall notify his/her immediate supervisor and provide written notice to Internal Affairs, immediately upon reporting to work for his/her next duty shift, following the occurrence of **ANY** of the following:

1. Suspension/Revocation/Denial/Cancellation/Expiration of their Colorado Driver's License
2. Any new restriction on his/her Colorado Driver's License
3. Any moving violation.

Exception: Parking summons or summons for traffic infractions involving a personal vehicle, in which the original charge incurs no points. (zero points prior to any plea bargaining)

4. Photo Enforcement Notice of Violation or parking summons involving a Department vehicle.

**Refer to Directive 1012.00 regarding reporting law enforcement contact and the required reporting form.** Internal Affairs will forward all pertinent information to the Department Driving Coordinator.

Failure to report any of the above may subject a member to discipline.

The Department Driving Coordinator shall check the driver's license of each Fire Department member annually through the Department of Motor Vehicles. By Executive Order, each member shall have a current '*Permission for Release of Individual Records*' (DR 2559 07/03) on file with the Driving Coordinator. **When a member renews his/her Colorado Driver's License, s/he shall forward the new license number and expiration date to the Driving Coordinator.**

No Department member is authorized to operate a Department vehicle without possessing a valid **Colorado State Driver's License**. (A member who is issued a provisional driver's license to drive his/her vehicle to and from his/her home to the workplace shall not be permitted to operate any Department vehicle until his/her regular driving privileges are reinstated and a regular driver's license reissued.) No member is authorized to operate a **Department vehicle** without



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<b>Topic No:</b>	<b>1010.05</b>
<b>Date:</b>	<b>06-11-19</b>
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<b>Review Date:</b>	<b>06-11-21</b>
<b>Replaces:</b>	<b>Same, dated 01-03-12</b>

**Topic:     Driver's License and Violation Reporting**

having first completed the current Driver's Safety Program, mandated for emergency and/or non-emergency vehicles.

Any member driving a Department vehicle with a suspended driver's license or a provisional driver's license as described above is in violation of this policy and may be subject to discipline.

DENVER FIRE DEPARTMENT

DIRECTIVE

<b>Topic No:</b>	<b>1010.06</b>
<b>Date:</b>	<b>11-17-2021</b>
<b>Approved:</b>	<i>JAV</i>
<b>Review Date:</b>	<b>11-17-2023</b>
<b>Replaces:</b>	<b>Same, dated 05-05-2021</b>

**Topic: Emergency (Code 10) Responses**

**CODE 10 RESPONSES:**

No Fire Department vehicle shall pass another emergency vehicle that is responding Code 10, regardless of the destination of either vehicle or the Agency of the other vehicle.

Passing another emergency vehicle while responding Code 10 should only be considered when the front emergency vehicle yields the right of way by voice communication, by physically motioning for back vehicle to pass, or by communication via radio. If consent is given to pass, then the passing emergency vehicle should only proceed with due caution and safety for all persons and property.

Passing another vehicle that is responding Code 10 may be considered in exigent circumstances without clear communication but should only be attempted with extreme caution for the safety of all persons and property.

This policy shall be strictly adhered to by all DFD personnel to ensure the safety of the citizens of the City and County of Denver and all emergency personnel.

Violation of this Code 10 response policy may subject the member to disciplinary action.

DENVER FIRE DEPARTMENT

DEPARTMENT DIRECTIVE

Topic No:	1010.07
Date:	05-10-2021
Approved:	JAV
Review Date:	05-10-2023
Replaces:	Same, dated 03-23-18

Topic: Use of Seat Belts in Department Vehicles

**OVERVIEW:**

The Department recognizes that seat belt use helps to protect our employees, reduce injuries, and control operating costs. Studies by several fire service organizations show conclusively that failure to use seat belts (lap and shoulder belts) results in increased deaths and injuries. Reducing these costly injuries and deaths protects our members and can strengthen our effectiveness as a Department. Therefore, we are mandating the following policy:

Seat belts shall be used at all times while driving or riding in any Department vehicle on company or personal business, or in any other vehicle while on official Department business. This policy applies to all Department members (Civil Service and Career Service) and all occupants of vehicles driven by Department members on official business. No Department vehicle shall be moved until the driver and all passengers are wearing seat belts.

**EXCEPTIONS:**

- I. In accordance to CRS 42-4-237-3b, a member of an ambulance team, other than the driver, while involved in patient care, is exempt from wearing a seat belt.
- II. Members of the Dive Team or Trucks having a “Gumby Suit” responding to a confirmed swift- or still-water rescue, and who are expected to don required PPE to perform an immediate life saving act upon arrival, will be exempt from this policy. This does not exempt any member not required to don safety equipment while en route to the scene. The apparatus driver will respond with extreme caution.

**RESPONSIBILITIES:**

All personnel will be held accountable for using seat belts. **Non-compliance may result in disciplinary action.** Officers and acting officers are responsible for ensuring that all Department members comply with this Directive and receive periodic reminders to use seat belts.

**OBJECTIVE:**

Wearing a seat belt is one of the simplest and most effective ways to stay safe, yet many Department members may still not do it. When seat belts are not used, the potential for crash-related injuries and death increases dramatically. Crash-related

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<b>Topic No:</b>	<b>1010.07</b>
<b>Date:</b>	<b>05-10-2021</b>
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<b>Review Date:</b>	<b>05-10-2023</b>
<b>Replaces:</b>	<b>Same, dated 03-23-18</b>

**Topic: Use of Seat Belts in Department Vehicles**

injuries attributable to not wearing a seat belt can affect a Department member's livelihood and can have a tremendous emotional and financial impact on the member's family. Based on this, the Denver Fire Department Administration, through this Directive, is taking steps to protect all Department members by ensuring 100% compliance 100% of the time.

DENVER FIRE DEPARTMENT

DIRECTIVE

<b>Topic No:</b>	<b>1010.08</b>
<b>Date:</b>	<b>10-05-17</b>
<b>Approved:</b>	<b>TAB</b>
<b>Review Date:</b>	<b>10-05-19</b>
<b>Replaces:</b>	<b>Old Dept. Dir. 114.10, dated 03-03-10</b>

**Topic: DFD Business Mileage Reimbursement Procedures (Business Use of Personal Vehicle)**

**PURPOSE:** To outline the procedure for mileage reimbursement for use of personal vehicles for City business

**SCOPE:** Applies to all DFD personnel

Mileage claimed for reimbursement during regular working hours shall begin and end at the regular duty station. When an employee reports to a location other than their regular duty station, mileage will begin at the first stop and end at the last stop where City business is conducted.

**I. Initial Approvals:**

- A.** Employee completes City Business Vehicle Request and Status Change Form (available under DFD Web/Downloadable Forms/Finance/Vehicle Forms) and forwards to their respective Division Chief with a copy of their insurance card. **It is each employee's responsibility to confirm with their insurance agent if they carry the minimum state coverage specified under the "Colorado Auto Repairs Act."**
- B.** Division Chief authorizes use of personal vehicle and forwards original documents to the Driving Coordinator at Training, with copies to Payroll and the employee.
- C.** Driving Coordinator reviews driver's license data on file with Motor Vehicle Division every six (6) months to determine if mileage privileges should be revoked.
- D.** Following Division Chief's approval, the employee may utilize their personal vehicle for business use for purposes of business mileage reimbursement.
- E.** Employee must attend the required Defensive Driving Training.

**II. Reimbursement Procedures:**

- A.** Employee records daily and total mileage on Bi-Weekly Mileage Summary Form (available under DFD Web/Downloadable Forms/Finance/Vehicle Forms) and obtains supervisor's approval signature.
- B.** Employee submits mileage form to payroll within five (5) working days of end of the bi-weekly payroll period.
- C.** All mileage reimbursements that do not have an approved Business Use of Personal Automobile Form on file in the Payroll office will be rejected.
- D.** Payroll maintains all mileage forms and approvals for review by the City's Controller or Auditor's Office.

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DIRECTIVE

<b>Topic No:</b>	<b>1010.08</b>
<b>Date:</b>	<b>10-05-17</b>
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<b>Review Date:</b>	<b>10-05-19</b>
<b>Replaces:</b>	<b>Old Dept. Dir. 114.10, dated 03-03-10</b>

**Topic: DFD Business Mileage Reimbursement Procedures (Business Use of Personal Vehicle)**

- III.** All employees shall notify their supervisor of any change in driver's license status or decreased insurance coverage and ensure compliance with the following:
- A.** Department Directives: *1010.05 – Driver's License and Violation Reporting and 1010.07 – Use of Seat Belts in Department Vehicles*
  - B.** Current City Fiscal Accountability Rule regarding *Use of Personal Vehicles for City Business* (available from the Department's Finance Office or [denvergov.org](http://denvergov.org) website)

DENVER FIRE DEPARTMENT

DIRECTIVE

<b>Topic No:</b>	<b>1010.11</b>
<b>Date:</b>	<b>10-05-17</b>
<b>Approved:</b>	<b>TAB</b>
<b>Review Date:</b>	<b>10-05-19</b>
<b>Replaces:</b>	<b>Old Dept. Dir. 114.01, dated 04-20-04</b>

**Topic:** Vehicle Use Policy

**PURPOSE:** To outline the use of Class I and II City vehicles

**SCOPE:** Applies to all uniformed members

**Class I**

Employees whose nature of work requires response to any activity critical to the operation of the Fire Department

*Class I* drivers are authorized full use of the assigned vehicle to include: driving to and from work and for personal use. For use under this provision, the employee's residence and personal use must be within a 25-mile radius of the City and County Building.

The Mayor or Executive Director of Safety shall grant this use classification.

**Class II**

An employee whose nature of work may require them to be subject to recall for activities critical to the operation of the Fire Department

*Class II* drivers are authorized to drive the assigned vehicle to and from work. For use under this provision, the employee's residence must be within a 25-mile radius of the City and County Building. No personal use is authorized for a *Class II* driver.

Division heads may authorize *Class II* status provided the following criteria are met:

- The driver must respond to emergencies on non-scheduled work program services that require the use of special equipment.
- The emergency or service request must necessitate immediate action for the protection of property or the health and safety of citizens.
- A supervisor has requested, in writing, and the appointing authority has approved, in writing, that the driver be allowed to drive a vehicle home because of specific job duties, more efficient use of staff time, or other demonstrated needs.
- Personnel who must report to their regular duty station in order to respond to the call for service are not authorized to drive a City vehicle home.

Division heads wishing to designate vehicle assignments under the *Class II* category must submit a request in writing to the Chief of Department for approval.

DENVER FIRE DEPARTMENT

DEPARTMENT DIRECTIVE

<b>Topic No:</b>	<b>1012.00</b>
<b>Date:</b>	<b>01-27-2022</b>
<b>Approved:</b>	<i>JAV</i>
<b>Review Date:</b>	<b>01-27-2024</b>
<b>Replaces:</b>	<b>Same, dated 04-30-2019</b>

**Topic: Member Contact with Law Enforcement-Reporting of Charges (Internal Affairs Required Reporting)**

**I. OVERVIEW**

The Fire Chief is responsible for maintaining order and discipline within the Fire Department, and many criminal charges or convictions for violations may directly affect a firefighter’s ability to perform their job responsibilities and/or undermine the public’s trust of the Fire Department. It is, therefore, critical that the Department be made aware of criminal charges or convictions of members to assess that impact and to provide for appropriate response for the protection of the firefighter, the Department, and the public. The Denver Fire Department *Rules and Regulations* specifically addresses each member’s responsibility to obey the law.

**II. LAW VIOLATIONS AND CRIMINAL CONDUCT**

A. Every member of the Department must report any law violation or allegation of criminal conduct committed by any member of the Denver Fire Department to the Police Department for the jurisdiction in which the act occurred and to the Denver Fire Department’s Internal Affairs Bureau.

B. A member of the Denver Fire Department shall immediately self-report to Internal Affairs:

1. any arrest or conviction, issuance of a criminal summons, complaint, or penalty assessment notice, or any other legal notification to the member of any criminal offense.
2. any offense, regardless of whether the charge is a felony, misdemeanor, petty offense, or municipal ordinance offense.
3. if the member becomes aware that they are under investigation for a criminal offense, whether or not they were issued a summons or arrested.
4. when served with any type of restraining order.
5. any police contact in which the member may be the subject of an investigation. This will not apply if the member is contacted only in a witness capacity.

Exception: Parking tickets or traffic infractions in which the original charge incurs no points. Driving violations will be handled in accordance with DFD Directive 1010.05. DFD Driver’s License Policy.

C. A failure to report any of the above will result in discipline.



DENVER FIRE DEPARTMENT

DEPARTMENT DIRECTIVE

<b>Topic No:</b>	<b>1012.00</b>
<b>Date:</b>	<b>01-27-2022</b>
<b>Approved:</b>	<i>JAV</i>
<b>Review Date:</b>	<b>01-27-2024</b>
<b>Replaces:</b>	<b>Same, dated 04-30-2019</b>

**Topic: Member Contact with Law Enforcement-Reporting of Charges (Internal Affairs Required Reporting)**

- D. Any supervisor who becomes aware that a member is under investigation for, arrested for, charged with, or convicted of any law violation or allegation of criminal conduct other than a traffic infraction, or that a member has been served with a restraining order and who fails to report that violation as set forth above should expect to receive significant discipline.
- E. All law violations committed by a member, all allegations of criminal conduct other than a traffic infraction by a member, and all allegations that a member has been issued a restraining order as the result of allegations of domestic violence or criminal activity must be investigated by Internal Affairs regardless of the outcome of the criminal proceedings or whether the restraining order has later been vacated.

**III. WHEN TO REPORT**

- A. All traffic violations, minus driving under the influence, law enforcement contact in which there is no arrest/summons and restraining orders must be reported immediately upon the member's return to work.
- B. Minus traffic violations, all law enforcement contact resulting in an arrest/summons, including driving under the influence, must be reported immediately.

**IV. REQUIRED DOCUMENTATION**

- A. Members shall notify their direct supervisor. They will complete and submit the Member Law Enforcement Contact - Reporting of Charges form, located in Target Solutions .
- B. The Law Enforcement Contact form shall be submitted to the member's supervisor and Internal Affairs. A copy of the summons or any other pertinent documents received from law enforcement must be included in the submittal to Internal Affairs.
- C. To retain necessary confidentiality, Internal Affairs/Administration will disseminate information to the member's chain of command as appropriate.

DENVER FIRE DEPARTMENT

DEPARTMENT DIRECTIVE

**Topic:** Modifications to Denver Fire Stations,  
Facilities, and Property

<b>Topic No:</b>	<b>1013.00</b>
<b>Date:</b>	<b>11-17-2021</b>
<b>Approved:</b>	<i>JAV</i>
<b>Review Date:</b>	<b>11-17-2023</b>
<b>Replaces:</b>	<b>Same, dated 05-10-2021</b>

**PURPOSE:** To ensure consistency and accountability in the maintenance and repair of Department property

**SCOPE:** Applies to all Denver Fire Department Personnel

No member shall modify any Department facility or property without first obtaining permission through the chain of command from the Division Chief of Technical Services or designee. Examples of modifications include but are not limited to: landscape, paint, electrical, plumbing, removal or additions of fixtures, walls, cabinets, etc.

DENVER FIRE DEPARTMENT  
DEPARTMENT DIRECTIVE

<b>Topic No:</b>	<b>1014.00</b>
<b>Date:</b>	<b>05-20-2022</b>
<b>Approved:</b>	<i>KV</i>
<b>Review Date:</b>	<b>05-20-2025</b>
<b>Replaces:</b>	<b>Same, dated 02-24-2021</b>

**Topic: Line of Duty Injuries and Reporting**

**PURPOSE:** To define the appropriate process of reporting a line of duty injury.

**SCOPE:** Applies to all Denver Fire Department Uniformed Personnel

**I. OVERVIEW**

Any accident, injury, or disease affecting a Department member that occurs in the course of employment with the City, whether such occurs during a normal scheduled work period or during a period when the member has been specifically directed to work, shall be reported to the member's direct supervisor within 48 hours of when the member knew, or should have known, that the injury occurred.

Prompt and proper reporting of all line-of-duty injuries is necessary to ensure that members receive proper care, that necessary reports are completed, that notifications are made in a timely fashion, and that all needed information for follow-up is available.

- A. All serious job-related injuries (those requiring medical attention) to Department members must be reported by a supervisor to:
  - 1. Fire Dispatch
  - 2. Administration Division at 720-913-3451
  
- B. **ALL** treatment must be coordinated with the OUCH Line nurse, except in cases of emergency. The number to the OUCH Line is 303-436-6824 (OUCH). Members who fail to follow this procedure may lose some or all benefits. The OUCH Line nurse may refer the member to either the Concentra Clinic or the COSH clinic. The OUCH Line may list specific Concentra clinics available to us or the COSH clinic.
  
- C. Concentra or COSH will issue a *Return to Work Pass* that the member must present to the Administration Division office, **via email at DFDAdmin@denvergov.org** immediately after departure from Concentra or COSH.

DENVER FIRE DEPARTMENT  
DEPARTMENT DIRECTIVE

<b>Topic No:</b>	<b>1014.00</b>
<b>Date:</b>	<b>05-20-2022</b>
<b>Approved:</b>	<i>KV</i>
<b>Review Date:</b>	<b>05-20-2025</b>
<b>Replaces:</b>	<b>Same, dated 02-24-2021</b>

**Topic: Line of Duty Injuries and Reporting**

- D. When care is provided by a personal physician or specialist, the member still must obtain a Return to Work Pass from Concentra or COSH before returning to duty, except if their care, specific to the particular injury or condition, has been transferred to the specialist in writing and that transfer is confirmed by the Administration Division.
- E. When a member receives a Return to Work Pass from Concentra or COSH that reflects anything other than “Full Duty”, **the member is automatically assigned to the ADMINISTRATION DIVISION. ONLY** Administration Division staff can make or approve modified duty assignments or approve a complete layoff. Failure to properly report to the ADMINISTRATION DIVISION may subject the member (and/or supervisor) to discipline and loss of a member’s Sick Leave.
- F. The member’s supervisor must fill out the digital online Supervisor Report. The following link will direct you to the digital form. Use the Client ID, User ID, and Password that is provided. The Password is case-sensitive and needs the ‘W’ capitalized.

**Non-city computer copy and paste this link:**

<https://www.riskconnectclearsight.com/Enterprise/login.cmdx?noAuthentication=2&ReturnUrl=%252fEnterprise%252fStormsPackages%252fStorms.Wrapper%252f#/>

**City computer enter this link:**

<https://denvercity.sharepoint.com/sites/Finance/SitePages/Incident-and-Claim-Reporting.aspx>

Client ID: d223  
User ID: user  
Password: Welcome1

## **II. MEMBER RESPONSIBILITIES**

- A. Notify their officer and the Administration Division office of any change in status.

DENVER FIRE DEPARTMENT  
DEPARTMENT DIRECTIVE

<b>Topic No:</b>	<b>1014.00</b>
<b>Date:</b>	<b>05-20-2022</b>
<b>Approved:</b>	<i>KV</i>
<b>Review Date:</b>	<b>05-20-2025</b>
<b>Replaces:</b>	<b>Same, dated 02-24-2021</b>

**Topic: Line of Duty Injuries and Reporting**

- B. Submit written documentation (on provider's stationery) of appointments related to the illness or injury, including physicians, physical therapists, etc. This requirement applies to all members who are laid off, are assigned modified duty, or have continuing/follow-up appointments after being released to full duty.
- C. Keep all address and telephone number information up to date.
- D. Follow all restrictions. Failure to do so may jeopardize benefits, Workers Compensation, etc., and subject the member to discipline.
- E. Members on modified duty may NOT work any overtime or special details.
- F. **With the exception of any conflicts with the use of FML, members are required to use all vacation time as previously scheduled by the vacation pick process while assigned to modified duty.**
- G. Report to the Administration Division any orders from supervisors or others that would cause the member to violate their restrictions.
- H. To continue to work toward Maximum Medical Improvement (MMI).

**III. WHEN MEMBER IS NOT SEEN**

- A. The OUCH Line must be called.
- B. The member's supervisor must fill out the digital online Supervisor Report. The following link will direct you to the digital form. Use the Client ID, User ID, and Password that is provided. The Password is case-sensitive and needs the 'W' capitalized.

**Non-city computer copy and paste this link:**

**<https://www.riskconnectclearsight.com/Enterprise/login.cmdx?noAuthentication=2&ReturnUrl=%252fEnterprise%252fStormsPackages%252fStorms.Wrapper%252f#/>**

DENVER FIRE DEPARTMENT  
DEPARTMENT DIRECTIVE

<b>Topic No:</b>	<b>1014.00</b>
<b>Date:</b>	<b>05-20-2022</b>
<b>Approved:</b>	<i>KV</i>
<b>Review Date:</b>	<b>05-20-2025</b>
<b>Replaces:</b>	<b>Same, dated 02-24-2021</b>

**Topic: Line of Duty Injuries and Reporting**

**City computer enter this link:**

<https://denvercity.sharepoint.com/sites/Finance/SitePages/Incident-and-Claim-Reporting.aspx>

Client ID: d223  
User ID: user  
Password: Welcome1

- C. The member's supervisor must contact Dispatch to create new incident number.
- D. The member's supervisor must complete the associated NFIR.

**IV. SAFETY REPRESENTATIVE**

The Division Chief of Administration has designated the Administration Division Captain to be the Department's Safety Representative to handle injuries to Department members. The Lieutenant in Administration has been designated as the backup Department Safety Representative. Other supervisors are **not** authorized to sign as the Safety Representative.

**V. BILLS RECEIVED FOR LOD INJURIES**

The Workers Compensation section of the City's Risk Management Department investigates, handles, and administers the City's Workers Compensation claims.

Risk Management receives the *Employee's Report of Injury* information from the designated providers: LOD claim is then established.

If a LOD injury occurs after hours or on the weekend and Risk Management doesn't receive a report of injury, this could result in bill collection efforts against the member. This will occur if the OUCH Line nurse is not contacted or the member is not seen by one of the two designated providers. Also, not all medical providers know that your claim is a Workers Compensation claim, especially for treatment immediately following the injury. It is possible that the provider will bill the member rather than sending it to Risk Management.

DENVER FIRE DEPARTMENT  
DEPARTMENT DIRECTIVE

<b>Topic No:</b>	<b>1014.00</b>
<b>Date:</b>	<b>05-20-2022</b>
<b>Approved:</b>	<i>KV</i>
<b>Review Date:</b>	<b>05-20-2025</b>
<b>Replaces:</b>	<b>Same, dated 02-24-2021</b>

**Topic: Line of Duty Injuries and Reporting**

**Do not ignore or throw away any bills or notices you may receive at your home address.**

If the member receives any bill in the mail, send it to the Administration Lieutenant or Captain and follow up via phone.

DENVER FIRE DEPARTMENT  
DEPARTMENT DIRECTIVE

<b>Topic No:</b>	<b>1018.00</b>
<b>Date:</b>	<b>01-03-12</b>
<b>Approved:</b>	<i><b>TAB</b></i>
<b>Review Date:</b>	<b>01-03-14</b>
<b>Replaces:</b>	N/A

**Topic:** Recording Policy

**PURPOSE:** To ensure DFD compliance with Department of Safety Directive 2011-01 regarding the Recording Policy for Department of Safety personnel.

**SCOPE:** Applies to all Denver Fire Department Personnel

Per the Office of the Manager of Safety, all Denver Fire Department personnel shall familiarize themselves with the following Department of Safety Directive as it pertains to the Recording Policy for Department of Safety personnel:

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DENVER FIRE DEPARTMENT  
DEPARTMENT DIRECTIVE

Topic No:	1018.00
Date:	01-03-12
Approved:	TAB
Review Date:	01-03-14
Replaces:	N/A

Topic: Recording Policy



CITY AND COUNTY OF DENVER

DEPARTMENT OF SAFETY  
FIRE • POLICE • SHERIFF

Office of Manager  
1331 Cherokee Street  
Room 302  
Denver, CO 80204-2720  
Phone: (720) 913-6020  
Fax: (720) 913-7028

TO: All Safety Agencies  
FROM: Charles F. Garcia, Manager  
Date: April 28, 2011  
Directive: 2011 – 01 (“Department of Safety Recording Policy”)

DEPARTMENT OF SAFETY  
RECORDING POLICY

It is the policy of the City and County of Denver Department of Safety that in person or telephone (both cellular and land-line) conversations between members of the Department or any city employee will not be recorded, either by video or audio recoding devices, with the following exceptions:

- All parties to the conversation are aware that the conversation is being recorded; or
- The surreptitious recording is done lawfully in conjunction with a criminal investigation being conducted by the Department; or
- The surreptitious recording is being done lawfully in conjunction with an administrative investigation and written approval has been obtained from one of the following or their designee: Manager of Safety, Chief of Police, Fire Chief, Director of Corrections; or
- Recording is being done off duty, and not in any City facility or vehicle.

Any employee found surreptitiously recording any conversation in violation of this policy may be subject to disciplinary action up to and including dismissal.

  
\_\_\_\_\_  
Charles F. Garcia  
Manager of Safety

  
\_\_\_\_\_  
Date

DENVER FIRE DEPARTMENT  
DEPARTMENT DIRECTIVE

<b>Topic No:</b>	<b>1019.00</b>
<b>Date:</b>	<b>12-28-17</b>
<b>Approved:</b>	<b><i>TAB</i></b>
<b>Review Date:</b>	<b>12-28-19</b>
<b>Replaces:</b>	<b>Same, dated 08-10-12</b>

**Topic:**     **Mission Statement**

The Denver Fire Department is dedicated to:

- Our *Desire to Serve*; committing to those we serve with integrity, accountability, and inclusivity
- Our *Courage to Act*; providing quality, timely, and professional emergency services to protect life and property
- Our *Ability to Perform*; working together to maintain the highest standards of mitigation, preparedness, prevention, and community engagement

DENVER FIRE DEPARTMENT  
DEPARTMENT DIRECTIVE

<b>Topic No:</b>	<b>1020.00</b>
<b>Date:</b>	<b>05-26-2021</b>
<b>Approved:</b>	<i>JAV</i>
<b>Review Date:</b>	<b>05-26-2023</b>
<b>Replaces:</b>	<b>Same, dated 01-03-2012</b>

**Topic: Code of Conduct**

Every member of the Denver Fire Department is expected to conduct themselves in a self-disciplined and professional manner and is responsible for that conduct and should project a positive, productive, and mature demeanor.

The following list of guidelines represents the conduct standards for members of the Denver Fire Department.

**EVERY MEMBER SHALL:**

1. Comply with the Guidelines of their respective Divisions and written Directives of both the Denver Fire Department and the City of Denver.
2. Use their training and capabilities to protect the public at all times.
3. Work to the level of expertise in their position so as to enable all Department programs and functions to operate effectively.
4. Always conduct themselves to reflect credit on the Department and the City of Denver.
5. Supervisors will manage in an effective, considerate, and fair manner. Subordinates will follow instructions in a positive, cooperative manner.
6. Always conduct themselves in a manner that creates good order inside the Department.
7. Keep themselves informed to enhance their awareness and efficiency concerning their positions.
8. Be concerned and protective of each member's welfare.
9. Operate safely.
10. Use good judgment.
11. Keep themselves physically fit.
12. Observe the work hours of their position.
13. Obey the law.

**DENVER FIRE DEPARTMENT**  
**DEPARTMENT DIRECTIVE**

<b>Topic No:</b>	<b>1020.00</b>
<b>Date:</b>	<b>05-26-2021</b>
<b>Approved:</b>	<i>JAV</i>
<b>Review Date:</b>	<b>05-26-2023</b>
<b>Replaces:</b>	<b>Same, dated 01-03-2012</b>

**Topic: Code of Conduct**

14. Be responsible and maintain any/all Department equipment and property at an efficient and usable level.

**MEMBERS SHALL NOT:**

15. Engage in activity that is detrimental to the Department.

16. Engage in a conflict of interest to the Department or use their position with the Department for personal gain or influence.

17. Use alcoholic beverages, debilitating drugs, or any substance which impairs their physical or mental capacities while on duty, or when susceptible to emergency recall.

18. Engage in intimidating, threatening, or hostile behaviors, physical assault, or other acts of this nature.

19. Engage in any sexual activity while on duty.

20. Abuse their Sick Leave.

21. Steal.

22. Depart from the truth.

**DENVER FIRE DEPARTMENT**  
**DEPARTMENT DIRECTIVE**

<b>Topic No:</b>	<b>1021.00</b>
<b>Date:</b>	<b>07-18-19</b>
<b>Approved:</b>	<i><b>TAB</b></i>
<b>Review Date:</b>	<b>07-18-21</b>
<b>Replaces:</b>	<b>Same, dated 03-22-18</b>

**Topic: Sexual Harassment Policy**

It is the policy of the Denver Fire Department that sexual harassment is not acceptable and will not be tolerated. All employees are expected to avoid any participation in unwelcome behavior or conduct toward any other employee, which could be interpreted as sexual harassment under the following guidelines:

Sexual harassment is defined as follows:

Unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a physical nature, when:

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

Examples of sexual harassment include, but are not limited to:

1. Sex-oriented verbal "kidding" / "jobbing."
2. "Teasing" or joking that takes on a sexual tone.
3. Subtle pressure for sexual activity.
4. Physical contact such as patting, pinching, or constant brushing against another's body.
5. Demands for sexual favors.
6. Printed material that is construed to be sexually offensive.
7. Television broadcasts or video (including but not limited to tapes, disks, digital media, downloads, and streaming) of a sexual nature.\*

**DENVER FIRE DEPARTMENT**  
**DEPARTMENT DIRECTIVE**

<b>Topic No:</b>	<b>1021.00</b>
<b>Date:</b>	<b>07-18-19</b>
<b>Approved:</b>	<b><i>TAB</i></b>
<b>Review Date:</b>	<b>07-18-21</b>
<b>Replaces:</b>	<b>Same, dated 03-22-18</b>

**Topic: Sexual Harassment Policy**

A supervisor or any other person is engaging in sexual harassment if they use, offer, or threaten to use the power of their office or position to control, influence, or affect the career, salary, or job of another employee or prospective employee in exchange for unwelcome sexual favors.

Any employee is engaging in sexual harassment if they participate in deliberate or repeated unsolicited verbal comments, gestures, or physical contact of a sexual nature which are unwelcome or interfere with the work environment.

The following procedures shall be followed when sexual harassment occurs:

1. The affected individual should, if they are comfortable doing so, make it clear to all involved persons that such behavior is offensive to them.
2. The affected individual shall bring the matter to the appropriate supervisor's attention. \*\*
3. The supervisor shall investigate the complaint of sexual harassment promptly or shall forward the complaint to the Internal Affairs Bureau for investigation. The determination of whether or not a particular action constitutes sexual harassment shall be made from the facts on a case-by-case basis. In determining harassment, the supervisor or other appropriate official shall look at the totality of the circumstances, such as the nature of the sexual conduct and the context in which the alleged incidents occurred.
4. If sexual harassment is found to exist, appropriate management and supervisory personnel shall take prompt corrective action. Please refer to Department Directive #1057.00, DFD Discipline Handbook, to ensure that correct procedures are followed.
  - Sexual harassment, which has the effect of unreasonably interfering with an employee's work performance or which creates an intimidating, hostile or offensive environment shall constitute a violation of the Department's Conduct Standards, and may result in discipline up to and including dismissal on the first offense.
  - Sexual harassment, which affects a term or condition of employment or which is the basis of an employment decision affecting the employee or prospective employee, shall constitute a violation of the Department's Conduct Standards, and may result in discipline up to and including dismissal on the first offense.

DENVER FIRE DEPARTMENT  
DEPARTMENT DIRECTIVE

<b>Topic No:</b>	<b>1021.00</b>
<b>Date:</b>	<b>07-18-19</b>
<b>Approved:</b>	<b><i>TAB</i></b>
<b>Review Date:</b>	<b>07-18-21</b>
<b>Replaces:</b>	<b>Same, dated 03-22-18</b>

**Topic: Sexual Harassment Policy**

5. If the actions of the immediate supervisors do not effectively stop the sexual harassment, the affected individual should contact the Employee Relations Specialist at Safety HR. The complaint will then be further investigated and dealt with by the Specialist.

If an employee reporting harassment, discrimination, or retaliation pursuant to this policy does not wish to be identified as a complainant, the Chief may be listed as the complainant in any subsequent investigations of that report. In cases where the Chief is alleged to be engaging in conduct in violation of this policy, the Executive Director of Safety may be named as the complainant in any subsequent investigations of that report.

Refer to Department policy when using cable television or video in the fire house.

The displaying of sexually explicit material in a public building and in the work environment is prohibited.

***Company Officers and District Chiefs will be held responsible for ensuring compliance of this policy.*** Those who are found in violation of this policy will be dealt with in accordance with the sexual harassment policy of the Denver Fire Department.

**\*The broadcasting of sexual explicit material in any Fire Department facility is hereby prohibited.**

**\*\**Appropriate supervisor* can include immediate supervisor or anyone in the chain of command, Administrative Division Chief, Division 4, HR Business Partner, or the Employee Relations Specialist for Department of Safety. It is the responsibility of the “appropriate supervisor” to report the allegation immediately to the administration at the Denver Fire Department Headquarters. Employees may also report their concerns to Safety HR, or the Executive Director of Safety’s Office.**

DENVER FIRE DEPARTMENT

DIRECTIVE

<b>Topic No:</b>	<b>1022.00</b>
<b>Date:</b>	<b>11-17-2020</b>
<b>Approved:</b>	<b>DGF</b>
<b>Review Date:</b>	<b>11-17-2022</b>
<b>Replaces:</b>	<b>Same, dated 01-03-12</b>

**Topic:** Executive Order 94 – City and County of Denver Employees’ Alcohol and Drug Policy

**EXECUTIVE ORDER NO. 94**

**TO:** All Departments and Agencies Under the Mayor

**FROM:** Michael B. Hancock, Mayor

**DATE:** June 1, 2020

**SUBJECT:** City and County of Denver Employees’ Alcohol and Drug Policy

**PURPOSE:** As an employer, the City and County of Denver (City) is required to adhere to various federal, state, local laws and regulations regarding alcohol and drug use. The City also has a vital interest in maintaining a safe, healthy and efficient environment for its employees and the public. Being under the influence of, subject to the effects of, or impaired by alcohol or drugs on the job may pose serious safety and health risks to the employee, his or her co-workers and the public. Additionally, the possession, use, or sale of an illegal drug in the workplace poses an unacceptable risk to the safe, healthy and efficient operation of the City.

The City provides employee assistance through outside providers and Department of Safety psychologists (for uniformed personnel), all of whom offer help to employees who seek assistance for alcohol and/or drug use and other personal or emotional issues.

**POLICY:** It is the policy of the City to maintain a safe and healthy work environment by prohibiting the use of alcohol and illegal drugs in the workplace. Employees who consume alcohol or illegal drugs on City property, or who work while under the influence of, subject to the effects of, or impaired by drugs or alcohol, pose a serious safety risk to themselves and those around them. The City has both the right and the obligation to maintain a safe and healthy working environment for its employees by adhering to applicable federal, state and local law, and by enforcing the rules set forth in this Executive Order.

It is also the policy of the City to take a strong stand against driving under the influence of alcohol or drugs. Traffic-related deaths and injuries have risen to unacceptable levels across the country and many of those deaths and injuries are attributable to drunk and drug-impaired driving. The City is constantly striving to make its roads safer by various means, which include promoting a culture of traffic safety. It is antithetical to those efforts for the City to tolerate drunk and drug-impaired driving by any of its employees at any time.

City employees who violate this Executive Order may be subject to disciplinary action, up to and including dismissal. Moreover, the failure of a managerial or supervisory employee to enforce this Executive Order may result in disciplinary action against the manager or supervisor, up to and including dismissal.

**RESPONSIBLE AUTHORITY(S):** City Attorney

This executive order, effective on the above date, establishes and confirms the policy of the City concerning the problem of drug and alcohol use in the workplace, as well as unlawful off-duty alcohol and drug driving offenses. On the date it becomes effective, this executive order supersedes all previous enacted alcohol and drug executive orders.



DENVER FIRE DEPARTMENT

DIRECTIVE

Topic No:	1022.00
Date:	11-17-2020
Approved:	DGF
Review Date:	11-17-2022
Replaces:	Same, dated 01-03-12

Topic: Executive Order 94 – City and County of Denver Employees’ Alcohol and Drug Policy

**I. PROHIBITIONS FOR ALL CITY EMPLOYEES INCLUDING CLASSIFIED MEMBERS OF THE POLICE AND FIRE DEPARTMENTS.**

**A. Alcohol**

Employees are prohibited from consuming, being under the influence of, or impaired by alcohol while performing City business, driving a City vehicle or on City property.

**There are seven circumstances under which these prohibitions do not apply.**

1. An employee is not on duty **and** attending an officially sanctioned private function, e.g., an invitation-only library reception.
2. An employee is attending an officially sanctioned public function on City property at which alcohol is served (e.g., a reception hosted by the Mayor to honor a departing appointee) and is not impaired by or under the influence of alcohol.
3. An employee is not on duty and at a City location as a customer, e.g., playing golf on a City course.
4. An employee is a member of the Police Department and as a part of the employee’s official duties, consumes alcohol in accordance with Police Department procedures.
5. The Mayor and any accompanying employee, while hosting dignitaries on City property during or outside of regular business hours, consumes alcohol in honor of the dignitaries’ tradition or culture of ceremoniously sharing alcohol with their host, and is not impaired by or under the influence of alcohol.
6. An employee is performing City business outside of the employee’s regular business hours while attending a business-related event, and the employee is not driving a City vehicle to or from the event and is not impaired by or under the influence of alcohol during the event.
7. An employee is performing airport related business during or outside of regular business hours:
  - a. while attending an event hosted or officially sanctioned by the Department of Aviation at which alcohol is served **and** is not impaired by or under the influence of alcohol; **or**

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- b. while on international or interstate airport related business travel; **and** the employee is not impaired by or under the influence of alcohol **and** the employee is an appointed or elected Charter officer or an appointee thereof, a department or agency head, or has the permission of his or her appointing authority.

The alcohol levels defined by the state legislature that may be amended from time to time for defining “under the influence of alcohol” and “impaired by alcohol” are adopted here for purposes of this executive order.

Employees holding Commercial Driver’s licenses (CDL) are **also** subject to the alcohol levels defined by the Department of Transportation (DOT) regulations that may be amended from time to time for “under the influence” which are adopted here for purposes of this executive order.

Current alcohol level definitions are contained in the Addendum of this Order. If the alcohol level definitions contained in the Addendum to this Order conflict with the definitions provided by state law and the DOT regulations, the state law and DOT regulations will control.

**B. Legal Drugs**

- 1. Employees who operate vehicles or dangerous equipment or perform safety- sensitive functions as part of their essential duties and who are taking or intend to take prescription medication that is identified as a controlled substance in the schedules of controlled substances (Title 21 C.F.R. § 1308.12-15), or that may otherwise affect their performance, are prohibited from performing their safety- related duties unless and until they have completed the disclosure and clearance process set forth below. The types of drugs identified in the schedules of controlled substances include, but are not limited to, opiates, depressants, narcotic drugs, anabolic steroids, stimulants and hallucinogenic substances.
- 2. The disclosure and clearance process requires that all such employees do the following:
  - a. Notify their supervisor, the Agency’s Human Resource professional, or the Agency’s Safety Officer in advance of performing their duties that they intend to take or are currently taking (on or off duty) prescription medication that is a controlled substance or may otherwise affect their job performance, and that medical clearance is needed. No additional medical information needs to be disclosed at this time, nor should it be requested.

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- b. Schedule and participate in an interview with the Medical Director of the Occupational Health and Safety Clinic (OHSC), or their delegee, the purpose of which is to enable the Medical Director or delegee to confirm the validity and limitations of the prescription medication and determine whether the use of the controlled substance as prescribed will adversely affect their ability to safely perform their job duties.
- c. Obtain clearance from the Medical Director or delegee to perform their regular duties while taking the prescription medication, and report their clearance to their supervisor, Agency Human Resources professional or Agency Safety Officer.
3. It shall be the employee’s responsibility to initiate and comply with this disclosure and clearance process and to cooperate with the supervisor, Agency Human Resource professional or Agency Safety Officer, and the Medical Director or delegee, to allow for a prompt determination to be made. Employees who fail to comply with the disclosure and clearance process may be subject to disciplinary action, up to and including dismissal.
4. If appropriate, the Medical Director or delegee may request a medical release from employees seeking prescription medication clearance for the purpose of contacting the prescribing physician.
5. Employees who operate vehicles or dangerous equipment or perform safety- sensitive functions as part of their essential duties and who regularly take prescription medications described in paragraph B(1), above, are required to comply with the disclosure and clearance process on an annual basis, and any such earlier time as a change is made to their prescription that may affect or further affect their ability to perform their safety-related duties.
6. Employees who are currently taking prescription medications described in paragraph B (1), above, may be required to use paid leave, or if no such leave is available, authorized unpaid leave, pending completion of the disclosure and clearance process.
7. The OHSC and/or the Agency’s Human Resources personnel shall keep the medical records that disclose the identity of the legal drug confidential in accordance with state and federal laws.
8. Marijuana is **not** considered a legal drug for purposes of this Executive Order No. 94, even if a physician has recommended marijuana for medical reasons. Please refer to Section I (C)(3), below.

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**C. Illegal Drugs**

1. Employees are prohibited from consuming, being under the influence of, subject to the effects of, or impaired by illegal drugs while performing City business, while driving a City vehicle or while on City property.
  
2. Employees are also prohibited from selling, purchasing, offering, transferring or possessing an illegal drug while performing City business, while driving a City vehicle or while on City property. There is one exception to this prohibition. An employee of the Classified Service of the Police and Fire Departments or the Denver Sheriff's Department may, as a part of his or her official duties, sell, purchase, transfer or possess illegal drugs in accordance with the employee's department procedures.
  
3. Although Colorado state law has de-criminalized the use, possession, sale and cultivation of recreational and medical marijuana by certain individuals subject to various limitations and restrictions, those laws do not require employers to accommodate or permit such use, possession, sale, etc., of marijuana in the workplace. In addition, marijuana currently remains an illegal drug under federal law. As such, for the purposes of this Executive Order, marijuana is still considered an “illegal drug,” even when used for medical purposes.
  
4. Prescription drugs obtained or used illegally constitute an “illegal drug” for the purposes of this Executive Order.
  
5. The illegal drug cut-off levels established by the DOT regulations, that may be amended from time to time, are adopted here for purposes of this executive order. Current illegal drug levels are contained in the Addendum to this Order. If there is a conflict between the illegal drug levels established by the DOT regulations, and those contained in the Addendum to this Order, the DOT regulations will control.

**II. DRUG AND ALCOHOL TESTING**

**A. Pre-Employment/Pre-Placement Testing**

1. The City may implement, with the City Attorney’s approval, pre-employment screening practices designed to prevent hiring or promoting individuals into job positions whose:
  - a. use of illegal drugs may affect the public health or safety; and

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- b. use of alcohol or legal drugs indicates a potential for impaired or unsafe job performance where the public health or safety may be affected.

The Civil Service Commission, Office of Human Resources, OHSC or interviewing agency shall inform a job applicant of these pre-employment screening practices prior to such screening.

- 2. At a minimum, testing for illegal drugs and controlled substances shall be conducted before any person hired for a position defined as safety-sensitive or requiring a CDL shall be allowed to perform the duties of such position. In addition, candidates or employees for such positions may be tested for alcohol.
- 3. Refusal by an applicant to submit to a pre-employment test shall result in denial of employment.
- 4. Pre-employment/Pre-placement test results:

- a. **Alcohol**

Where alcohol use is detected, employment may be denied.

- b. **Legal Drugs**

- i. Where use of a prescription drug is detected, applicants may be required to provide documentation confirming the drug has been prescribed by a physician for the applicant, and the amount detected is within the prescribed dosage. If the applicant is unable to provide such proof, employment may be denied.
- ii. Where the applicant’s future or continued use of the drug poses a potential safety risk or would impair job performance, employment may be denied in accordance with the applicable state and federal laws.

- c. **Illegal Drugs**

- i. Employment shall be denied when the presence of an illegal drug is detected.
- ii. Employment shall be denied when the presence of a known masking agent is detected.
- iii. A second direct observation urinalysis test may be required prior to offering

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employment to an applicant whose drug test evidences the urine sample has been diluted or is outside normal temperature ranges.

**B. Reasonable Suspicion Testing**

1. When a supervisor has reasonable suspicion that an employee is under the influence of, impaired by, or subject to the effects of alcohol, legal drugs or illegal drugs in violation of this Executive Order, after taking appropriate safety measures (e.g., removing the employee from any situation which may pose a safety risk to the employee, co-workers or the public), the supervisor shall immediately consult with the Agency’s Human Resources representative, Safety Officer or the Employment and Labor Law Section of the City Attorney’s Office to determine further actions. However, if immediate consultation is not possible, it is the responsibility of the supervisor to promptly initiate alcohol and/or drug testing. The supervisor shall initiate testing as follows:
  - a. Document in writing the specific reasons for the decision to initiate testing based on specific, contemporaneous, articulable observations of the employee's appearance, behavior, speech or body odors that support a reasonable suspicion of alcohol and/or drug use.
  - b. When possible, have a second supervisor confirm the specific, contemporaneous, articulable observations of the employee's appearance, behavior, speech or body odors, and document those observations in writing.
  - c. Advise the employee that the supervisor is ordering the employee to go to the testing site for testing.
  - d. Escort the employee to the testing site as soon as possible. If the supervisor is unable to escort the employee personally, the supervisor should have another individual escort the employee for testing. The individual selected to escort the employee shall be of a higher grade/rank than the employee being tested. Under no circumstances should the employee be allowed to drive themselves to the testing site.
  - e. Require the employee to bring a picture identification card and proof of the employee's Social Security or employee number to the testing site.
  - f. If the employee refuses to go to the testing site, or refuses to participate in the testing process, the supervisor or the escort should tell the employee that the testing request is a direct order and that refusal to comply with the direct order constitutes grounds for mandatory dismissal. If the employee continues to refuse to go to the

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testing site or to participate in the testing process, the supervisor should immediately place the employee on investigatory leave and make all reasonable efforts to ensure that the employee is transported home safely.

- g. After the initial test results are known, the supervisor should notify the appointing authority or designee of the results and obtain further guidance as needed.
  - h. If the initial test results indicate that the employee is under the influence of, impaired by, or subject to the effects of alcohol, unauthorized legal drugs or illegal drugs, the supervisor should notify the employee that s/he is being placed on paid investigatory leave and take appropriate steps to ensure that the employee is transported home safely.
  - i. If the initial test results are invalid or unavailable, or if the testing cannot be conducted for any reason, and the supervisor is reasonably concerned about the employee's ability to perform his or her duties in a satisfactory and safe manner, the supervisor should place the employee on investigatory leave pending results of testing or some other administrative determination, and take appropriate steps to ensure that the employee is transported home safely.
  - j. If an employee suspected of being impaired by, under the influence of, or subject to the effects of alcohol, unauthorized legal drugs or illegal drugs attempts to drive away from the testing site or worksite, the supervisor or escort should make all reasonable efforts, short of physical force, to prevent the employee from doing so. If the employee does drive away, the supervisor or escort should call 9-1-1 immediately to report the employee as an impaired (or potentially impaired) driver and provide pertinent information to assist police in identifying and locating the vehicle (e.g., make, model and color of the vehicle; license plate number; direction of travel; description of employee) and the reasons for suspecting that the employee is impaired (e.g., the initial test results or basis for reasonable suspicion alcohol and/or drug testing). The supervisor should not attempt to follow the employee’s vehicle.
2. During regular OHSC hours, the testing shall be conducted at one of the OHSC testing sites. After regular hours, the supervisor shall page the OHSC alcohol and drug testing personnel to arrange for immediate testing.
  3. Testing for alcohol should be administered within two (2) hours of making a reasonable suspicion determination. If this two (2) hour time frame is exceeded, the supervisor should document the reasons the test was not promptly administered. Testing outside of this time frame may only be conducted in consultation with the Employment and Labor Law Section

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of the City Attorney’s Office.

4. Testing for unauthorized legal drugs or illegal drugs should be administered within eight (8) hours of making a reasonable suspicion determination. If this eight (8) hour time frame is exceeded, the supervisor should document the reasons the test was not promptly administered. Testing outside of this time frame may only be conducted in consultation with the Employment and Labor Law Section of the City Attorney’s Office.
5. Supervisors and escorts shall keep the employee's name and identifying information restricted to persons who "need to know."
6. If a supervisor has reasonable suspicion that an employee is in possession of, selling or transferring illegal drugs in violation of this executive order, the supervisor shall contact the police prior to initiating any drug testing.
7. Supervisors who fail to perform their responsibilities under this Section II (B) may be subject to discipline, up to and including dismissal.

**C. Post-Accident Testing**

1. As soon as practicable following a driving or other workplace accident, the supervisor shall ensure that the involved employee is tested for alcohol and drugs when the accident:
  - a. may have been the fault of the employee **and** involves a fatality;
  - b. may have been the fault of the employee **and** any individual was injured seriously enough to require immediate medical treatment away from the scene of the accident;
  - c. may have been the fault of the employee **and** the accident resulted in disabling damage to any vehicle or any equipment; or
  - d. there is reasonable suspicion to test the employee.
2. "Disabling damage" for a vehicle accident is defined as damage that prevents the departure of the vehicle from the scene of an accident in its usual manner, or damage that renders the vehicle illegal to operate. Vehicle damage that can be remedied temporarily at the scene without special tools or parts, i.e., replacing a tire with the spare, taping over an otherwise operable headlight or taillight, or tying down the hood of a car, are not considered disabling. Nonetheless, towing of a vehicle is not required before a supervisor can deem a vehicle “disabled” for purposes of testing.



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3. "Disabling damage" for a workplace accident is defined as precluding the use of the equipment from its usual operation. Equipment that can be remedied temporarily at the scene without special tools or parts is not considered disabling.
4. The issuance of a traffic citation is not required before a supervisor can determine an employee “may have been at fault” in a vehicle accident. If a supervisor determines the employee’s actions may have contributed to the accident, or the employee **may** have been at fault, the “fault” requirement will have been met for purposes of testing.
5. During regular OHSC hours, the testing shall be conducted at one of the OHSC testing sites. After regular hours, the supervisor shall page the OHSC alcohol and drug testing personnel to arrange for immediate testing.
6. Post-accident alcohol and drug testing shall be initiated in accordance with the procedures set forth in Section II (B)(1)(c)-(i) of this Order. Post-accident alcohol and drug testing based solely on reasonable suspicion shall also comply with Section II (B)(1)(a)-(b).
7. Post-accident testing for alcohol should be administered within two (2) hours following the accident. If this two (2) hour time frame is exceeded, the supervisor should document the reasons the test was not promptly administered. Post-accident testing for unauthorized legal drugs and illegal drugs should be administered within eight (8) hours following the accident. Testing outside of these time frames may only be conducted in consultation with the Employment and Labor Law Section of the City Attorney’s Office.
8. Supervisors who fail to perform their responsibilities under this Section II (C), may be subject to discipline, up to and including dismissal.

**D. Return to Duty Testing**

Employees who have violated the prohibited conduct listed in Sections I (A) or I (C) of this Order shall not return to work unless they have been tested for alcohol and drugs at the OHSC and both tests have been verified as negative.

**E. Unannounced Testing**

If an employee has been placed on a Stipulation and Agreement in accordance with this executive order, as a part of that Stipulation and Agreement, the employee may be tested for alcohol and/or drugs by the agency without prior notice of the testing date or time for at least 36

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months from the last date in time that the stipulation and agreement is signed by the parties.

**F. Random Testing**

The City may implement, with the City Attorney's approval, random alcohol and drug testing for employees deemed to perform safety-sensitive functions for the City or any of its agencies.

**G. Commercial Driver’s License (CDL) Testing**

For those positions requiring a CDL, the City is required to implement alcohol and drug testing in accordance with applicable DOT regulations, as may be amended from time to time. Such testing is **in addition to** the testing described in Sections II (B) and (D) of this Order.

**1. Pre-Employment Testing**

Prior to the first time a driver performs safety-sensitive functions for the City or any of its agencies, the driver shall be tested for illegal drug usage in compliance with the DOT and state regulations, as may be amended from time to time.

**2. Reasonable Suspicion Testing**

The procedures described in Section II (B) of this Order shall be followed.

**3. Post-Accident Testing**

a. As soon as practicable following an accident, the supervisor shall ensure that the vehicle driver is tested for alcohol when:

- i. the accident involved the loss of human life;
- ii. the vehicle driver was cited for a moving violation arising from the accident within 8 hours of its occurrence **and** an individual was injured seriously enough to receive immediate medical treatment away from the scene of the accident;
- iii. the vehicle driver was cited for a moving violation arising from the accident within 8 hours of its occurrence **and** one or more of the vehicles involved in the accident sustained “disabling damage” as defined in Section II (C)(2) and (3) in this Order; **or**
- iv. there is reasonable suspicion to test the employee.

b. As soon as practicable following an accident, the supervisor shall ensure that

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the vehicle driver is tested for drugs when:

- i. the accident involved the loss of human life;
  - ii. the vehicle driver was cited for a moving violation arising from the accident within 32 hours of its occurrence **and** an individual was injured seriously enough to receive immediate medical treatment away from the scene of the accident;
  - iii. the vehicle driver was cited for a moving violation arising from the accident within 32 hours of its occurrence **and** one or more of the vehicles involved in the accident sustained “disabling damage” as defined in Section II (C)(2) and (3) in this Order; **or**
  - iv. there is reasonable suspicion to test the employee.
- c. Post-accident testing for alcohol should be administered within two (2) hours following the accident. If a required alcohol test is not administered within two (2) hours following the accident, the supervisor shall prepare and maintain on file a record stating the reasons the test was not promptly administered.
  - d. If the supervisor does not initiate alcohol testing within eight (8) hours of the accident or drug testing within thirty-two (32) hours of the accident, the supervisor shall cease attempts to administer the tests and shall prepare and maintain on file a record stating the reasons the test was not administered within these established time frames. Supervisors who do not perform their responsibilities under this Section II (G) (3) may be subject to discipline, up to and including dismissal.
  - e. If the supervisor does not initiate alcohol testing within eight (8) hours of the accident or drug testing within thirty-two (32) hours of the accident, the supervisor shall cease attempts to administer the tests and shall prepare and maintain on file a record stating the reasons the test was not administered within these established time frames. Supervisors who do not perform their responsibilities under this Section II (G) (3) may be subject to discipline, up to and including dismissal.

**4. Random Testing**

**a. Alcohol**

Pursuant to the DOT regulations, random alcohol testing shall be conducted

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annually on 25% of the average number of City commercial driver's license positions in existence. This percentage may be amended from time to time by the DOT. Alcohol testing shall be conducted on a random, unannounced basis just before, during or just after the employee performed safety-sensitive functions.

**b. Illegal Drugs**

Pursuant to the DOT regulations, random drug testing shall be conducted annually on 50% of the average number of City commercial driver's license positions in existence. This percentage may be amended from time to time by the DOT. Drug testing shall be conducted on a random, unannounced basis. There is no requirement that this testing be conducted in immediate time proximity to performing safety-sensitive functions.

**5. Return to Duty Testing**

**a. Alcohol**

If an employee has violated the prohibited conduct listed in Section I (A) of this Order, the employee shall not return to perform safety-sensitive duties unless the employee has completed a successful return to duty alcohol test.

**b. Illegal Drugs**

If an employee has violated the prohibited conduct listed in Section I (C) of this Order, the employee shall not return to perform safety-sensitive duties unless the employee has been cleared by a Substance Abuse Professional and has completed a successful return to duty drug test.

**6. Follow-Up Testing**

**a. Alcohol**

- i. The number and frequency of the follow-up alcohol tests shall be directed by the Substance Abuse Professional and shall consist of at least six (6) tests in the first twelve (12) months following the employee's return to work.
- ii. Follow-up testing shall be unannounced and shall be conducted just before, during or just after the employee performed safety-sensitive functions.

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**b. Illegal Drugs**

- i. The number and frequency of the follow-up drug tests shall be directed by the Substance Abuse Professional and shall consist of at least six (6) tests in the first (12) twelve months following the employee's return to work.
- ii. Follow-up testing shall be unannounced. There is no requirement that this testing be conducted in immediate time proximity to performing safety-sensitive functions.

**H. Members of the Classified Service of the Police and Fire Departments and Deputy Sheriffs Testing**

For those employees who are members of the Classified Service of the Police and Fire Departments or Deputy Sheriffs, the City may implement drug testing pursuant to their respective department procedures, as may be amended from time to time, in addition to the testing described in Sections II (A) through (G) of this Order.

**III. EXECUTIVE ORDER 94 TRAINING**

**A. All City Employees**

All new City employees (including fellows, interns, and on-call employees) should be trained on this executive order during their first year of employment. Training, at a minimum, should include study of the prohibitions contained in this executive order and instruction on the recognition of drug and alcohol impairment and use. Additionally, a copy of this executive order should be given to each employee with each employee acknowledging, in writing, receipt of the executive order and the training.

**B. All Employees with Supervisory Duties**

- 1. All employees with supervisory duties should be trained on this executive order during the first six (6) months following their hire or promotion. This training, at a minimum, should include instruction on the recognition of drug and alcohol impairment and use, the proper documentation of the supervisor's reasonable suspicion, and the supervisor's responsibility for escorting employees to the testing sites and through the testing process.

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2. Supervisors shall ensure that all drug and alcohol tests are accomplished immediately after the justification for testing is established. Timeliness for testing is outlined in this executive order and its addendum. Further, once a supervisor has reasonable suspicion that an employee appears to be under the influence of alcohol or drugs, or is informed that the employee has initially tested positive for drugs and/or alcohol, the agency cannot condone the employee's driving of a motor vehicle. If the employee drives off in his/her own or a City vehicle, the Police Department must be notified immediately by a supervisor on duty, or a designee. Supervisors may designate another employee to escort an employee to testing or evaluation sites. The supervisor shall educate the individual on the duties of the escort as provided herein prior to allowing that individual to escort the employee.
3. Supervisors are subject to discipline for failing to fulfill the responsibilities set forth for supervisors in this Order, up to and including dismissal. Such failure by the supervisor does not, in any way, excuse the employee's violation of this executive order or mitigate the agency's disciplinary action against the employee.

**CAUTION:** No physical force may be used against an employee to enforce any direct order or requirement under this executive order. The employee must be advised that noncompliance with a supervisor's order will be viewed as refusal to obey the order of a supervisor and constitute grounds for mandatory dismissal.

**CAUTION:** Supervisors are to restrict communications concerning possible violations of this executive order to those persons who are participating in the evaluation, investigation or disciplinary action and who have a "need to know" about the details of the drug/alcohol evaluation, investigation and disciplinary action. This expectation of confidentiality includes not mentioning the names of employees who are suspected of, or disciplined for, violating this executive order.

**IV. DISCIPLINARY ACTIONS**

- A. If it is determined after the appropriate pre-disciplinary meeting that any of the following situations apply, the employee shall be dismissed even for a first-time violation of this executive order:
  1. Members of the Classified Service of the Police and Fire Departments or Deputy Sheriffs that violate their respective departments' prohibitions regarding illegal drugs and alcohol, except as follows:
    - a. Employees of the Classified Service, and Deputy Sheriffs who disclose prior on-duty alcohol use, or off-duty illegal drug use, as a means for seeking

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treatment may, at the discretion of the Executive Director of Safety or his/her designee, be suspended in lieu of termination and placed on a Stipulation and Agreement.

2. Safety-sensitive members of the Department of Aviation that violate their department's prohibitions regarding alcohol or drug use;
3. The employee has endangered the lives of others, or foreseeably could have endangered the lives of others;
4. The employee refuses to submit to any testing under this executive order including, but not limited to, pre-placement, reasonable suspicion, random, post-accident, return to duty, follow-up or unannounced testing;
5. The employee uses, or attempts to use, a masking agent to alter the sample and/or drug and/or alcohol test results, or uses or attempts to use any other deceptive means to alter the sample and/or drug and/or alcohol test results, including but not limited to, use or attempted use of another person’s urine;
6. The employee is required to have a CDL license and either drove/operated a City vehicle or equipment or was only prevented from driving/operating a City vehicle or equipment by the agency’s instruction to submit to testing under this executive order;
7. The employee's disciplinary history compels dismissal as a matter of progressive discipline;
8. The employee has refused to enter into a Stipulation and Agreement;
9. The employee has violated the Stipulation and Agreement;
10. The employee violates this executive order for the second time in the employee’s career with the City and County of Denver and/or its agencies.
11. The employee possesses and/or uses illegal drugs while on duty.

**B.** A first-time violation of the alcohol and drug prohibitions contained in Sections I (A) and I (C) of this executive order, which does not result in a dismissal pursuant to Section IV (A), shall result in a lesser disciplinary action in conjunction with a Stipulation and Agreement for treatment.

1. The presumptive disciplinary action shall be a suspension of 30 days in conjunction with a Stipulation and Agreement. No lesser or greater disciplinary action shall be imposed

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<b>Approved:</b>	<b>DGF</b>
<b>Review Date:</b>	<b>11-17-2022</b>
<b>Replaces:</b>	<b>Same, dated 01-03-12</b>

**Topic: Executive Order 94 – City and County of Denver Employees’ Alcohol and Drug Policy**

without the approval of the City Attorney’s Office.

- C. The level of discipline to be imposed on an employee for driving under the influence of or impaired by alcohol or drugs (DUI/DWAI) offenses not otherwise prohibited by this Executive Order shall be within the discretion of the appointing authority or designee, except that the minimum discipline imposed shall be above the level of a written reprimand. Factors to be considered in determining the level of discipline should include whether the employee has prior DUI/DWAI offenses; the circumstances surrounding the offense; any harm caused by the employee’s actions; whether the employee’s actions violated other rules, regulations, policies or laws; the nature of the employee’s position; and the employee’s work and disciplinary history. The appointing authority or designee may offer the employee lesser disciplinary action (above the level of written reprimand) in conjunction with a Stipulation and Agreement.
- D. The level of discipline to be imposed for any other violation of this executive order shall be within the discretion of the appointing authority or designee.
- E. Stipulation and Agreements
  - 1. Employee assistance counselors provided by the City and County of Denver, or such other substance abuse professional(s) as may be designated, shall conduct an evaluation of the employee and create a treatment plan.
  - 2. Each such agreement shall be in writing and approved by the City Attorney’s Office. The City shall offer no employee more than one such agreement during his or her employment with the City.
  - 3. Employees who participate in an inpatient treatment plan may be eligible for FMLA leave.
  - 4. Employees who participate in an inpatient treatment plan shall be allowed to use one (1) day per month of accrued paid leave, if any, to assure continued health coverage.

**V. MISCELLANEOUS PROVISIONS**

**A. Driver’s License**

It is the responsibility of employees required to drive as part of their assigned duties or job specifications to report to their appointing authority any loss of a driver's license or the restriction of driving privileges, no later than the beginning of the employee's next scheduled shift. Every employee who is required to drive, as part of their assigned duties or job specifications, shall certify that they have a current valid driver's license in accordance with Executive Order 25 as may be amended from time to time.



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**B. Searches**

1. Before any search is conducted, supervisors should contact the City Attorney's Office, Employment and Labor Law Section, for guidance.
2. Management has the right to search City-owned property utilized by employees, e.g., a desk, storage cabinet or City vehicle, when necessary for a non-investigatory work-related purpose such as retrieving a needed file. Additionally, management may search City-owned property utilized by employees, e.g., a desk, file cabinet, locker, or City vehicle, for investigatory purposes based on reasonable suspicion that evidence of misconduct will be found. Management may not search an employee's personal property, e.g., their personal vehicle parked on City property, lunch boxes, briefcases, purses, and backpacks, unless the employee voluntarily consents to such a search.

**C. Contracts**

1. The prohibitions and responsibilities contained in this Executive Order are applicable to contract personnel. Violation of these provisions or refusal to cooperate with implementation of the executive order can result in the City's barring contract personnel from City facilities or from participating in City operations.
2. All City contracts shall contain language informing contractors doing work for the City about this Executive Order.

**D. Employee Assistance and Department of Safety Psychologists**

The City maintains an Employee Assistance Program (EAP) and provides Department of Safety psychologists who offer help to employees who are coping with alcohol, or drug use, or other personal or emotional issues. It is the responsibility of each employee to seek help from the EAP, Department of Safety psychologist or other appropriate health care professionals before alcohol and drug use leads to disciplinary actions.

**E. Memorandum to this Order**

The City Attorney shall have the authority to amend definitions and drug testing cut-off levels contained in this executive order’s Memorandum, from time to time, not to be inconsistent with Colorado statutes and/or the DOT regulations, without obtaining signatures of the Mayor or City Council. For purposes of this executive order, all references to Agency head, Department head or appointing authority will also include the designee of the Agency head, Department head or appointing authority.

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**Topic:** Executive Order 94 – City and County of Denver Employees’ Alcohol and Drug Policy

Executive Order No. 94 is:  
Approved for Legality:

\_\_\_\_\_  
Kristin M. Bronson Michael B. Hancock  
City Attorney MAYOR

\_\_\_\_\_  
Kim Day  
Executive Director of Aviation

\_\_\_\_\_  
Robert M. McDonald  
Executive Director of Public Health and Environment

\_\_\_\_\_  
Brandon Gainey  
Executive Director of General Services

\_\_\_\_\_  
Allegra “Happy” Haynes  
Executive Director of Parks & Recreation

\_\_\_\_\_  
Eulois Cleckley  
Executive Director of Department of Transportation and Infrastructure

\_\_\_\_\_  
Brendan J. Hanlon  
Chief Financial Officer

\_\_\_\_\_  
Murphy Robinson  
Executive Director of Safety

\_\_\_\_\_  
Don Mares  
Executive Director of Human Services

\_\_\_\_\_  
Laura E. Aldrete  
Executive Director of Community Planning and Development

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DIRECTIVE

Topic No:	1022.00
Date:	11-17-2020
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Topic: Executive Order 94 – City and County of Denver Employees’ Alcohol and Drug Policy

MEMORANDUM NO. 94A

TO: All Agencies Under the Mayor  
FROM: Mayor Michael B. Hancock  
DATE: June 1, 2020  
SUBJECT: STAUTORY PROVISIONS

This memorandum to Executive Order 94 was originally referred to as an addendum, effective April 10, 1989, amended April 13, 1999, January 10, 2000, March 1, 2000, March 15, 2001 and is hereby continued in effect as amended and retitled as a memorandum this June 1, 2020. This Memorandum No. 94A shall be attached to and become a part of Executive Order 94, dated, June 1, 2020, subject "City and County of Denver Employees' Alcohol and Drug Policy."

I. ALCOHOL PROVISIONS

- A. Under the Colorado statutes, as may be amended from time to time, "impaired by alcohol" is defined as having 0.05 grams of alcohol (per two hundred ten liters of breath or per one hundred milliliters of blood), but less than 0.08 grams of alcohol. Under the "influence of alcohol" is defined as having 0.08 or more grams of alcohol (per two hundred ten liters of breath or per one hundred milliliters of blood).
- B. Under the DOT regulations, as may be amended from time to time, "under the influence of alcohol" is defined as having 0.04 percent alcohol concentration, or more; as prescribed by state law; or in the event of refusal to undergo such testing as is required by the state or jurisdiction.

DOT regulations, as may be amended from time to time, state that post-accident alcohol testing should be administered within two (2) hours following the accident, but must be administered within eight (8) hours following the accident. **These DOT time frames shall also apply to testing under the Executive Order unless otherwise specified within this Order.**

II. ILLEGAL DRUG PROVISIONS

- A. Illegal drugs, include controlled substances, as defined in Colorado Revised Statutes, and under federal law.
- B. "Subject to the effects of an illegal drug" is to be determined consistent with the confirmation test levels established by the DOT regulations, 49 CFR Part 40 § 40.87, as may be amended from time to time:

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Marijuana metabolites.....	15	ng/ml
Cocaine metabolite.....	100	ng/ml
Opiates:		
Morphine.....	2,000	ng/ml
Codeine.....	2,000	ng/ml 6-
Acetylmorphine.....	- 10	ng/ml
Hydrocodone/Hydromorphone	- 100	ng/ml
Oxycodone/Oxymorphone -----	100	ng/ml
Phencyclidine.....	25	ng/ml
Amphetamines:		
Amphetamine.....	250	ng/ml
Methamphetamine.....	250	ng/ml
MDMA/MDA.....	250	mg/nl

DOT regulations, as may be amended from time to time, state that post-accident drug testing should be administered within eight (8) hours following the accident, but must be administered no later than thirty-two (32) hours after the accident. **These DOT time frames shall also apply to testing under this Executive Order unless otherwise specified within this Order.**

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**Topic: Use of Department Psychologist by Fire Department Personnel for Problems of Drug and/or Alcohol Abuse**

<b>Topic No:</b>	<b>1023.00</b>
<b>Date:</b>	<b>01-06-17</b>
<b>Approved:</b>	<b>TAB</b>
<b>Review Date:</b>	<b>01-06-19</b>
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When a Fire Department member voluntarily seeks aid for a drug or alcohol problem from the Fire Department Psychologist, that transaction shall be deemed confidential. If the department member voluntarily enters appropriate treatment for drug/alcohol problems as recommended by the Department Psychologist or other appropriate professional health service provide, there shall be no action taken detrimental to the member's job by department management on that occasion.

This policy is intended to apply only to those situations where a member's conduct, due to drug or alcohol abuse, has not already become a problem for the Department. When the member's conduct has already become a problem, the Chief of Department must have his usual discretionary powers. Subsequent problems with drug/alcohol abuse by the same member shall be dealt with in the usual manner, namely, on a case-by-case basis at the discretion of the Chief of Department.

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**Policy Overview**

As an employer, the City is required to adhere to various federal, state, and local laws and regulations regarding alcohol or drug abuse. These laws are contained in the attached appendix.

The City also has a vital interest in maintaining safe, healthy, and efficient working conditions for its employees. Being under the influence of a drug or alcohol on the job may pose serious safety and health risks not only to the user but to all those who work with the user. The possession, use or sale of an illegal drug or use of alcohol in the workplace may also pose unacceptable risks for safe, healthful, and efficient operations.

The City also maintains an Office of Employee Assistance and provides Department of Safety psychologists that offer help to employees who seek assistance for alcohol or drug abuse and other personal or emotional problems.

Within the legal framework and with these basic objectives in mind, the City has established the following policy with regard to use, possession or sale of alcohol or drugs.

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**I. ON-THE-JOB USE, POSSESSION OR SALE OF DRUGS OR ALCOHOL**

**A. Alcohol**

Being under the influence or impaired by alcohol by any employee while performing City business or while in a City facility is prohibited. Consumption of alcohol in a City facility, in a City vehicle or on City premises is prohibited unless consumed at an officially sanctioned private function, e.g., an invitation only library reception.

**B. Legal Drugs**

It is the responsibility of the employee who works in a position operating a vehicle or dangerous equipment or affecting the public health or safety to advise management that he or she is taking a prescription drug which may affect performance. The use or being under the influence of any legally obtained drug by any employee while performing City business or while in a City facility may be prohibited if such use or influence may affect the safety of co-workers or members of the public, the employee's job performance, or the safe or efficient operation of the City facility. An employee may continue to work, even though under the influence of a legal drug, if the appointing authority or a designee has determined, after consulting with the Occupational Health and Safety Center that the employee does not pose a threat to his or her own safety or the safety of co-workers and that the employee's job performance is not significantly affected by the legal drug. Otherwise, the employee may be required to use sick leave or take a leave of absence or comply with other appropriate non-disciplinary action determined by the appointing authority or a designee.

**C. Illegal Drugs**

The use, sale, purchase, transfer or possession of an illegal drug by any employee while in a City facility or while performing City business is prohibited. For the classified service employees and the deputy sheriffs of the Department of Safety, the presence in any detectable amount of any illegal drug in an employee at any time is prohibited.

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**Policy Implementation**

**II. PROCEDURES FOR MANAGEMENT AND SUPERVISORS**

When a supervisor has reasonable suspicion that an employee is in violation of this policy the supervisor should immediately consult with an appropriate member of the in-house personnel staff or with the City Attorney’s Office to determine further actions. However, if it is recognized that the employee appears to be under the influence of drugs or alcohol, or alcohol or drugs are in his or her possession, immediate action may be required.

Where this is the situation, the supervisor should do the following:

**A. Under the Influence of Alcohol**

The supervisor should confront the employee with the suspicion and order the employee to the Occupational Health and Safety Center (during work day hours). **If the clinic is closed, refer to Denver General Psychiatric and Substance Abuse Emergency Room Service** or the Denver Police Department DUI facilities for an evaluation. Arrangements are to be made by the supervisor to provide transportation for the employee to the evaluation site. If the employee refuses to be evaluated, arrangements should be made for the employee to be transported home.

**\*Caution:** Once a supervisor has reasonable suspicion that an employee appears to be under the influence of alcohol and should the employee refuse an order to be evaluated and drives off in their own or a City vehicle, the police must be notified immediately.

**B. Use, Possession, or Sale of Illicit Drugs**

When a supervisor has reasonable suspicion that an employee appears to be using illicit drugs while on duty, the same procedure applies as when a supervisor has reasonable suspicion that an employee appears under the influence of alcohol.

When a supervisor has reasonable suspicion that an employee appears to be in possession of or selling or transferring illicit drugs, the police are to be contacted. It is the policy of the Department of Safety for all classified service employees and deputy sheriffs that improper use or possession of controlled substances is grounds for immediate dismissal.

Management and supervisors are to restrict conversations concerning possible violations of this policy to those persons who are participating in the evaluation, investigation or disciplinary action and who have a need to know about the details of the drug/alcohol

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investigation. This includes not mentioning the name of the employee or employees suspected of violating this policy.

C. Drug and Alcohol Screening

Employees may be required to submit to blood, or urine, or other alcohol or drug screening where there is reasonable suspicion of illicit use or the employee is under the influence of or impaired by alcohol or drug. Drug and alcohol screening may also be justified where, even though the employee does not exhibit any observable symptoms of being under the influence, a workplace accident may have been caused by human error which could be drug or alcohol related. If any specimen obtained in a drug screening remains after supervisor authorized testing, the remaining specimen is to be retained until adjudication of disciplinary action is concluded. The Occupational Health and Safety Center shall ensure that appropriate chain of custody is maintained for all specimens.

D. Investigatory Leave

The supervisor is then to contact management for further guidance. In the absence of such consultation and if the supervisor has a reasonable doubt about the employee's ability to satisfactorily and safely meet job requirements, the supervisor shall place the employee on investigatory leave pending results of testing or other administrative determination.

**III. DUI/DWAI ON OR OFF THE JOB**

It is the responsibility of any employee who is required to drive as part of his or her assigned duties or job specification to report to his or her appointing authority any DUI or DWAI charge which results in the loss of a driver's license or the restriction of driving privileges. Every employee who is required to drive as part of his or her assigned duties or job specification shall annually certify that he or she has a currently valid driver's license.

**IV. NON-COMPLIANCE BY EMPLOYEE**

*(Missing)*

**V. DISCIPLINARY ACTION**

Violation of this policy can result in a disciplinary action, up to and including dismissal, even for a first offense. The appointing authority or designee, in lieu of disciplinary action, may enter into an agreement with the employee after consultation with the city



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attorney's office, for assessment of the employee's alcohol or drug abuse problem and for any treatment suggested by the treatment plan developer. For Career Service Authority employees, the treatment plan developer is the Office of Employee Assistance and for classified service employees, the treatment plan developer is the department psychologist.

**VI. FACILITY WORK RULES**

Nothing in this policy precludes the appointment authority of any City agency from establishing work rules, which cannot be less stringent than this policy, subject to approval of the City Attorney.

**VII. SEARCHES**

Searches of employees to investigate work-related misconduct may be conducted when there is reasonable suspicion to believe that the employees are in violation of this policy, and where the scope of the search is reasonably related to the objectives of the search and not excessively intrusive in light of the nature of the misconduct. Supervisors shall contact the City Attorney's office for guidance.

**VIII. CONTRACT PERSONNEL**

These policy provisions are applicable to contract personnel. Violation of these provisions or refusal to cooperate with implementation of the policy can result in the City's barring contract personnel from City facilities or participating in City operations.

**IX. POSTING NOTICES**

Clearly posted notices explaining the City's right to carry out search activities should be displayed in appropriate locations throughout the work area. Such postings should emphasize the City's intention to maintain a safe and healthful working environment. In addition, a copy of the City's Drug and Alcohol policy may be given to each employee with each employee acknowledging in writing receipt of the policy.

At a minimum, facility management is to inform all contractors doing work in the facility about the applicable policy provisions and provide a copy of this policy to such contractors. Certain other enforcement actions may be necessary.

**X. DRUG AND ALCOHOL USE RELATIONSHIP TO THE OFFICE OF EMPLOYEE ASSISTANCE AND DEPARTMENT OF SAFETY PSYCHOLOGISTS**

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The City and County of Denver maintains an Office of Employee Assistance and provides Department of Safety psychologists that offer help to employees who suffer from alcohol or drug abuse and other personal emotional problems. It is the responsibility of each employee to seek help from the Office of Employee Assistance or Department of Safety psychologist before alcohol and drug abuse problems lead to disciplinary problems. Once a violation of this policy occurs, subsequent use of the Office of Employee Assistance or Department of Safety psychologist may be part of a condition of continued employment.

**APPENDIX**

Federal Rehabilitation Act of 1973

For the purposes of the Rehabilitation Act of 1973, 29 U.S.C. §700, et seq.

“Individual with handicaps” means any person who has a physical or mental impairment which substantially limits one or more of such person’s major life activities, (ii) has a record of such impairment, or (iii) is regarded as having such an impairment. For purposes of sections 503 and 504 as such sections relate to employment, such term does not include any individual who is an alcoholic or drug abuser whose current use of alcohol or drugs prevents such individual from performing the duties of the job in question or whose employment, by reason of such current alcohol or drug abuse, would constitute a direct threat to property or the safety of others.”

Colorado Revised Statutes

Under the Colorado Statutes, it is a discriminatory or unfair employment practice:

(a) For an employer to refuse to hire, to discharge, to promote or demote, or to discriminate in matters of compensation against any person otherwise qualified because of handicap, but, with regard to a handicap, it is not a discriminatory or unfair employment practice for an employer to act as provided in this paragraph (a) if there is no reasonable accommodation that the employer can make with regard to the handicap, the handicap actually disqualifies the person from the job, and the handicap has a significant impact on the job;

Career Service Authority

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Under Career Service Authority regulations, it is a ground for immediate dismissal for an employee to:

(b) Be under the influence of alcohol while on duty (CSA 16-22(3)) or illegally (use) habit forming drugs or narcotics, or marijuana on City and County premises or while on duty; or illegally (introduce) or (possess) such substances on City and County premises while on duty. (CSA 16-22(1) or refuse to comply with orders of an authorized supervisor.)

Denver Fire Department

Under Denver Fire Department policy, using or being under the influence of alcohol while on duty, or use, possession or illegal activity involving drugs and controlled substances are major violations. Use or being under the influence of alcohol on duty is a major offense because the nature of the fire service requires quick, accurate, efficient judgments to be made. Alcohol may impair a member's ability to perform effectively, thereby endangering other members and the public. Any offense may result in discipline, up to and including dismissal

The Department's drug policy states that:

Members shall not use or possess any prescription drug, on or off duty, except as prescribed by and under the supervision of a licensed doctor or dentist. The use of any illegal drug, controlled substance, or other substance; the possession of any illegal drug or substance, or any participating activity involving illegal drugs or substances on or off duty, may subject member to discipline, up to and including dismissal.

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Name: \_\_\_\_\_  
                    LAST,                      FIRST,                      MI  
SSN: \_\_\_\_\_

CERTIFICATE OF COMPLIANCE WITH DRUG-FREE  
WORK PLACE ACT OF 1988

(Public Law 100-690, Title V, Subtitle D)

I certify that I have received a copy of Executive Order 94, as amended, regarding the alcohol and other drugs policy for City and County of Denver employees.

I further certify that I will not unlawfully manufacture, distribute, dispense, possess or use a controlled substance in the work place, and I will notify my employer of any criminal drug statute conviction for a violation occurring in the work place no later than five days after such conviction.

\_\_\_\_\_  
Employee's Signature

\_\_\_\_\_  
Date

CSA ORIGINAL: ATTACH TO APPOINTING PERSONNEL ACTION -  
MAKE COPY FOR AGENCY FILE

**DENVER FIRE DEPARTMENT**  
**DEPARTMENT DIRECTIVE**

<b>Topic No:</b>	<b>1024.00</b>
<b>Date:</b>	<b>05-21-2020</b>
<b>Approved:</b>	<b>TAB</b>
<b>Review Date:</b>	<b>05-21-2022</b>
<b>Replaces:</b>	<b>Same, dated 06-15-16</b>

**Topic: Grooming Standards**

**PURPOSE:** To establish a policy outlining the grooming standards of the Denver Fire Department.

**SCOPE:** Applies to all members of the Denver Fire Department at all times they are in uniform.

The following hair, appearance, and grooming standards shall be adhered to by all members of the classified service in all Divisions of the Denver Fire Department. Each of these standards has been adopted for one or both of the following reasons:

- **SAFETY:** These are necessary to provide a safe work environment for all employees and are based upon current national and local standards. They are applicable to all employees equally.
- **APPEARANCE:** These standards are adopted to provide a uniform and professional work force. Some of these standards are gender-specific; that is, a different standard may be adopted for male and female members of the Department, depending upon the item at issue. Society in general accepts different standards for male and female appearance, and recent court rulings have upheld the adoption of such standards.

All members shall abide by the grooming standard outlined in this policy at all times while in uniform.

Supervisors will advise those within their command of the grooming standards and will assure conformity.

Any member refusing to comply with an immediate correction to the grooming standards outlined in this Directive, may be placed on Administrative Leave and may be subject to discipline pending the outcome of an investigation.

The Denver Fire Department will consider, and may approve, individual adjustments to these standards on a case-by-case basis<sup>1</sup>. Requests shall be made in writing through the chain of command to the Fire Chief. Members must conform to regular Department grooming standards unless they are granted a waiver. Medical waivers may be temporary, depending on the circumstances.

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<sup>1</sup> Requests for adjustments to these standards under the Americans with Disabilities Act, the CROWN Act, or any other reason should be made to the Division Chief of Administration.

**DENVER FIRE DEPARTMENT**  
**DEPARTMENT DIRECTIVE**

<b>Topic No:</b>	<b>1024.00</b>
<b>Date:</b>	<b>05-21-2020</b>
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<b>Replaces:</b>	<b>Same, dated 06-15-16</b>

**Topic: Grooming Standards**

### **GENERAL GROOMING STANDARDS**

All uniforms shall be clean, pressed and in good repair. Items that have holes, tears, or are faded shall not be permitted. Uniforms and other equipment shall be used as outlined in other Department Directives and shall be worn for the proper comfort, protection, and appearance of the member.

Hair shall be professional in appearance and shall not create an unsafe condition during performance of emergency and non-emergency operations. Hair shall not impede nor interfere with the proper wearing and/or use of all personal protective equipment. Hair shall be clean, well groomed, and shall not obstruct one's vision. Mohawks, shaved geometric patterns or letters, and faddish or unusual hair styles as determined by the Chief, Deputy Chief, or the member's respective Division Chief are not authorized. Accepted hair colors are those that are naturally occurring. Colors that are not allowed are those considered to be extreme in nature; examples include but are not limited to: blue, purple, gold, green, yellow, synthetic white (other than naturally occurring), orange, and neon red. A full spectrum color chart is housed in the Administration Division and should be utilized if questions arise. Final determination on acceptable hair colors will be made by the Division Chief of Administration.

**Cosmetics:** Cosmetics shall be conservative, professional, and blend with natural skin tone.

**Fingernails:** Fingernails shall be kept clean and allow for the safe and proper use of medical and firefighting gloves as determined by the District Chief or his/her designee.

#### **Jewelry:**

- **Rings** - Two rings per hand are permitted as long as they do not interfere with the quick donning of gloves or turnout coat. However, the wearing of rings is not recommended when responding to emergencies due to the potential for injury (e.g., electrical burns, crushing, entanglement). Rings with projections that compromise the integrity of EMS gloves are not permitted.
- **Body Piercing** - With the exception of earrings for women as outlined below, no other visible body piercing jewelry shall be worn while on duty. This includes, but is not limited to: nose rings or studs, tongue studs, eyebrow piercings, etc.
- **Necklace** – Only one is authorized and shall not be visible while in uniform.
- **Watch/Bracelet** – One close-fitting watch/ bracelet is permitted per arm.

**DENVER FIRE DEPARTMENT**  
**DEPARTMENT DIRECTIVE**

<b>Topic No:</b>	<b>1024.00</b>
<b>Date:</b>	<b>05-21-2020</b>
<b>Approved:</b>	<b><i>TAB</i></b>
<b>Review Date:</b>	<b>05-21-2022</b>
<b>Replaces:</b>	<b>Same, dated 06-15-16</b>

**Topic: Grooming Standards**

**Sunglasses:** Sunglasses shall be conservative in design. Unless needed for a prescription or other medical purpose, sunglasses should not be worn while wearing the Class A uniform. If sunglasses are worn, they should be black and brown in color.

**Tattoos:** Tattoos which must be covered while on duty include:

- Tattoos which are racist, sexist, offensive, or obscene.
- Sexually explicit tattoos, or tattoos with offensive/vulgar language and/or illustrations
- Symbols used by known militant, racist, or hate groups
- Tattoos promoting, depicting, identifying, or supporting any gang, gang affiliation, or gang activity
- Tattoos which are visible on the face, neck, head, or hands (with the exception of tattoo rings on fingers, still limited to a *total* of two rings per hand).

**Intentional body modification, including but not limited to:** Split or forked tongue, foreign objects inserted under the skin to create an unnatural shape, design, or pattern, enlarged or stretched holes in earlobes are prohibited.

**Dental Veneers:** Dental veneers for the purpose of ornamentation, and dental adornments such as jewels, initials, designs, etc., are prohibited.

### **MALE GROOMING STANDARDS**

**Hair:** Hair shall not extend below the bottom of the uniform shirt collar or cover more than the upper half of the ear. Ponytails or hair accessories are not authorized while in uniform.

**Sideburns:** Shall be neatly trimmed and shall not interfere with the seal of the SCBA face piece. Sideburns shall not extend below the earlobe and no more than ½” in width.

**Facial Hair:** At the start of the work shift, all areas of the skin that are involved with the seal of the face piece shall be clean shaven. The sealing area of the face piece shall be defined as: all areas of the skin which contact the face or neck seal and the nose cup seal (NIOSH). Authorized facial hair shall be clean and neatly trimmed. If a mustache is worn, it shall not extend past the jawline and not more than ½” wide. Handlebar/extended moustaches are not allowed. Any uneven growth or a “scrappy” look is not allowed. A single small patch of facial hair just below the lower lip and above the chin is not allowed. No Facial hair is allowed, other than the authorized mustaches and sideburns. Final determination remains the Division Chief of Administration.

**DENVER FIRE DEPARTMENT**  
**DEPARTMENT DIRECTIVE**

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**Topic: Grooming Standards**

**FEMALE GROOMING STANDARDS**

**Hair:** Hair shall be worn in a fashion so that the length does not exceed the bottom of the shoulder blades or more than 4 inches in bulk while standing in formation. Hair shall not extend beyond the outside corners of the eyes so as not to obstruct vision, and hair that falls below the clavicle shall be drawn back and secured in a bun, braid, or ponytail for safety. Hair accessories shall be a solid color of navy, black, brown, or plain gold or silver to match the appropriate rank insignia. Hair length must be such that it may be managed and completely covered by a protective hood and must not interfere with donning an SCBA and wearing a facepiece.

**Female members in Class A uniforms:** Hair that falls below the bottom edge of the back of the shirt/coat collar shall be drawn back and secured up and off the shoulders. Hair shall not extend beyond the outside corners of the eyes so as not to obstruct vision. Hair accessories shall be a solid color of navy, black, brown, or plain gold or silver to match the appropriate rank insignia.

**Earrings:** Two ear posts are allowed per ear. The decorative front of the ear post shall not exceed ¼” in diameter. The ear post may be silver or gold in color, or may have a clear gemstone as the decorative front. Hoop or half hoops are not allowed.

**Nail Polish:** Colored polish is authorized except for the color black and neon colors. With the exception of a natural-colored French manicure, fingernails shall be solid in color and shall not be airbrushed or adorned. Patterns, chips, or sparkles are not authorized. Final determination on acceptable nail colors will be made by the Division Chief of Administration.



DENVER FIRE DEPARTMENT

DIRECTIVE

<b>Topic No:</b>	<b>1025.00</b>
<b>Date:</b>	<b>11-10-2021</b>
<b>Approved:</b>	<i>JAV</i>
<b>Review Date:</b>	<b>11-10-2023</b>
<b>Replaces:</b>	<b>Same, dated 06-22-17</b>
<b>Reference:</b>	<b>Executive Order 99 C.R.S. 25-14-201 Colorado Clean Indoor Air Act</b>

**Topic: Smoking and Tobacco Policy**

**PURPOSE:** To establish a Department smoking and tobacco policy in agreement with the most current version of Executive Order 99 - City Smoking Policy.

**SCOPE:** Applies to all Denver Fire Department Personnel.

For purposes of this Directive, the term "smoking" shall include the use of any device that can be used to deliver tobacco or nicotine to the person inhaling from the device, including but not limited to: electronic cigarettes, cigars, cigarillos or pipes, as well as vaporizers, hookah pens, and similar devices that use an atomizer or otherwise allow users to inhale nicotine vapor without the use of fire, smoke, or ash.

1. Smoking is prohibited in any Denver Fire Department (DFD) vehicle and/or facility.
2. This "no smoking" policy includes all Career Service and Civil Service.
3. Smoking is prohibited in all indoor public places at Denver International Airport, including bars, restaurants, and food courts, except in any existing designated smoking lounge in use prior to passing of the Executive Order, Smoking is prohibited in the tunnel and all restricted access areas.
4. Smoking in the county jail and city detention centers shall be regulated by the Department of Safety and the managers in charge of such facilities.
5. Visitors to DFD facilities will be asked to abide with this ruling. If they must smoke, they will be asked to smoke outside the facility. Per Executive Order 99 and in accordance with the Colorado Clean Indoor Air Act (C.R.S. 25-14-201), smoking within 25 feet of the entrances to any City-owned or managed facility is prohibited. Smoking on the grounds of City-owned or managed facilities will be regulated by the person in charge of the facility with an effort made to reduce exposure to second-hand smoke and second-hand vapor, a byproduct of which is an aerosol that may contain harmful toxicants.
6. The use of any other legal smokeless tobacco product is prohibited when in the presence of, interacting with, and/or providing service to the public or persons other than DFD personnel.

DENVER FIRE DEPARTMENT

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<b>Topic No:</b>	<b>1025.00</b>
<b>Date:</b>	<b>11-10-2021</b>
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<b>Replaces:</b>	<b>Same, dated 06-22-17</b>
<b>Reference:</b>	<b>Executive Order 99 C.R.S. 25-14-201 Colorado Clean Indoor Air Act</b>

**Topic: Smoking and Tobacco Policy**

7. Enforcement for City employees violating this order shall be the responsibility of the executive director of the department or agency. Enforcement for the general public shall be the responsibility of the building manager.
8. Violators of this policy may be subject to disciplinary action. Supervisors who do not enforce this policy may be subject to disciplinary action.

**REFERENCES: Denver Mayoral Executive Order No. 99  
C.R.S. 25-14-201 (Colorado Clean Indoor Air Act)**

**DENVER FIRE DEPARTMENT**  
**DEPARTMENT DIRECTIVE**

<b>Topic No:</b>	<b>1026.00</b>
<b>Date:</b>	<b>12-21-2021</b>
<b>Approved:</b>	<i>JAV</i>
<b>Review Date:</b>	<b>12-21-2023</b>
<b>Replaces:</b>	<b>Same, dated 05-21-12</b>
<b>Reference:</b>	<b>Local 858 CBA Article XVIII – Section 11</b>

**Topic: Bereavement Leave**

**PURPOSE:** To outline the conditions under which the Department will allow time for members to be with their families after the death of a member of their immediate family or household.

**SCOPE:** Applies to all uniformed members of the Denver Fire Department

Bereavement leave is granted under the following conditions and requirements:

- A. The member shall notify his/her supervisor and the Administration Division indicating who died, the deceased's relationship to the member, when and where the death occurred, and the anticipated duration of his/her absence.
- B. Upon proper notification to the Department, a fire fighter shall be granted authorized absence from duty because of the death of a member of the fire fighter's immediate family, which includes the fire fighter's husband, wife, mother, father, mother-in-law, father-in-law, stepfather, stepmother, child, stepchild, brother, sister, brother-in-law, sister-in-law, grandparent, grandchild, spousal equivalent as defined by the City, or other person residing within the immediate household. Such absence shall not exceed five (5) calendar days unless the Chief or his/her designee grants additional leave. Authorized bereavement leave for an immediate family member will not be charged against the fire fighter's accumulated sick or vacation leave.
- C. Upon proper notification to the Department, at the discretion of the Chief or his/her designee, a fire fighter may be granted authorized absence from duty because of the death of a relative other than an immediate family member. Such absence shall not exceed one (1) calendar day and may only be granted if staffing is available. Any granted leave should not have a negative financial or operational impact to the City.
- D. It is the member's responsibility to obtain approval from the Chief of the Department or his/her designee for any additional leave **prior** to being absent from duty beyond the calendar days permitted.
- E. When any member advises his/her supervisor of a death in the immediate family and they request to use their Bereavement Leave benefit, **the supervisor shall:**
  - 1. Notify the Administration Division and give all pertinent information, specifying the relationship of the deceased to the member.
  - 2. Inform the member of Department resources available to assist her/him, i.e., Chaplain, Psychologist, Peer Support Group, HRB, etc.
  - 3. Properly enter the absence in TeleStaff.

DENVER FIRE DEPARTMENT  
DEPARTMENT DIRECTIVE

Topic No:	1027.00
Date:	01-24-2022
Approved:	JAV
Review Date:	01-24-2024
Replaces:	Same, dated 08-14-12

Topic: Court Leave / Jury Duty

## I. OVERVIEW

Any employee of the Fire Department who receives a summons or subpoena is required by law to appear as directed. This Directive details the responsibilities and obligations of the employee regarding leave, and the compensation for services performed as a witness or when required to report for jury duty.

The employee must ensure proper absence information has been entered into TeleStaff and, in all cases, make their supervisor aware of the pending absence and provide a copy of the jury summons or subpoena to the Administration Division prior to the appearance. Shift Commander, District Chief or DFD Administrative personnel may enter leave.

## II. MEMBER RESPONSIBILITIES AND COMPENSATION

- A. A Fire Department employee who is ordered to report for jury duty shall be granted court leave for such time as their service as a juror is required by the Jury Commissioner or Court.
- B. The employee shall receive their regular Fire Department salary when on jury duty during their scheduled work shift provided:
  1. The employee is excused by the Commissioner or the Court and returns to finish the remainder of their work shift.
  2. The employee is assigned to a trial that will be completed on the day the employee reports for jury service and the employee returns to finish the remainder of their work shift.
- C. If an employee is assigned to a trial that will last more than one day, the employee is NOT required to return to complete the work shift on the initial day of service, but IS required to finish the remainder of the work shift if the trial ends on a scheduled work shift.
- D. If an employee is assigned to a trial that is in recess for a weekend and the member is scheduled to work on Friday, they MUST work the remainder of the shift on Friday. If scheduled for Saturday, they must work the full shift. If the employee is scheduled to work on a Sunday and the trial will continue Monday, the employee MUST work on Sunday until 2000 hours.

DENVER FIRE DEPARTMENT

DEPARTMENT DIRECTIVE

Topic No:	1027.00
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Topic: Court Leave / Jury Duty

- E. Any jury fees (except mileage) received while serving as a juror during normally scheduled Fire Department work hours must be forwarded to the Fire Department Director of Finance. Checks are to be endorsed payable to the Manager of Revenue.
- F. A member performing jury service during non-duty hours shall be entitled to retain fees received for that service but is not entitled to overtime.
- G. An employee working overtime or who is assigned to act in a higher rank for an employee on court or jury leave will revert to their normal position when the serving member returns.

**III. COURT APPEARANCE**

- A. A member who is subpoenaed, ordered, or requested by the Chief of Department to appear as a participant in a case resulting directly from the discharge of their duties as a Department member, to appear as a witness in Department disciplinary proceedings, or for criminal or civil cases where they have no personal interest and are not a party litigant, shall be granted time away from Department duties/work shift to appear. However, the member must return to their assigned unit to complete the work shift when their services as a witness are no longer required. Members required by request or order of the Chief, or by subpoena, to appear on a non-workday will be compensated per the rules in effect at the time of the appearance.
- B. A member who is subpoenaed to appear in any administrative, civil, or criminal court proceeding where they are a party litigant or a member of a class or organization which is a party litigant (member is suing or being sued in non-Department/non-City matters) during their assigned work shift shall be allowed time to appear as required, but all time absent during duty hours shall be deducted from the member's accrued vacation or sick leave. Members will not be compensated for appearances in such matters on non-workdays.
- C. An employee who receives a subpoena to appear on their work shift shall immediately notify their supervisor to allow sufficient time for the Department to meet staffing needs.
- D. An employee who receives a subpoena is expected to appear as ordered. Leave and/or days off shall not relieve the employee of that responsibility.
- E. If an employee receives a subpoena and is notified that they are to be placed on-call, they must abide by the terms of the on-call status.

DENVER FIRE DEPARTMENT  
DEPARTMENT DIRECTIVE

<b>Topic No:</b>	<b>1027.00</b>
<b>Date:</b>	<b>01-24-2022</b>
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<b>Review Date:</b>	<b>01-24-2024</b>
<b>Replaces:</b>	<b>Same, dated 08-14-12</b>

**Topic:** Court Leave / Jury Duty

- F. Off-duty employees who are on-call shall not receive overtime or other compensation during the time they are on-call.
- G. A member subpoenaed to court on a City case must arrive at least 15 minutes prior to the time designated on the subpoena and notify the prosecuting attorney of their arrival.
- H. When subpoenaed to court on Department-related matters:
  - 1. Uniform personnel shall appear in Class-A uniform and shall meet all Department regulations regarding personal appearance.
  - 2. The employee may contact the Fire Investigation Division, if appropriate, and request non-legal guidance regarding the appearance and any information available concerning the case.
  - 3. The employee shall take steps to re-familiarize themselves with the incident prior to appearing in court.
  - 4. A member appearing in court for matters not related to their employment or City interests shall NOT appear wearing any part of the Fire Department uniform, even at the request of the attorney or entity who requested the subpoena.

DENVER FIRE DEPARTMENT

DIRECTIVE

Topic: Modified Duty Assignment Air/Light

Topic No:	1028.00
Date:	01-24-2022
Approved:	JAV
Review Date:	01-24-2024
Replaces:	Same, dated 06-22-17
Reference:	1010.01 Driver Safety Program and Operator Classifications 1028.00a Modified Duty Assignment Air/Light Driver Responsibility Signature Form 1028.00b Modified Duty Assignment Air/Light House Policy Signature Form 2111.11 SOG Firefighter Rehabilitation During Emergency Incidents

**PURPOSE:** To establish a procedure by which Fire Department members who are injured in the line of duty may be eligible for assignment to the Air/Light Apparatus and define the responsibilities of assigned members.

**SCOPE:** Applies only to members injured Line of Duty (LOD) with qualifying restrictions and who are in possession of either a DFD Class 2, Class 3 or Class 4 license with an unrestricted Colorado driver’s license. See 1010.01 Driver Safety Program and Operator Classifications.

**OVERVIEW**

1. The Air/Light is part of the Denver Fire Department Fleet and is **not** authorized for personal errands; members are authorized to attend medical appointments that have been set up through a worker’s compensation physician (COSH or Concentra) or DFD Physical Therapy.
2. Assignments to the Air/Light will be at the sole discretion of the Administration Division.
3. These assignments will be based upon seniority, relevant qualifications that can assist specific Divisions, and injury restrictions given by the individual’s physician.
4. Any driving restrictions will eliminate the individual from consideration.
5. The assigned individual will agree and verify, via signed document, that they will not violate stated injury restrictions under any circumstance.
6. Air/Light personnel cannot be “bumped” by future Modified Duty personnel regardless of seniority and/or rank.
7. Air/Light personnel will be available during working hours for special projects as determined by the Shift Commander, Operations Division Assistant Chief, Special Operations Assistant Chief, and the Administration Division unless dispatched **non-emergent** to an incident.
8. The Air/Light is housed at and responds from Station 16; assigned personnel will be supervised by the on-duty Truck 16 Company Officer.
9. Air/Light personnel will be required to adhere to the House Policy as determined by the House Captain of Station 16.

DENVER FIRE DEPARTMENT

DIRECTIVE

Topic: Modified Duty Assignment Air/Light

Topic No:	1028.00
Date:	01-24-2022
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Replaces:	Same, dated 06-22-17
Reference:	1010.01 Driver Safety Program and Operator Classifications 1028.00a Modified Duty Assignment Air/Light Driver Responsibility Signature Form 1028.00b Modified Duty Assignment Air/Light House Policy Signature Form 2111.11 SOG Firefighter Rehabilitation During Emergency Incidents

**DRIVER'S RESPONSIBILITIES**

1. Member shall have all PPE available for use at all times.
2. Report to Officer on Truck 16 and the off-going Air/Light Driver for a debriefing at shift change. Shift Commander will contact Truck 16 Officer to assign special project assignments to Air/Light driver as needed.
3. Receive training on the all components of the Air/Light including the cascade filling process, bottle refilling process, use of the light towers, etc., from Station 16 personnel.
4. Become familiar with the Air/Light daily apparatus safety and maintenance requirements (per Station 16 inventory and maintenance check sheet).
5. Perform company level fire inspections as directed by the Operations Assistant Chief and/or the Special Operations Assistant Chief at the discretion of the Shift Commander.
6. The Air/Light will be responsible for annual mask fit testing of all members assigned to suppression. These responsibilities include:
  - a. Receiving mask fit training from the Repair Shop SCBA Technician
  - b. Maintaining a roster of all suppression members, including annual fit testing dates and mask details
7. Respond **non-emergent** when dispatched to assume the Rehab Group Supervisor role as directed by the Incident Commander.
8. Read SOG 2111.11 Firefighter Rehabilitation During Emergency Incidents.
9. Read and sign 1028.00a Modified Duty Assignment Air/Light Driver Responsibility Signature Form.
10. Read and sign 1028.00b Modified Duty Assignment Air/Light House Policy Signature Form.

Assignment of Modified Duty Personnel to the Air/Light shall in no way be cause for violation of work restrictions. **Members on Modified Duty that are assigned to the Air/Light and dispatched non-emergent to an incident are only permitted to drive the apparatus to the fire and/or refill location, operate the cascade system, and implement Rehab as directed by the Incident Commander. Modified Duty personnel shall inform the Incident Commander of any work restrictions that would prohibit them from completing an assigned task.**



DENVER FIRE DEPARTMENT

DIRECTIVE

Topic: Modified Duty

Topic No:	1028.01
Date:	05-20-2022
Approved:	KV
Review Date:	05-20-2025
Replaces:	Same, dated 01-24-2022
Reference:	1054.00 Re-Kindle 1058.00 Performance Evaluation 1059.00 Firefighter Return to Active Suppression Program

**PURPOSE:** To define how a member is assigned to and released from a modified duty position.

**SCOPE:** Applies to all uniformed Denver Fire Department Personnel

**I. MODIFIED DUTY ASSIGNMENT**

Modified duty is a short term-term employment position available to members who have been injured in the line of duty. When a member has been placed on restrictions by a Workers' Compensation doctor that do not allow the member to work in suppression, that member shall report to the Administration Division for a modified duty assignment.

**II. CHAIN OF COMMAND**

The Administration Division will manage all modified duty positions. The modified duty member will be considered in the Administration Division's chain of command, even if the modified duty position and their direct supervisor are in another division.

**III. RIGHTS OF MANAGEMENT**

The modified duty assignment is considered a right of management and can be changed at any time based upon the needs of the Denver Fire Department.

**IV. SCHEDULE**

All modified duty schedules will be five (5) eight (8) hour days, Monday through Friday. Any deviation from this schedule will need the approval of the Chief of the Department or designee. A member is assigned to a forty-hour a week modified duty environment unless assigned to the Air/Light Apparatus. Air/Light will remain on a forty-eight-hour environment. With the exception of any conflicts with the use of FML, members are required to use all vacation time as previously scheduled by the vacation pick process while assigned to modified duty.

DENVER FIRE DEPARTMENT

DIRECTIVE

Topic: Modified Duty

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Reference:	1054.00 Re-Kindle 1058.00 Performance Evaluation 1059.00 Firefighter Return to Active Suppression Program

**V. RETURN TO ACTIVE SUPPRESSION FROM MODIFIED DUTY**

When a member has been released from medical restrictions from a Workers' Compensation doctor and has been on modified duty for 180 days or less, they will return to their regularly scheduled shift immediately, even if this is the same day as being released.

When a member has been released from medical restrictions from a Workers' Compensation doctor and has been on modified duty in excess of 180 days, they shall complete the Re-Kindle process as outlined in Department Directive 1054.00 Re-Kindle, which includes passing the Performance Evaluation Test (PE), Department Directive 1058.00, prior to returning to active suppression.

When a member has been out of active suppression for 24 months or longer, prior to return to suppression they are required to complete items outlined in Department Directive 1059.00 Firefighter Return to Active Suppression Program.

In the event a member is unable to complete or pass the Physical Evaluation Test and has been released from medical restrictions by a Workers' Compensation doctor, they will not be allowed to return to active suppression. The member will be reassigned to the Training Division under the supervision of the Health and Wellness Coordinator (refer to Directive 1058.00, Evaluation Outcomes, Sections #2 and #3).

DENVER FIRE DEPARTMENT

DEPARTMENT DIRECTIVE

<b>Topic No:</b>	<b>1037.00</b>
<b>Date:</b>	<b>05-06-2021</b>
<b>Approved:</b>	<i>JAV</i>
<b>Review Date:</b>	<b>05-06-2021</b>
<b>Replaces:</b>	<b>Same, dated 07-10-2015 (was named DFD Hazing, Harassment, Retribution Policy)</b>

**Topic:** DFD Discrimination, Hazing, Harassment, and Retaliation Policy

**PURPOSE:** The Denver Fire Department is committed to maintaining a work environment free of discrimination, hazing, harassment, and retaliation. Behavior may violate this policy even if it would not constitute a violation of federal, state, and/or local law. This policy applies to all Department employees.

**SCOPE:** It is the shared obligation of all employees and employee organizations to act individually and jointly to prevent or defuse actual or implied destructive behavior at work. It is the goal of the Denver Fire Department to rid work sites of destructive behavior or the threat of such behavior.

For purposes of this policy, definitions are as follows:

**Appropriate Supervisor:** Can include immediate supervisor, anyone in the chain of command, or Administrative Division Chief. It is the responsibility of the “appropriate supervisor” to report the allegation immediately to the Administration Division at Denver Fire Department Headquarters.

**Cyberbullying:** 1) Harassment that takes place over digital devices like cell phones, computers, and tablets. 2) Includes sending, posting, or sharing negative, harmful, false, or misleading content about someone else. 3) Can include sharing personal or private information about someone else causing embarrassment or humiliation. 4) Can cross the line into unlawful or criminal behavior.

**Discrimination:** Discrimination occurs when an employee or appointee experiences an adverse work environment or adverse employment action based on one or more Protected Characteristics of the employee.

**Harassment:** Unwelcome conduct that is based on race, color, religion, sex (including pregnancy), national origin, age, disability, or genetic information.

**Hazing:** 1) To persecute or harass with meaningless, difficult, or humiliating tasks. 2) To initiate, as into any group or organization, by exacting humiliating performances from, or playing rough practical jokes upon.

**Protected Characteristics:** Race, color, religion, creed, national origin/ancestry, sex, sexual orientation, transgender status, gender identity and expression, disability, genetic information, military status, age, marital status, political affiliation, pregnancy or related condition, or any other status protected under federal, state, and/or local law.

**Retaliation:** Retaliation is conduct taken against an employee because the employee has, in good faith, reported violations, assisted in any investigation, or otherwise engaged in any protected activity of this policy. Retaliation can include, but is not limited to, such acts as disciplining an employee, giving an employee a negative performance evaluation, refusing to recommend an individual for a position for which he or she qualifies, giving an employee a less desirable job assignment, spreading rumors about an individual, encouraging hostility from co-workers, and escalating harassment.

DENVER FIRE DEPARTMENT

DEPARTMENT DIRECTIVE

Topic: DFD Discrimination, Hazing, Harassment, and Retaliation Policy

Topic No:	1037.00
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**Sexual Harassment:** Unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual or physical nature. Refer to Department Directive 1021.00, Sexual Harassment Policy, for detailed information and procedures relating specifically to sexual harassment.

### REPORTING DISCRIMINATION AND HARASSMENT

When an employee has a complaint or observes an act of *discrimination, hazing, harassment, or retaliation* at work, the employee shall, if they are comfortable doing so, make it clear to all involved persons that such behavior is offensive and should be discontinued. In addition, the employee shall bring the matter to the appropriate supervisor's attention. The supervisor shall investigate the complaint and immediately contact the Internal Affairs Bureau (IAB) for guidance and assistance. In the initial investigation the supervisor or other appropriate official shall look at the totality of the circumstances, such as the nature of the actions and the context in which the alleged incidents occurred. If *discrimination, hazing, harassment, or retaliation* are found to exist, appropriate management and supervisory personnel shall take prompt corrective action. Please refer to Department Directive 1056.00, Corrective Action Procedures, to ensure that the correct procedures are followed.

If the employee is uncomfortable reporting the complaint or if actions of the immediate supervisors do not effectively stop the *discrimination, hazing, harassment, or retaliation*, the affected individual shall contact any of the following: A) Any supervisor inside or outside the chain of command; B) The Internal Affairs Bureau; C) The Human Resources office of the Department Administration Division; D) An employee relations specialist with the Human Resources Division of the Department of Safety; E) The Career Service Authority Employee Relations Unit.

Nothing in this policy precludes an employee from contacting or filing a charge of discrimination or claim with an external agency such as the Equal Employment Opportunity Commission or the Colorado Civil Rights Division.

No employee acting in good faith who reports real or perceived behavior in violation of this policy will be subject to discipline. No employee acting in good faith who reports discrimination, hazing, or harassment, will be subject to retaliation, or harassment, based upon his or her report.

### MANAGEMENT'S RESPONSIBILITY

The Manager's foremost obligation is to ensure the safety of any employee who has been threatened or harmed. Managers are responsible for ensuring a prompt and adequate response to any incident of workplace *discrimination, hazing, harassment, or retaliation*.

Immediate supervisors shall investigate all complaints and/or incidents of workplace *discrimination, hazing, harassment, or retaliation* and take appropriate action.

DENVER FIRE DEPARTMENT

DEPARTMENT DIRECTIVE

Topic: **DFD Discrimination, Hazing, Harassment, and Retaliation Policy**

Topic No:	1037.00
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Officers shall contact the Internal Affairs Bureau (IAB) for guidance and assistance in all complaints falling under this policy prior to any action being taken. IAB will provide information on procedures and appropriate level of investigation for the nature of the complaint. Allegations of a continuing pattern of misconduct, that involve misconduct of a serious nature, or that involve possible law violations shall be conducted by IAB.

The investigation shall include, at a minimum, an interview of all persons involved, including any witnesses to obtain an accurate account of the incident. The statements of witnesses and others interviewed shall be documented in writing. Advice and assistance in this process will be provided by the Administration Division.

**EMPLOYEE RESPONSIBILITY**

Employees who feel they have been subjected to any of the behaviors listed above or have observed or have knowledge of any violation of this policy should report the incident as set forth above. However, if a situation presents an immediate life threat to the employee or others, the employee is advised to call the Denver Fire Department Dispatcher or Denver Police Department officials for assistance, if it is practical and safe to do so at the time.

**RETALIATION IS PROHIBITED**

No employee will experience any retribution for making a good-faith complaint or for participating in an investigation of an alleged act of discrimination or harassment. However, any employee making a knowingly false accusation may be subject to appropriate disciplinary action. Retaliation should be reported and investigated according to the procedures set forth above.

**DISCIPLINARY ACTION**

Any violation of this policy by employees, including a first offense, may result in disciplinary action, up to and including demotion or dismissal. **Willful failure of a supervisory employee to enforce this policy may result in disciplinary action against the supervisor, up to and including demotion or dismissal.**

DENVER FIRE DEPARTMENT

DIRECTIVE

Topic No:	1037.01
Date:	05-03-2021
Approved:	JAV
Review Date:	05-03-2023
Replaces:	Same, dated 09-16-2019

Topic: Equal Employment Opportunity Policy

**PURPOSE:** To establish the guidelines for Equal Employment Opportunity Policy and Prohibition of Harassment and Discrimination

**SCOPE:** The City and County of Denver is an Equal Employment Opportunity employer. This Department Directive applies to ALL members of the Denver Fire Department, both uniformed and non-uniformed.

It is the policy of the Department of Safety and the Denver Fire Department that its employees (both Civilian and Sworn), contract employees, temporary workers, and applicants for employment, have a right to be free of discrimination, harassment, and retaliation based upon actual or perceived:

- Race (to include hair texture, hair type, or protective hairstyle commonly or historically associated with race, such as braids, locs, twists, tight coils or curls, cornrows, Bantu knots, Afros and headwraps)
- Color
- Creed
- National Origin
- Ancestry
- Sexual Orientation
- Physical or mental disability
- Age
- Gender/Sex (including pregnancy, childbirth, or caregiver status)
- Marital Status
- Military Status
- Religion
- Political Affiliation
- Or any other basis protected by federal, state, or local law or regulation

## DIRECTIVE

<b>Topic No:</b>	<b>1037.01</b>
<b>Date:</b>	<b>05-03-2021</b>
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**Topic: Equal Employment Opportunity Policy**

**DEPARTMENT OF SAFETY:**

**EQUAL EMPLOYMENT OPPORTUNITY POLICY AND PROHIBITION OF  
HARRASSMENT AND DISCRIMINATION**

It is the policy of the Department of Safety that its employees (both civilian and sworn), contract employees, temporary workers, and applicants for employment have a right to be free of discrimination, harassment, and retaliation based upon actual or perceived race (to include hair texture, hair type, or protective hairstyle commonly or historically associated with race, such as braids, locs, twists, tight coils or curls, cornrows, Bantu knots, Afros, and headwraps), color, creed, national origin, ancestry, sexual orientation, physical or mental disability, age, gender/sex (including pregnancy, childbirth, or caregiver status), marital status, military status, religion, political affiliation, or any other basis protected by federal, state, or local law or regulation.

- (1) Examples of on-duty or off-duty conduct that could violate this policy include but are not limited to:
  - A. Verbal conduct such as epithets, derogatory comments, slurs, unwanted sexual advances, invitations, or comments;
  - B. Visual conduct such as derogatory posters, photographs, cartoons, drawings, or gestures;
  - C. Physical conduct such as assault, unwanted touching, blocking normal movement, or interfering with work directed at a person because of a protected basis;
  - D. Threats or demands to submit to sexual requests in order to keep a job or avoid some other negative consequence, and offers of job benefits in return for sexual favors;
  - E. Basing an employment decision (such as hiring, promotion, discipline, pay increase, job assignment, or termination) on any of the protected categories identified above; and
  - F. Retaliation for good faith reporting, opposing, or otherwise participating in a complaint or investigation process concerning potential violations of this policy.
  
- (2) Individuals who believe they are being subjected to prohibited discrimination or harassment are strongly urged to make it clear to the offending employee that such behavior is offensive and should be discontinued unless the individual experiencing the alleged misconduct is uncomfortable communicating that to the offending employee.
  
- (3) All Department of Safety employees are required to promptly report potential violations of this policy so that appropriate actions may be taken, subject to the confidentiality requirements of agency peer support programs. Potential violation should be reported to any of the following:
  - A. Any supervisor in the reporting employee's or offending employee's agency or work unit, inside or outside the chain of command;
  - B. The Internal Affairs Bureau for the reporting employee's or offending employee's agency (available twenty-four hours per day, seven days per week);

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**Topic: Equal Employment Opportunity Policy**

- C. The Human Resources Bureau for the reporting employee's or offending employee's agency;
- D. The Manager of Safety's EEOC Coordinator; and/or
- E. The Career Service Authority Employee Relations Unit.

Nothing in this policy precludes an employee or applicant from contacting or filing a charge of discrimination or claim with an external agency such as the Equal Employment Opportunity Commission or the Colorado Civil Rights Division. Consultation with a peer support or employee group representative shall not constitute reporting of a potential policy violation, nor shall it be considered legal knowledge or notice to the City or Department of Safety.

A report or complaint of discrimination, harassment, and/or retaliation may be made verbally or in writing. Anonymous reports/complaints will also be accepted and evaluated for further investigation. Any person reporting a potential violation of this policy or otherwise participating in the complaint or investigation process should understand that confidentiality will be maintained to the extent possible but that absolute confidentiality and anonymity cannot be guaranteed.

- (4) Supervisors and managers who become aware, by any formal or informal means, of possible discrimination, harassment, or retaliation must take prompt, reasonable actions to stop the prohibited behavior. Additionally, supervisors and managers must promptly report any information concerning the possible prohibited behavior to the Manager of Safety's EEO Coordinator and their agency head. Supervisors or managers who serve as employee group representatives or peer support officers are subject to applicable confidentiality agreements and notice to such individuals while acting in their peer support capacity shall not constitute reporting or notice to the agency, Department of Safety, or City.
- (5) The Department of Safety maintains "zero tolerance" regarding violations of this policy, meaning the Department will not knowingly tolerate acts of discrimination, harassment, or retaliation. Allegations about potential violations of this policy will be taken seriously and the Department will promptly undertake reasonable steps to address all allegations of discrimination, harassment, or retaliation. If an investigation is deemed necessary, it will be conducted promptly, thoroughly, and impartially. Appropriate actions may include, but are not limited to, discipline (up to and including termination), training, mediation, or other effective remedial action commensurate with the severity of the offense and any such actions will occur as soon as practicable for even a single violation of the policy.
- (6) Retaliation is strictly prohibited against employees who have in good faith:
  - A. Opposed conduct that potentially violates this policy, including but not limited to making a complaint or protest on behalf of another individual;
  - B. Reported conduct that the employee experienced or observed and reasonably believes to constitute a potential violation of this policy; or



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- C. Assisted or participated in an investigation, claim, lawsuit, or hearing concerning a complaint of discrimination, harassment, or retaliation. This includes but is not limited to making a report or complaint or providing a witness interview during an investigation.

Retaliation is conduct taken against an employee or applicant because the employee or applicant has engaged in any of the above-listed protected activities. Retaliation can include but is not limited to such acts as disciplining an employee, giving an employee a negative performance evaluation, refusing to recommend an individual for a benefit for which he or she qualifies, giving an employee a less desirable job assignment, spreading rumors about an individual, encouraging hostility from co-workers, and escalating harassment. Any Department of Safety employee engaging in or encouraging retaliation may be subject to appropriate actions, including but not limited to discipline (up to and including termination), mediation, or training, even for a single offense.

The intent of this policy is to ensure that the Department of Safety take immediate and proper action to eradicate harassing, discriminatory or retaliatory behavior regardless of whether the behavior violates federal or state law.

Murphy F. Robinson III, Executive Director of Public Safety

Updated: October 5, 2020

DENVER FIRE DEPARTMENT

DIRECTIVE

Topic No:	1039.00
Date:	11-10-2021
Approved:	JAV
Review Date:	11-10-2023
Replaces:	Same, dated 08-17-17

Topic: Confidentiality of Department Personnel Information

**PURPOSE:** To define the requirements of maintaining confidential/privileged information

**SCOPE:** Applies to all Denver Fire Department personnel

In the interest of our members and the citizens we serve, confidentiality is paramount. All Denver Fire Department personnel are required to maintain and guard the confidentiality of other members.

**Request from Outside the Department:**

When a request for personnel information is received from a citizen, the request shall be documented including the citizen's name, contact information, request type and request reason, and given to the appropriate supervisor. The supervisor shall forward the citizen request to the member. **Under no circumstances shall personnel information including home addresses, phone numbers, F-numbers, Driver's License Numbers, Social Security Numbers, Email, and assignments, be released to anyone who is not an active Denver Fire Department member by other than authorized personnel in accordance with official duties.**

**Internal Documentation:**

Certain positions within the Denver Fire Department may require members to have access to confidential/privileged information including but not limited to medical records, personnel investigations, and payroll information. All confidential/privileged information is to be secured at all times. Should a breach of confidential/privileged information occur, the appropriate supervisor shall be notified immediately. Disclosure of confidential/privileged information other than by authorized personnel in accordance with official duties is strictly prohibited.

A breach of confidentiality may be grounds for discipline. Reference Directive 1057.00 and DFD Discipline Matrix (Categories-Violations & Discipline Level Assignments Table)

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<b>Topic No:</b>	<b>1043.00</b>
<b>Date:</b>	<b>06-17-16</b>
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<b>Review Date:</b>	<b>06-17-18</b>
<b>Replaces:</b>	<b>Same, dated 06-16-16</b>

**Topic: Social Media**

**PURPOSE:** To establish and define a social media policy for the Denver Fire Department

**SCOPE:** Applies to all Denver Fire Department Personnel

## **I. OVERVIEW**

The Denver Fire Department recognizes the significance and value of social media as a digital communication platform. This Directive establishes the Department's position on the utilization of social media, including the management, administration, and oversight. This Directive is intended to address social media in general, not a particular form of social media.

Additionally, this Directive is intended to address concerns associated with an employee's personal use of social media and to provide guidelines for the regulation and balancing of employee speech and expression with the legitimate needs of the Department. The Department recognizes the role social media can play in the personal lives of its employees and the effect it can have on their official capacity. Nothing in this Directive is intended to prohibit or infringe upon the employee's speech or expression that has been clearly established as protected or privileged.

## **II. DEFINITIONS**

**Blog:** A self-published diary or commentary on a particular topic that may allow visitors to post responses, reactions, or comments. The term is short for "web log."

**Page:** The specific portion of a social media website where content is displayed, and managed by an individual or individuals with administrator rights

**Post:** Content an individual shares on a social media site or the act of publishing content on a site

**Social Media:** A category of internet-based platforms that integrate user-generated content and user participation. This includes, but is not limited to: social networking sites (Facebook, MySpace, Snapchat), micro blogging sites (Twitter, Nixle), photo and video sharing sites (Flickr, YouTube), wikis (Wikipedia), blogs, and news sites (Digg, Reddit).

**Social Media Coordinator:** Assigned as the Outreach Program Manager, the Social Media Coordinator is responsible for providing general oversight and maintaining the

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integrity (in terms of content and authorized users) for each official Department social media account.

**Speech and Expression:** The communication of thoughts or opinions in spoken words, in writing, by expressive conduct, symbolism, photographs, videotape, or related forms of communication

### **III. POLICY**

The Denver Fire Department endorses the secure use of social media to enhance community engagement and as a catalyst for quickly disseminating information. Social media assists the Department in meeting community outreach objectives. Additionally, social media is a valuable tool when seeking evidence or information.

### **IV. OFFICIAL USE**

#### **A. Authorization**

1. All official Department social media sites, pages, or accounts must be approved by the Chief of the Department or his/her designee, prior to the utilization of such.
2. The Social Media Coordinator will maintain a list of all approved Department social media accounts. This list will identify each account, including a list of all authorized users and their level of administrative rights for that account.
3. The Social Media Coordinator will limit access to each social media account based on assignment and needs of the Department in order to maintain the integrity of the account. Unauthorized access to a Department social media account is prohibited.

#### **B. Account Standards**

1. Where possible, each social media page will include an introductory statement that clearly specifies the purpose and scope of the Department's presence on the website, which is to be aligned with the current mission, vision, and values of the Department.
2. Each account will clearly indicate that it is maintained by the Department and will have the appropriate contact information prominently displayed.
3. Where possible, the page should link to the Department's official website.
4. Where possible, social media pages should state that the opinions expressed by visitors to the page(s) do not reflect the opinions of this Department. Each account will clearly indicate that posted comments will be monitored and that this Department reserves the right to remove any content as identified below:
  - Advertisements of any kind

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- Profane language or content
  - Content that promotes, fosters, or perpetuates discrimination on the basis of race, creed, color, age, religion, gender, marital status, status with regard to public assistance, national origin, physical or mental disability, sexual orientation, or transgender status, or any other status/class protected by federal, state, or local law or ordinance.
  - Explicit or implied sexual content
  - Conduct implying, promoting, or encouraging illegal activity
  - Information that might compromise the safety or security of the public
  - Any other posting that, by its nature or content, might harm the public's welfare
  - Comments/posts that are repetitive
  - Comments on posts/photos that do not pertain to the page post
  - Unproductive and/or repetitive attacks on the Department or its personnel
5. Social media content will adhere to all applicable laws, regulations, and policies, including all information technology and record management policies.
- Content is subject to public records laws. Content must be managed, stored, and retrievable in order to comply with open records laws, applicable records retention schedules, and e-discovery laws and policies.

**C. Authorized Users**

1. Department personnel authorized to represent the Department via social media will conduct themselves at all times as representatives of the Department, and accordingly will adhere to all City and Department policies and regulations regarding conduct.
2. Authorized users will observe and abide by all copyright, trademark, and service mark restrictions when posting these items to social media accounts.

**V. DEPARTMENT EMPLOYEE PERSONAL USE**

Public employees occupy a trusted position in the community, and thus their statements have the potential to contravene the policies and performance of this Department. Due to the nature of the work and influence associated with the fire service profession, it is necessary that employees of this Department be subject to certain reasonable limitations on their speech and expression. To achieve its mission and efficiently provide service to the public, the Denver Fire Department will carefully balance the individual employee's rights against the Departments needs and interests when exercising a reasonable degree of control over its employees' speech and expression.

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Department personnel should always be aware that privacy settings and social media sites are constantly in flux, and that they should never assume that personal information posted on such sites is protected. Department personnel should always carefully consider the implications of their speech and any other form of expression when using social media. Finally, Department personnel forfeit any expectation of privacy with regard to anything published or maintained through file-sharing software or any internet site open to public view.

A. Precautions and Prohibitions

1. Department personnel are free to express themselves as private citizens on social media sites to the degree that their speech and expression does not impair working relationships of this Department for which loyalty and confidentiality are important, impede the performance of duties, impair harmony among coworkers, adversely impact the disciplinary process, or negatively affect the public perception of the Department, or any other City agency.
2. As public employees, Department personnel are cautioned that speech, on or off duty, made pursuant to their official duties – that is, that owes its existence to the employee’s professional duties and responsibilities – is not protected speech under the First Amendment and may form the basis for discipline, if deemed detrimental to the Department. Department personnel should assume that their speech and expression, and related activity on social media sites, may reflect upon their official capacity and this Department.
3. Non-department issued recording devices are not authorized for use. Furthermore, any photos, videos, or other electronic gathering of data obtained in the course and scope of employment are not authorized for personal use and are considered property of the City and County of Denver and the Denver Fire Department. All such information captured must be submitted to the Public Information Officer through the appropriate chain of command. Only authorized Denver Fire Department employees may post or otherwise convey such information as deemed necessary for the benefit of the Department. Department personnel will not post, transmit, or otherwise disseminate any information to which they have access to as a result of their employment, or publish materials that could reasonably be considered to represent the views or the positions of this Department without written permission from the Chief of the Department. This includes but is not limited to, information related to or photographs of any fire incident, medical call, or incident occurring within the fire house.
4. When using social media, Department personnel should be mindful that their speech and expression becomes part of the worldwide electronic domain. Department personnel should expect that any information created, transmitted, downloaded, exchanged, or discussed in a public online forum may be accessed

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**Topic: Social Media**

by the general public, including the Department, at any time, without prior notice. Therefore, adherence to any applicable City or Department policy regarding code of conduct is required when engaging in the personal use of social media. In particular Department personnel are prohibited from the following:

- Speech and expression containing obscene or sexually explicit language, images, or acts and statements or other forms of speech that ridicule, malign, disparage, or otherwise express bias against any race, any religion, or any protected class of individuals
  - Speech and expression involving themselves or other Department personnel reflecting behavior that would reasonably be considered reckless or irresponsible
  - Speech or expression of any form that could reasonably be foreseen as creating a negative impact on the safety of Department personnel
  - Posting information pertaining to any other employee of the Department without their permission
5. Engaging in prohibited speech and expression may also provide grounds for undermining or impeaching a Department member's testimony in criminal proceedings. For example, posting statements or expressions to a website that glorifies or endorses dishonesty, unlawful discrimination, or illegal behavior.
6. Cautionary Note: For safety and security reasons, Department personnel are advised to use caution when disclosing their employment with this Department. As such, Department personnel should use caution when:
- Displaying Department logos, uniforms, or similar identifying items on personal web pages
  - Posting personal photographs or providing similar means of personal recognition that may cause them to be identified as a member of this Department

**D. Reporting Violations**

Any employee becoming aware of or having knowledge of a post or of any website or page in violation of this Directive will immediately notify their supervisor. The supervisor will take appropriate action as outlined in the Department's current Directives, Standard Operating Guidelines, and/or Career Service Rules.

**REFERENCE:** Denver Police Department Operations Manual, Social Media Policy 110.06

DENVER FIRE DEPARTMENT

DIRECTIVE

Topic: Photo Requests and Media Interaction

Topic No:	1043.01
Date:	10-05-17
Approved:	TAB
Review Date:	10-05-19
Replaces:	Old Dept. Directive 115.17 dated 12-08-99

**PURPOSE:** To outline the procedures for all media and photo requests.

**SCOPE:** Applies to all DFD members

Should Denver Fire Department members be contacted by any media representative for information, or should the media request an interview regarding Denver Fire Department related activities, that DFD member shall obtain contact information from the requesting media representative(s) and then provide that contact information, through the chain of command, to the Denver Fire Department Public Information Officer (P.I.O.) or his/her designee. No interview should be provided, or any information released to the media, until the P.I.O. office is advised and any requested information has been vetted and approved for release.



**DENVER FIRE DEPARTMENT**  
**DEPARTMENT DIRECTIVE**

<b>Topic No:</b>	<b>1044.00</b>
<b>Date:</b>	<b>11-17-2021</b>
<b>Approved:</b>	<i>JAV</i>
<b>Review Date:</b>	<b>11-17-2023</b>
<b>Replaces:</b>	<b>Same, dated 06-13-16</b>

**Topic:    Personal Activities While On-Duty**

**SCOPE:**       Applies to all Denver Fire Department Personnel

Personal Activities shall not interfere with Fire Department operations, bring discredit, or conflict with the overall mission, vision or values of the Department or the City and County of Denver.

All such activities shall be authorized and regulated by Company Officers, Shift Commanders, District Chiefs, and/or Division Chiefs.

DENVER FIRE DEPARTMENT

DEPARTMENT DIRECTIVE

Topic: DFD Critical Incident Stress Management Policy (CISM Team)

Topic No:	1052.00
Date:	06-16-16
Approved:	TAB
Review Date:	06-16-18
Replaces:	Old Dept. Dir. 108.03 (12-12-00)

**PURPOSE:** The objective of this policy is to assure that appropriate interventions are instituted immediately following critical incidents in order to minimize stress-related injury to Fire Department personnel. This policy is also in place to provide the members of the Denver Fire Department and their families with support and resources on both a personal and professional level in accordance with the DFD Wellness Program and the National Fallen Firefighters Initiative #13.

**SCOPE:** Applies to all members of the Denver Fire Department. Department members and their spouses have access to the Department Psychologist for individual consultations or counseling. Members of the Peer Support Team are available at any time for individual consultations for Department members. Any time a defusing or debriefing is utilized, it is important that only the members that were *involved in the incident* are present and participate.

**I. BACKGROUND**

- A. **Critical Incidents:** Those incidents with an unusually strong emotional impact that may leave many emergency services personnel with stress-related symptoms including:
1. **Physical Reactions:** Fatigue, insomnia, nightmares, hyperactivity, exaggerated startle reactions, lethargy, psychosomatic problems (e.g., headaches or digestive problems)
  2. **Cognitive Reactions:** Concentration and problem-solving difficulties, “flashbacks” (vivid, distressing recollections of the sights, sounds, and smells of the incident), indecisiveness, memory disturbances, preoccupation with the incident.
  3. **Emotional Reactions:** Anxiety and fear, depression, emotional numbing, guilt, over-sensitivity, irritability, feelings of helplessness
  4. **Behavioral Reactions:** Isolation, detachment, poor coping, interpersonal conflict, alcohol abuse.
- B. Usually these symptoms are transient (lasting a few days or weeks) and interfere minimally with the individual’s performance; however, the symptoms may persist for longer periods and may have a more disruptive impact.
- C. Studies have determined that appropriate critical incident stress management (CISM) interventions can dramatically reduce the likelihood that symptoms experienced in reaction to critical incidents will persist and have a significantly disruptive impact.

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<b>Replaces:</b>	<b>Old Dept. Dir. 108.03 (12-12-00)</b>

**Topic: DFD Critical Incident Stress Management Policy (CISM Team)**

1. Statistics have shown one in six firefighters will experience symptoms persistent and severe enough to significantly disrupt their functioning at some point in their career.
2. 99 to 100% of firefighters are likely to experience Post Traumatic Stress (PTS) symptoms at some point in their career, including trouble sleeping and distressing memories of difficult incidents

**II. THE CRITICAL INCIDENT STRESS MANAGEMENT (CISM) TEAM**

- A. The DFD's CISM Team is composed of the Department Psychologist and the members of the Peer Support Team.
1. All CISM members have undergone a minimum of 20 hours of basic CISM training (Peer Support Academy) plus,
  2. The Peer Support Team meets/trains on the third Wednesday of each month.

**III. TYPES OF CISM INTERVENTIONS – CALL OUT (ACTIVATION) OF THE CISM TEAM**

- A. When to utilize the CISM Team:
1. At any point in time, any member of the department may visit the Peer Support portion of the DFD intranet and contact any member of the team for any personal or job related reason (these contacts will remain confidential unless they involve the circumstances listed in SOG Topic No: 108.01)
  2. The CISM Team may be requested by a Company Officer, Assistant Chief, Incident Commander, or Safety Officer for a Defusing/Debriefing when deemed necessary by those individuals by contacting Dispatch or a member of the Peer Support Team. This is highly recommended when there is any event where Company Officers or District Chiefs become concerned about the emotional/psychological reactions of firefighters.
  3. In the event of one of the following circumstances, dispatch **shall** be notified to initiate the CISM process:
    - a. A death or severe injury to a firefighter (on duty or off)
    - b. A death or severe injury to a child
    - c. A scene where there are multiple deaths or mutilations
    - d. Lengthy exposure to scenes with multiple victims, or where firefighters are exposed to serious threats to their own lives or safety
  4. Dispatch will have a call list for on-call members of Peer Support in the event of an activation of the CISM Team

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Topic: **DFD Critical Incident Stress Management Policy (CISM Team)**

<b>Topic No:</b>	<b>1052.00</b>
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<b>Replaces:</b>	<b>Old Dept. Dir. 108.03 (12-12-00)</b>

B. On Scene Support

1. Members of the CISM Team will report to major critical incident scenes when requested by the Incident Commander or Safety Officer by contacting DFD Dispatch.
2. The Team should be stationed at the rehab area to provide support for firefighters on rest breaks and help monitor crews on scene for signs of stress reactions
3. This will also be the time when the CISM Team will provide/arrange support services for individuals and crews, and begin planning for defusing and debriefings
4. In the event of a large scale incident where many members may require on-scene support, defusing, or debriefings, the Mayflower Crisis Intervention Support Team may be called in for assistance and to help coordinate with the DFD CISM Team

C. Individual Consultations

1. These are the most commonly used CISM interventions and any member of the Department may request one with a Peer Support member or the Department Psychologist after exposure to a critical incident or regarding a personal matter.
2. If an individual is affected by a critical incident, the member has two options:
  - a. Contact their officer and request a defusing and/or debriefing
  - b. Contact a member of the CISM Team for assistance
3. A roster of the CISM Team is on the Peer Support site with a link on the DFD intranet

D. Defusing – Occurs the same day as the incident and is utilized more often than debriefings

1. The Company Officer should notify Dispatch that a defusing is needed for a particular incident and remain out of service until the defusing has concluded.
2. The defusing will be conducted by two members of the Peer Support Team; this is not a critique of the incident, but a small group discussion that should last no longer than one hour.
3. The defusing should take place in a secluded room with only those involved who were at the scene.
4. Information discussed in the defusing should not be shared with non-participants

E. Debriefings – Occur one to five days following the incident

1. The Company Officer should notify Dispatch that a debriefing is needed for a particular incident and remain out of service until the debriefing has concluded.

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Topic: DFD Critical Incident Stress Management Policy (CISM Team)

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- a. A debriefing may occur without a defusing, but the Peer Support Team may strongly recommend a debriefing to take place if a defusing has taken place.
2. A debriefing is a more formal, structured discussion that will be conducted by two members of the Peer Support Team (the same two if a defusing has taken place); and this is also conducted with the understanding that it is not a critique of the incident.
  - a. This formal discussion should be expected to last one-to three hours.
3. The debriefing should take place in a secluded room with only those involved who were at the scene, but may also include Dispatchers and support personnel who were actively involved.
4. Any information discussed during a debriefing should not be shared with non-participants.

**IV. OVERVIEW**

**A. Peer Support Roles/Expectations**

1. Peer Support members will maintain a confidential and safe environment for formal and informal discussions.
2. Act as facilitators to promote discussion and provide the necessary resources available for the members' specific needs

**B. Members' Roles/Expectations**

1. There is no rank structure in a defusing and/or debriefing; therefore they should be looked at as a constructive discussion to assist all members involved in a critical incident.
2. Although it is not mandatory to participate in any type of CISM intervention, it is highly recommended for every member involved in the incident to participate to maintain crew integrity and offer a specific, personal insight which may assist other members involved in the discussion and help them cope with the critical incident on a different level.
3. Any individual who is present for a defusing/debriefing that was not actively involved in the incident will be politely asked to leave by the CISM Team.

**REFERENCES:**

“CISM for Recruits” PowerPoint presentation, Dr. Karen Jackson

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**Topic: Abuse of Sick Leave**

**SICK LEAVE – GENERAL CONSIDERATIONS**

“Sick Leave” is a benefit included in the contract between Denver Firefighters-Local 858 and the City and County of Denver. It was instituted for the express purpose of protecting a Fire Department member from having his/her pay reduced when that member is unable to report for duty due to illness or when a member of his/her immediate family needs care due to illness. Sick Leave is not now, and never has been, a ‘right’ or the ‘property’ of Fire Department members to use as they wish. The conversion of Sick Leave to Vacation is a ‘controlled’ benefit that takes into account projected and minimum staffing and is allocated only when that projection indicates that overtime will not be paid as a result of its use as Vacation. Unauthorized use of Sick Leave may subject a member to discipline and/or reimbursement to the Department for the cost of such use.

**ABUSE OF SICK LEAVE**

Abuse of sick leave includes, but is not limited to, being absent from duty due to:

- Feigning illness or injury.
- Misrepresenting any material fact to the Medical Coordinator for the Department of Safety, or his/her designee, as to member’s real condition.
- Disobedience of an order of the City’s Medical Authority or treating physician, in regard to modified duty or confinement.
- Engaging in any type of employment or service which results in personal gain, while on sick or injury leave.
- Leaving the member’s home, or place of confinement without notifying and/or obtaining authorization from the Chief of Department, or his/her designee, while on leave because of illness or injury.
- Use, or attempted use, of sick leave to which the member is not entitled.

**It is each member’s responsibility to monitor and verify his/her own sick leave balance.**

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**Topic: Corrective Action Procedures**

**PURPOSE:** The purpose of the DFD Corrective Actions Procedures is to establish a recognized method for handling allegations of misconduct, violations of standards, and/or issues involving substandard performance based upon the expectations, directives, guidelines, and policies of the Denver Fire Department, the Department of Safety, and the City and County of Denver.

**SCOPE:** All Uniformed Members

**I. Non-Disciplinary Modification Process**

The intent of the non-disciplinary modification process is to provide a method of corrective action for issues of substandard performance or questionable behavior that have not yet risen to a level requiring formal discipline, yet still require official attention and documentation. These processes allow the development of an action plan aimed towards improving performance and/or mitigating questionable behaviors through clearly defined expectations. There are two-official non-disciplinary processes utilized on the DFD: the first is a **documented** *Coaching and Counseling* session, and the second is a formalized *Performance Improvement Plan (PIP)*. It is extremely important for supervisors to understand that these processes are **not** meant as a substitute for normal supervisory interactions. Supervisors are expected to meet their managerial obligations by conducting regular interactions with their personnel to address minor issues, outline general expectations, conduct training, etc. These daily management activities are not the primary concern of the Administration Division and are appropriately handled at the lowest supervisory level with no documentation relevant to this policy<sup>1</sup>. However, as a condition or concern escalates and is not being resolved by such lower level interactions, the supervisor will reach a point where formal documentation of the issue may be required. When this occurs, it is crucial that the Administration Division become involved; while the corrective process will be carried out at the supervisory level, the issue will now require different handling where assistance from the Administration Division is required to ensure consistency across the Department; correct handling, proper format and content, and the appropriate procedures necessary to meet Administrative and legal guidelines. All such documentation will be maintained by the Administration Division in a central area of the Department.

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<sup>1</sup> While documentation relevant to this policy may not be required at this level, supervisors are encouraged to keep notes (or have the supervisor send a confirming email to the member regarding the supervisor and member interaction for confirmation) on any performance or conduct related coaching given to personnel.

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**Topic: Corrective Action Procedures**

**A. Coaching and Counseling**

A formal *Coaching and Counseling* process may be one of the first steps utilized to improve a member's performance. Coaching and Counseling is intended to bring issues to a member's attention when they are minor, and to correct the problem(s) before disciplinary action is required. Coaching and Counseling is a straightforward process during which a supervisor meets with a member regarding a substandard performance issue and/or inappropriate workplace behavior(s). The goal will be to determine an action plan which will assist in correcting the questionable behavior/performance. Whatever the cause of the behavioral/performance issue(s), the supervisor shall clarify the expectations placed upon the member by the Department and shall provide follow-up oversight for the issues and plans discussed. It must be stressed that the Coaching and Counseling process is not punitive; rather, it is a non-disciplinary method used to correct substandard performance and/or behaviors that are not meeting standards/expectation of the Denver Fire Department, Department of Safety, and/or the City and County of Denver. Disciplinary action might result should the member be unable or unwilling to change their unacceptable behaviors and/or improve their performance. Documentation of a Coaching and Counseling session is mandatory and may be accomplished via designated form. Such documentation will be confidentially maintained by the Administration Division's Internal Affairs Bureau (IAB) and the information **shall** not be authorized to be kept in any other location.

**B. Performance Improvement Plan (PIP)**

A *Performance Improvement Plan (PIP)* is a formal process used to: 1) identify performance deficiencies and/or certain behavioral issues that need to be corrected, and 2) create an action plan to facilitate the necessary changes. A PIP may be implemented when it becomes necessary to help a member improve his or her performance and/or behaviors/issues. *Performance* deficiencies are typically associated with a lack of the proper knowledge or skill set necessary to effectively perform the member's job responsibilities (i.e. failure to complete assignments/tasks, low quality of work product, etc.) or lack of continued skill retention. *Behavioral* issues generally relate to a member's conduct, including but not limited to, violations of standards based upon the expectations, directives, guidelines, and policies of the Denver Fire Department, the Department of Safety, and the City and County of Denver. Behavioral issues of a serious nature are best handled within the formal disciplinary frame work; only **certain** behavioral issues of a less serious nature will be appropriately addressed within a PIP, as



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determined by the Command Staff, IAB, and the representative(s) of the City Attorney's Office (CAO). Once it has been determined that a PIP would be an appropriate adjunct for managing a member, the supervisor will develop the PIP under the direct guidance of IAB. IAB's guidance helps to ensure consistency in investigations and documentation across all areas of the Department. PIPs must be **specific** and **measurable**, with definitive **time** frames for compliance.

1. **Specific:** The supervisor must specifically identify the performance to be improved or the behavior to be corrected, including but not limited to:
  - a. Which skills need improvement
  - b. Which behaviors need modification
2. **Measurable:**
  - a. Identify the standards, directives, policies, procedures, etc. against which the performance will be measured and provide clear expectations about the items that must change.
  - b. State the expected level of performance and timeline for improvements.
  - c. Compare actual performance against the standards and note if expectations were met or were not met.
3. **Time:**
  - a. Establish periodic review dates to assess the member's progress and to provide continued feedback for the duration of the PIP (i.e. every week/month/etc.).
  - b. Establish a timeline for the length of time the PIP will be in place (i.e. 60/90/120/365 days).
  - c. Document all meetings with the member reviewing progress under the PIP.
4. **Other:**
  - a. Where possible and appropriate, identify any additional resources available to assist the member in achieving the desired improvements (i.e. Directives, Guidelines, City resources, etc.).
  - b. Acknowledge potential consequences should the action plan outlined in the PIP not be satisfactorily completed (i.e. change in work assignment, discipline, etc.).

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**All PIPs shall be submitted to IAB for guidance, review, and consultation with the City Attorney's Office prior to approval for implementation.**

**II. Discipline Process**

The discipline process may be initiated at any supervisory level. In the case of possible misconduct by a member's supervisor, the alleged misconduct should be reported to the next level of supervision and the Administration Division Chief, or designee, notified through the chain of command. Once an officer/acting officer has reason to believe that departmental directives, guidelines, policies, or other conduct standards have been violated, the officer/acting officer shall contact IAB for 1) guidance, 2) to determine if disciplinary action is warranted, and/or 3) to determine an appropriate fact-finding process. If, in the officers' opinion, the concern may be of a disciplinary nature, he/she **shall** inform their chain of command and contact the IAB for advice, guidance, and disciplinary history before initiating a more in-depth investigation into the facts and circumstances surrounding the conduct at issue<sup>2</sup>. The length and depth of any investigation will depend upon the facts of each case, taking into consideration the nature and severity of the alleged infraction, the number of potential rule violations, the complexity of the factual situation, the number of potential witnesses, the level of contemplated disciplinary options, and any other circumstances unique to the alleged misconduct or performance problems as determined by the Administrative Division Chief, or designee, along with IAB.

Truthfulness and cooperation are vital to the investigatory process; they are expected and demanded of all members involved in an investigatory process or those who have information pertaining to an investigation of misconduct. No member shall knowingly engage in conduct interfering with an investigation or have contact (direct or indirect) with any witness, complainant, or investigator which is intended to, or results in, the obstruction, compromise, or interference with an Internal Investigation.

Following any investigation, the Chief of the Department, or designee, will determine whether the recommended disciplinary action is appropriate. Should the recommended discipline be found inappropriate, an amended recommendation will be made for the level of discipline that is believed more suitable. If it is determined that the facts of the case might warrant a discipline greater than a Written Reprimand, an intake meeting with the Conduct Review Board (CRB) will be scheduled. At intake, the CRB group will be comprised of the Deputy Director of Safety/designee, the Administration Division Chief/designee, the Division Chief/designee of the involved member, a member of the

<sup>2</sup> As discussed more fully below, IAB may take over the investigation at this point.

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same rank, and a member of one rank above. This group will determine whether or not the IA Case will move forward to a Contemplation of Disciplinary Action (CODA) and Pre-Disciplinary meeting with the Chief of the Department/designee. All discipline greater than a written reprimand will be forwarded to the Executive Director of Safety's Office for final discipline determination.

After consultation with IAB, any discipline that is issued will include notification of the appropriate chain of command. All documentation **shall** be sent to IAB for final review, approval, and placement in the members' discipline file. The member and their supervisor will be notified of the final approval.

Confidentiality shall be maintained regarding information within the file including written and verbal statements, videos, and other documents. Information contained in the file may be released on a need to know basis as determined by the Chief of the Department or the Deputy Director of Safety. Conduct Review Board members shall maintain confidentiality of any discussions related to discipline cases.

**A. Contacting the Internal Affairs Bureau (IAB)**

The Internal Affairs Bureau is a resource to guide officers through the investigation and disciplinary process. Officers **shall** contact IAB for guidance and assistance in **all** disciplinary matters prior to any action being taken. IAB will provide information on procedures, the appropriate level of investigation, potential discipline, similar cases, prior discipline, and commendations. It is the intent of the Department that disciplinary actions be handled at the lowest appropriate level, with input and guidance from IA personnel; however, investigations involving allegations of a continuing pattern of misconduct, that involve misconduct of a serious nature, or that involve possible law violations **shall** be conducted by the IAB. Officers of the IAB shall have full authority, pursuant to the command of the Chief of the Department, to conduct an investigation without interference from any officer.

The Internal Affairs Bureau is available 24 hours a day for consultations, investigations, and/or response when appropriate. After hours IA response may occur for cases that are criminal in nature, when the circumstances are severe enough to require immediate action, or if the circumstances involve sexual harassment or discrimination.

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**B. Disciplinary Considerations**

The purposes to be achieved by the imposition of discipline in a particular case are dependent on all the facts and circumstances of that case. Those purposes may vary based upon a consideration of numerous factors including, but not limited to, the nature and seriousness of the misconduct, the circumstances under which the misconduct was committed, the harm or prejudice arising from the misconduct, and the existence of any relevant mitigating or aggravating circumstances.

1. Among the primary purposes of disciplinary sanctions are the following:
  - To modify/correct conduct.
  - To impose an appropriate penalty.
  - To address/reflect the harm or risk of harm arising from the misconduct and the effects of the misconduct both inside and outside of the Department.
  - To provide notice of the consequences of misconduct to all members of the Department and to deter future misconduct by all members.
  - Ensuring the orderly functioning and operation of the Department and adherence to its established standards of conduct.
  - Reinforcing Department values.
  - Reinforcing training.
  - Effectively managing risk and potential civil liability for members, the Department, and the City.
  - Establishing trust in and respect for the discipline system and the Department, both internally and in the community.
2. It is important for all members of the Department to understand that the goals and purposes of the discipline system are different from those of the criminal justice and civil law systems. While some of the factors taken into consideration in the civil and criminal systems may overlap with factors considered in the discipline system, it must be remembered that the purposes of disciplinary sanctions are different from the purposes of civil and criminal law sanctions. Additionally, it is not the function of the prosecutor's office, through the criminal justice system, to enforce the rules, regulations, and policies of the Department. Nor is it necessary that a member be criminally

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convicted in order for the Department to discipline the member for misconduct which is prohibited by law.

3. Any measure or level of discipline may be used in any given situation as deemed appropriate by the officer, or acting officer, and with concurrence from IAB. Under certain circumstances, immediate dismissal may be warranted. Failure to correct behavior, or the commission of additional violations after discipline has been taken, may subject the member to further disciplinary action, up to and including dismissal. Prior disciplinary actions may be taken into consideration for current disciplinary purposes, regardless of when they occurred. The member's past discipline record along with the nature and severity of the offense will be weighed when determining the appropriate level of discipline. Where possible, the determination of the appropriate level of discipline will be consistent with discipline given to other members who engaged in similar conduct under similar circumstances. This comparative discipline does **not** preclude the implementation of more severe discipline for repeat behavior. Reference the **Denver Fire Department Discipline Handbook** for any needed clarification or answers to specific questions.

**C. Disciplinary Options**

Potential types of discipline will be explained in detail later in this document. Such discipline may include, but is not limited to, the following:

1. Verbal Reprimand
2. Written Reprimand
3. Fines
4. Suspension
5. Involuntary Demotion
6. Dismissal

**D. Review of Discipline**

**All** recommendations for discipline shall be reviewed by the Chief of the Department, or designee. The Chief of the Department reserves the right to change the recommended discipline as believed appropriate, even if the disciplined member has agreed to a level of discipline recommended by the disciplining officer. No discipline will be final until reviewed by the Chief of the Department or designee; no disciplinary action greater than a Written Reprimand

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will be final until reviewed by both the Chief of the Department **and** the Executive Director of Safety, or their designees. Disciplinary actions greater than a Written Reprimand will be imposed by the Executive Director of Safety as required by Denver City Charter § 9.4.14.

**E. Disciplinary Actions which may be Appealed**

A Verbal Reprimand and a Written Reprimand may be appealed to the next level of supervision only; reference Discipline Flowchart. All discipline greater than written reprimands may be appealed to the Civil Service Commission pursuant to Denver City Charter § 9.4.15 and Civil Service Commission Rule 12.

**F. Disciplinary Actions**

**1. Verbal Reprimand**

The Verbal Reprimand is often an effective tool for use by a supervising officer in correcting behavior that involves minor misconduct. Minor misconduct is viewed as a violation of policy or procedure that has a minimal adverse impact on the operation or integrity of the Department. Through the use of this tool, the problem issue is clearly identified and expected changes should be clearly stated. When an incident occurs in which the officer determines from the relevant facts that a Verbal Reprimand is appropriate, the officer **shall** notify their appropriate chain of command and contact the IAB for assistance. The “Summary of Events” section of the Verbal Reprimand form must be reviewed and approved by IAB, and it must be completed with sufficient detail to give notice and allow the member to correct the misconduct or performance issue. The sections of the form entitled, “Previous Discipline” and “Commendations” shall be verified through IAB.

Because a Verbal Reprimand is a formal disciplinary action, it must be documented. Once presented to the member, the officer will have the member sign the designated form confirming that the Verbal Reprimand has been given. The member **shall** sign the form. The member’s signature is not a statement of agreement or disagreement, it signifies only that the member is in receipt of the document.

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If the member is in agreement with the reprimand and recommended action, the member will check and initial the box marked, “Agree” on the form. The Verbal Reprimand will then be sent through the

appropriate chain of command to IAB for review by the Deputy Chief of the Department or designee. If the Verbal Reprimand is finalized by the Deputy Chief’s review, the original Verbal Reprimand document will be filed in the Department discipline files. A copy will be sent to the member through the chain of command.

**a. Appealing a Verbal Reprimand**

If the member does not agree with the Verbal Reprimand, the member will check and initial the box marked “Disagree” on the form. The documentation shall then be forwarded to the next level of supervision.

The officer at the next level of supervision shall review the case and may interview the member and the original disciplining officer and make a recommendation to uphold or change the Verbal Reprimand. If the Verbal Reprimand is upheld or reduced, no further appeal is permitted. The discipline will then be sent through the appropriate chain of command to IAB to be reviewed by the Deputy Chief of the Department, or designee.

If the recommended discipline is increased one step, a Written Reprimand will be initiated. If the recommendation of discipline is greater than a Written Reprimand, a Pre-Disciplinary meeting will be scheduled with the Chief of the Department. A written command by the Chief of the Department for discipline greater than a Written Reprimand will be sent to the Executive Director of Safety, or designee, for final review.

If the Verbal Reprimand is finalized after the Deputy Chief’s review, the original Verbal Reprimand will be filed in the Department discipline files and the member will receive a copy through the chain of command.

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## 2. Written Reprimand

When the disciplining officer believes, due to the nature and severity of the infraction and/or the member's past disciplinary history, that correcting the behavior under investigation requires more than a Verbal Reprimand, a Written Reprimand may be issued. The officer **shall** inform their appropriate chain of command and contact the IAB for assistance. The "Summary of Events" section of the Written Reprimand form must be reviewed and approved by IAB, and it must be completed with sufficient detail to allow the member to correct the misconduct and/or provide a defense for the allegations against him/her. The sections of the form entitled "Previous Discipline" and "Commendations" shall be verified through IAB.

Following approval of the Written Reprimand, the disciplining officer will meet with the member. This meeting will permit the member to provide an answer to the charge(s) and tell his/her side of the events. If the officer determines that a Written Reprimand is still justified, the officer will issue the approved document. During the meeting, the officer will also instruct the member as to how his/her behavior or performance can be improved.

At the conclusion of the meeting the member **shall** sign the form. If the member is in agreement with the reprimand and recommended action, the member will check and initial the box marked, "Agree" on the form. The Written Reprimand will then be sent through the appropriate chain of command to IAB for review by the Deputy Chief of the Department or designee. If the Written Reprimand is finalized by the Deputy Chief's review, the original Written Reprimand document will be filed in the Department discipline files. A copy will be sent to the member through the chain of command. If the Written Reprimand is not approved by the Deputy Chief/designee, a Pre-Disciplinary meeting with the Chief of the Department will be set.

### a. Appealing a Written Reprimand

If the member does not agree with the Written Reprimand, the member will check and initial the box marked "Disagree" on the form. The documentation shall then be forwarded to the next level of supervision.



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The officer at the next level of supervision shall review the case and may interview the member and the original disciplining officer and make a recommendation to uphold or change the Written Reprimand. If the Written Reprimand is upheld or reduced, no further appeal is permitted. The discipline will then be sent through the appropriate chain of command to IAB to be reviewed by the Deputy Chief of the Department, or designee.

If the recommended discipline is increased, a Pre-Disciplinary meeting will be scheduled with the Chief of the Department. A written command by the Chief of the Department for discipline greater than a Written Reprimand will be sent to the Executive Director of Safety or designee for final review.

If the reprimand is finalized after the Chief's review, the original Written Reprimand will be filed in the Department discipline files and the member will receive a copy through the chain of command.

### **3. Conduct Review Board (CRB)**

If it is determined that the facts of the case might warrant a discipline greater than a Written Reprimand, an intake meeting with the Conduct Review Board (CRB) will be scheduled. At intake, the CRB group will be comprised of the Deputy Director of Safety/designee, the Administration Division Chief/designee, the Division Chief/designee of the involved member, a member of the same rank, and a member of one rank above. This group will determine whether or not the IA Case will move forward to a CODA and Pre-Disciplinary meeting with the Chief of the Department/designee. All discipline greater than a written reprimand will be forwarded to the Executive Director of Safety's Office for final discipline determination.

### **4. Notice of Contemplation of Disciplinary Action and Pre-Disciplinary Meeting**

A *Contemplation of Disciplinary Action* form must be used whenever a disciplinary action greater than a Written Reprimand is being considered (e.g., suspension, involuntary demotion, fines, or

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dismissal). The “*Summary of Events*” section of the form will contain sufficient detail regarding the allegation of misconduct so as to allow the member to provide a defense of any allegations. IAB will conduct all investigations in which discipline greater than a Written Reprimand is considered.

After the investigation is completed and the CRB has made the recommendation to move forward with a Pre-Disciplinary Meeting, the *Contemplation of Disciplinary Action* form will be sent to the City Attorney’s Office for review. The subject member will be served with a copy of the “Contemplation of Disciplinary Action” form, which will detail the time and place of the Pre-Disciplinary meeting with the Chief of the Department or designee. The Chief will make a written command regarding discipline. Any written command by the Chief greater than a written reprimand will be sent to the Executive Director of Safety, or designee, for final review. Any discipline imposed by the Executive Director of Safety will be issued by Departmental Order.

The *Departmental Order of Disciplinary Action* will be served upon the member in person with a certificate of hand delivery or by certified mail. The original will be filed in the Department disciplinary file.

#### **5. Suspension, Involuntary Demotion, Fines, or Dismissal**

Before a member is suspended, involuntarily demoted, subjected to fines, or dismissed, the Chief of the Department, or designee, shall hold a Pre-Disciplinary meeting. A Pre-Disciplinary meeting is not required for Verbal and Written Reprimands.

The purpose of the Pre-Disciplinary meeting includes the following:

- a. To allow the member to correct any errors in the Department’s information or facts upon which the Department proposes to take disciplinary action.
- b. To allow the member, in a non-adversarial setting, to tell his or her side of the story and present any mitigating information as to why the disciplinary action should not be taken.

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A member is allowed to have an attorney or union representative present during the meeting. The member is not compelled to make a statement and their participation in the meeting is voluntary.

Suspension without pay exceeding 30 days may require an adjustment to a member's overall longevity calculation.

**III. Appealing Suspension, Involuntary Demotion, Fines, or Dismissal**

The member, or the member's designated representative, may file an appeal for hearing with the Civil Service Commission in all disciplinary matters, except those involving reprimands, within ten (10) calendar days from the date of service of a *Departmental Order of Disciplinary Action*. Members should review the requirements of Civil Service Commission Rule 12 to ensure compliance with appeal procedures.

**IV. Possible Causes for Dismissal**

Some actions may be cause for dismissal; however, a lesser discipline may be imposed where circumstances warrant. It is impossible to identify all conduct which may be cause for dismissal. Therefore, the rules and regulations found in the **Denver Fire Department Discipline Handbook** and **Matrix** should not be deemed an exclusive list. For a list of rules and regulations, as well as presumptive disciplinary outcomes, the **Denver Fire Department Discipline Handbook** and **Matrix** should be consulted.

**V. Resignation/Retirement Prior to IAB Investigation/Discipline Process Completion**

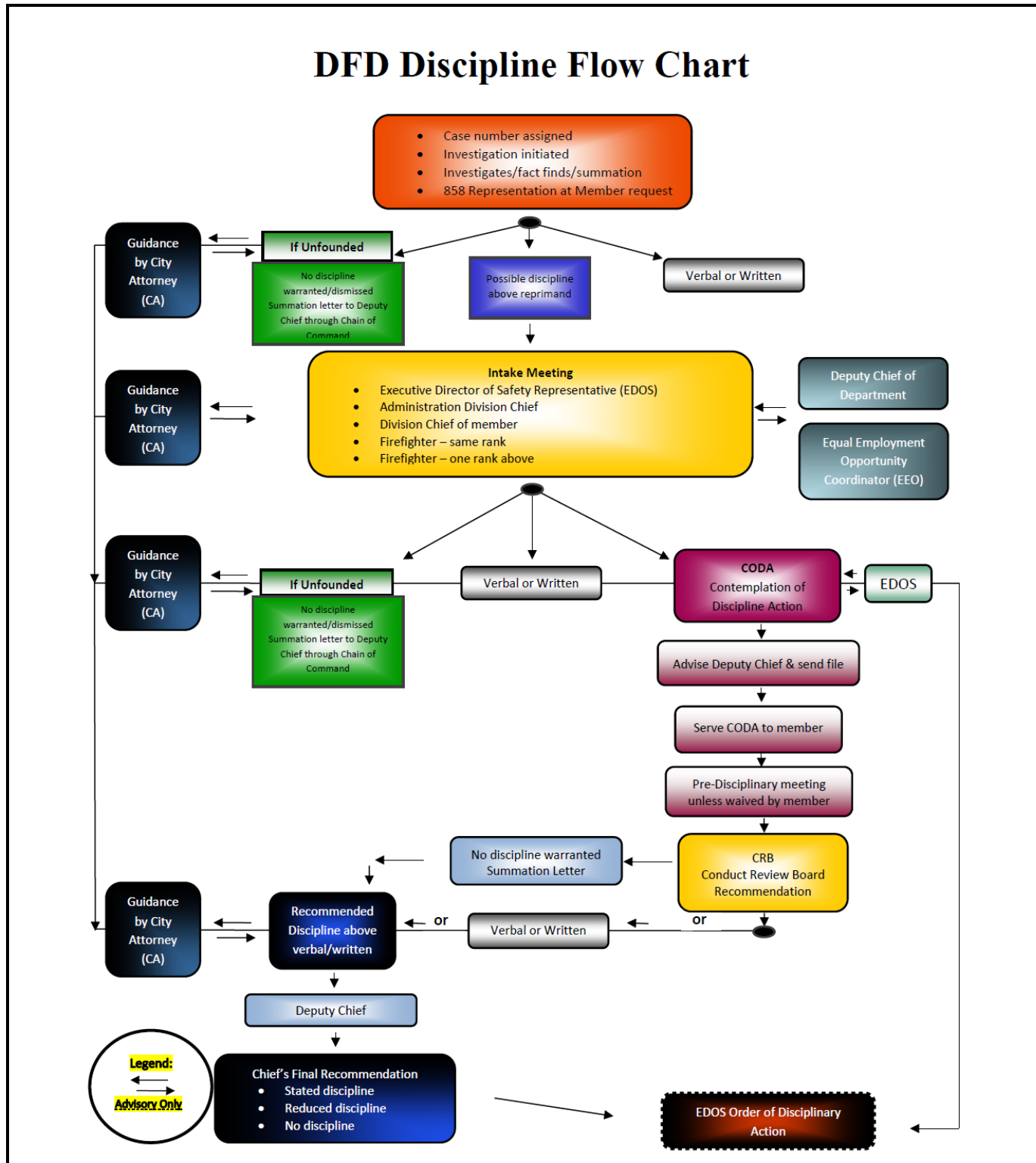
Active Internal Affairs cases either under investigation or within the discipline process in which the subject member separates from the department will remain open indefinitely. Upon separation, the case file will be placed in the member's Personnel File and Internal Affairs Master File. Should the subject member request to return as a DFD employee, the Internal Affairs case will be immediately re-activated.

**DFD DISCIPLINE FLOW CHART ATTACHED TO THIS DOCUMENT**

**PLEASE CONTACT IAB FOR CORRECTIVE ACTION TEMPLATES TO INCLUDE: PIPs, VERBAL REPRIMANDS, OR WRITTEN REPRIMANDS.**

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**Topic: Corrective Action Procedures**



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**Topic: DFD Discipline Handbook**

**By order of the Chief of the Denver Fire Department and approval of the Executive Director of Safety, this handbook shall apply to all violations occurring on or after January 1, 2017.**

**PURPOSE:** An effective discipline system is one that is fair, rational, efficient, consistent, transparent and which reflects the mission, vision, and guiding principles of the Denver Fire Department. It must foster respect, trust, and confidence among all Department personnel as well as between the Department and the community it serves.

**SCOPE:** Applies to all Denver Fire Department uniformed personnel

The purpose of this Discipline Handbook is to provide sworn members of the Denver Fire Department with notice of the principles and guidelines which shall be employed by the Department in making disciplinary decisions. This Handbook should be reviewed and considered in conjunction with revisions to Department Rules and Regulations, all other Department policies and procedures related to discipline, and all Civil Service Commission rules regarding appeals. This Handbook does not create any contractual rights between or among the City and County of Denver, the Civil Service Commission, the Denver Fire Department, the Department of Safety, and any employee or applicant for employment with the Department of Safety.

The Denver Fire Department is dedicated to providing quality, timely, and professional emergency services to those who live in, work in, and visit the City and County of Denver and the communities we serve.

All members of the Denver Fire Department are expected to conduct themselves in a self-disciplined and professional manner. They should project a positive, productive, and mature demeanor, while performing their duties with honesty, integrity, and pride.

The following list of guidelines represents the conduct standards for members of the Denver Fire Department.

**EVERY MEMBER SHALL:**

1. Comply with the Guidelines of their respective Divisions and written Directives of both the Denver Fire Department and the City of Denver.
2. Use their training and capabilities to protect the public at all times.
3. Work to the level of expertise in their position so as to enable all Department programs and functions to operate effectively.
4. Always conduct themselves to reflect credit on the Department and the City of Denver.
5. Supervisors will manage in an effective, considerate, and fair manner. Subordinates will follow instructions in a positive, cooperative manner.
6. Always conduct themselves in a manner that creates good order inside the Department.
7. Keep themselves informed to enhance their awareness and efficiency concerning their positions.
8. Be concerned and protective of each member's welfare.
9. Operate safely.

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10. Use good judgment.
11. Keep themselves physically fit.
12. Observe the work hours of their position.
13. Obey the law.
14. Be responsible and maintain any/all Department equipment and property at an efficient and usable level.

**MEMBERS SHALL NOT:**

15. Engage in activity that is detrimental to the Department.
16. Engage in a conflict of interest to the Department or use their position with the Department for personal gain or influence.
17. Use alcoholic beverages, debilitating drugs, or any substance which impairs their physical or mental capacities while on duty, or when susceptible to emergency recall.
18. Engage in intimidating, threatening, or hostile behaviors, physical assault, or other acts of this nature.
19. Engage in any sexual activity while on duty.
20. Abuse their Sick Leave.
21. Steal.
22. Depart from the truth.

**Sec. 1 General Principles**

- 1.1 The discipline system must be fairly, efficiently, and consistently administered so as to promote and maintain a culture of public accountability, individual responsibility, and maintenance of the highest standards of professionalism.
- 1.2 Discipline should be based upon reasonable notice of the standards by which conduct will be judged and the likely consequences of the failure to adhere to Department rules and policies.
- 1.3 The investigation of allegations of misconduct must be fair, thorough, conducted with full regard for the rights of members, and designed to develop all relevant facts necessary for the fair determination of the issue in question.
- 1.4 Truthfulness is vital to the investigation and review process and shall be expected and demanded of all subject members, witnesses, complainants, and all persons involved in the investigation and review of allegations of misconduct.
- 1.5 The determination of whether an allegation of misconduct should be sustained must be based upon the application of Department-wide standards and the fair consideration of only those facts relevant to that determination.

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1.6 The administration of the discipline process shall not discriminate against anyone on the actual or perceived basis of race, color, creed, national origin, ancestry, gender, sexual orientation, age, religion, political affiliation, physical or mental disability, military status, marital status, or other basis protected by Federal, State, or local law or regulation.

1.7 No rule or policy shall be created, interpreted, or applied so as to lead to a result which is unjust, unreasonable, or unconscionable, and contrary to the goals and purposes of these Disciplinary Guidelines.

**Sec. 2 Practices in Support of the Disciplinary System**

2.1 Practices such as mediation, early intervention, remedial training, mentoring, and the like are means to affect the performance and conduct of members apart from the imposition of disciplinary sanctions and to improve the efficiency and effectiveness of the disciplinary system. However, none of these practices are intended to relieve members of responsibility for their misconduct. The failure of the Department to provide any of the above or the failure to apply any of the programs or practices to a particular member or case does not create a defense to misconduct or constitute a mitigating circumstance.

**Sec. 3 Ancillary Consequences of the Disciplinary System**

3.1 The disciplinary penalties that may be imposed on Department members are reprimand, dismissal, fined days, suspension without pay, and involuntary demotion with a reduction in pay. The Executive Director of Safety or her/his designee is responsible for imposing all disciplinary penalties, except for reprimands, which may be issued by the Chief.

3.2 The Chief may establish practices, make decisions, and enter orders with regard to matters not directly related but ancillary to the imposition of discipline. These can include, but are not limited to, no-contact orders, temporary or permanent re-assignments, regulating on-duty work hours and responsibilities, regulating secondary employment privileges, ordering psychological or other work-related examinations, determining necessary remedial training or entering any other order, restriction, or condition deemed appropriate under the circumstances. These practices do not constitute the imposition of discipline and are not regarded as a part of any disciplinary sanction. The imposition of any of the above orders, conditions, or restrictions may not be considered in determining whether a violation should be sustained and, if so, what the appropriate penalty should be.

3.3 The imposition of disciplinary sanctions may have an impact on future status and benefits including, but not limited to, assignments, promotions or appointments. The Executive Director of Safety, the Chief, or the Denver Civil Service Commission may establish policies and practices with regard to any of these. These practices do not constitute the imposition of discipline and should not be regarded as a part of any disciplinary sanction. The future impact of the imposition of disciplinary sanctions may not be

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considered in determining whether or not a violation should be sustained and, if so, what the appropriate penalty should be.

3.4 The imposition of disciplinary sanctions will no doubt have a personal and financial impact on the member who is disciplined. Understandably, that impact will vary from member to member based upon his/her personal circumstances. It should not be expected that a system of consistent discipline should reasonably take these kinds of differences into account. Therefore, these types of variables may not be considered in determining whether a violation should be sustained and, if so, what the appropriate penalty should be.

**Sec. 4 Determining the Facts: Internal Investigations**

4.1 The integrity of the internal investigation process is essential to the fair administration of discipline. No system of discipline can be effective without investigations that can be considered unbiased and trustworthy by members of the Department as well as the general public.

4.2 Investigations must be fair, thorough, timely and in accordance with accepted Department policies and procedures. Investigations must be conducted with full regard for the member's rights and the rights and respect due to fellow members, non-sworn members of the Department, complainants, witnesses, and other members of the public. Investigations shall not discriminate against anyone on the basis of actual or perceived race, color, creed, national origin, ancestry, gender, sexual orientation, age, religion, political affiliation, physical or mental disability, military status, marital status, or other basis protected by Federal, State, or local law or regulation.

4.3 Truthfulness is vital in an internal investigation. It must be expected and demanded. Department personnel are required to cooperate and be completely truthful or face disciplinary sanctions. Non-Departmental personnel must also be truthful.

4.4 Any attempt to improperly dissuade, discourage, prevent, or interfere with any internal affairs investigation is subject to discipline.

4.5 Any member who knowingly, intentionally, or willfully makes a false report, intentionally omits a material fact, or otherwise departs from the truth in any investigation, including any internal affairs investigation, administrative or judicial proceeding, is subject to discipline.

4.6 It is important to note that the primary role of Internal Affairs (IA) is that of investigation and fact-finding. IA conducts the investigation<sup>1</sup> and prepares the investigative file for review by the Conduct

<sup>1</sup> This section is not intended to limit who can investigate any given matter. At times, it may be appropriate to have police, outside investigators, house Captains, or another person not affiliated with IAB to conduct an investigation. While generally IAB will conduct investigations, the Director and Chief have the discretion to assign investigations to a party outside of IAB.



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Review Board. IA does not make disciplinary recommendations or determine disciplinary sanctions above the level of a Written Reprimand.

**Sec. 5 Determining Whether a Violation Has Been Proven**

- 5.1 In determining whether a violation of any Departmental rule, regulation, policy, procedure, or Directive has been proven, the reviewer (including, but not limited to, the Director or designee, the Chief, and members of the Conduct Review Board) must act as a finder of fact. This process is separate and distinct from any consideration of what disciplinary sanction, if any, is appropriate if it is decided that a violation has been proven.
- 5.2 As a finder of fact, the reviewer must rely only upon the evidence in the case, which must be thoroughly reviewed. The reviewer must consider only the evidence that is contained in the investigative file and any reasonable inferences to be drawn from that evidence. The reviewer is expected to use common sense and life experiences when acting as a finder of fact. However, he/she is not to base any conclusions on information known to him/her regarding the matter or the persons involved in the matter if that information is not part of the investigative file.
- 5.3 As the finder of fact, the reviewer must judge the credibility of witnesses and the weight to be given their statements. In doing so, he/she should take into consideration the witnesses' means of knowledge, strength of memory, and opportunities for observation; the reasonableness or unreasonableness of their statements; the consistency or lack of consistency in their statements; motives; whether their statement has been contradicted or supported by other evidence; any bias, prejudice, or interest; their manner or demeanor while making statements; and all other facts and circumstances shown by the evidence which affect the credibility of the witnesses. Based on all of these stated considerations and all the facts, circumstances, and evidence in the case, the reviewer may believe all, part, or none of any witnesses' statements. He/she may also determine what weight, if any, to give to any witnesses' statements.
- 5.4 The reviewer must thoroughly review the policy, procedure, rule, regulation, or Directive alleged to be violated and apply it to the facts as he/she determines them. The reviewer must do so without regard for whether he/she personally agrees with the particular policy, procedure, rule, regulation, or Directive or whether he/she believes it should be amended or repealed.
- 5.5 In determining whether there is sufficient evidence to establish that a violation has occurred, the reviewer must apply the standard of proof known as the "preponderance of the evidence." To prove something by a "preponderance of the evidence" means to prove that it is more likely than not. In determining whether the burden of proof of "preponderance of the evidence" has been met, reasonable care and caution should be used to consider all the evidence in the case and the weight that evidence should be afforded. The quantum of evidence that constitutes a preponderance must be sufficient to lead to the reasonable conclusion that the accused member committed the violation which is being considered. A suspicion, belief, or opinion not supported by the weight of the evidence is not sufficient.

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5.6 After thoroughly reviewing all the evidence and after determining formal findings are necessary, the reviewer must make one of the following findings for each of the specifications considered:

5.6.1 *Unfounded*: The investigation indicates that the subject's alleged actions relating to the Department policy, procedure, rule, regulation, or Directive in question did not occur.

5.6.2 *Exonerated*: The investigation indicates that the alleged actions of the subject were within the policies, procedures, rules, regulations, and Directives of the Department.

5.6.3 *Not Sustained*: There was insufficient evidence to either prove or disprove the allegation.

5.6.4 *Sustained*: The subject's actions were found by a preponderance of the evidence to have been in violation of the Department policy, procedure, rule, regulation, or Directive in question.

5.7 Each specification of an alleged violation should be considered separately, and a separate decision reached as to whether there is a preponderance of evidence establishing that the alleged violation occurred. The sustaining of any one specification does not compel the sustaining of other specifications.

5.8 As a finder of fact, the reviewer may be participating in an official disciplinary proceeding such as a Conduct Review Board (CRB) or Pre-Disciplinary meeting where information in addition to the investigative file, such as a statement by the subject member, is presented for consideration. The reviewer may properly consider that additional information, assess its credibility, and afford it whatever weight he/she deems appropriate.

## Sec. 6 Determining Appropriate Discipline

6.1 The purposes to be achieved by the imposition of discipline in a particular case are dependent on all the facts and circumstances of that case. Those purposes may vary based upon a consideration of numerous factors including, but not limited to, the nature and seriousness of the misconduct, the circumstances under which the misconduct was committed, the harm or prejudice arising from the misconduct, and the existence of any relevant mitigating or aggravating circumstances.

6.2 Among the primary purposes of disciplinary sanctions are the following:

- To modify/correct conduct.
- To impose an appropriate penalty.
- To address/reflect the harm or risk of harm arising from the misconduct and the effects of the misconduct both inside and outside of the Department.
- To provide notice of the consequences of misconduct to all members of the Department and to deter future misconduct by all members. Ensuring the orderly functioning and operation of the Department and adherence to its established standards of conduct.
- Reinforcing Department values.

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- Reinforcing training.
- Effectively managing risk and potential civil liability for members, the Department, and the City.
- Establishing trust in and respect for the discipline system and the Department, both internally and in the community.

6.3 It is important for all members of the Department to understand that the goals and purposes of the discipline system are different from those of the criminal justice and civil law systems. While some of the factors taken into consideration in the civil and criminal systems may overlap with factors considered in the discipline system, it must be remembered that the purposes of disciplinary sanctions are different from the purposes of civil and criminal law sanctions. Additionally, it is not the function of the prosecutor's office, through the criminal justice system, to enforce the rules, regulations, and policies of the Department. Nor is it necessary that a member be criminally convicted in order for the Department to discipline the member for misconduct which is prohibited by law.

**Sec. 7 Categories of Conduct**

7.1 There are six categories of conduct in the matrix. Categories range from the least serious to most serious with regard to the nature of the conduct and its harm/impact on the Department and community. While the language of the conduct categories may seem similar, each category is intended to reflect the increased seriousness of the misconduct. Reasonable reviewers may disagree on the appropriate conduct category for a violation. Such disagreement does not necessarily mean that the reviewer, or the final decision maker, is wrong.

**Sec. 8 Assigning Conduct Categories to Specific Rules and Regulations**

8.1 Although the pre-determined categories contained in the matrix will likely cover the vast majority of disciplinary violations, several issues of importance are noted:

8.1.1 The individual rules and regulations have been placed into particular conduct categories based upon the nature and type of misconduct. However, the unique factual circumstances of a given case may justify the application of a different conduct category than that previously assigned to the particular violation in the matrix. As such, command officers, the Chief (or designee), the Executive Director of Safety (or designee), the Hearing Officers, and the Civil Service Commission can and may determine that a previously assigned conduct category is not appropriate under the unique factual circumstances of the case. In this situation, a deviation from the matrix is allowed. Any such deviation must be reasonable under the circumstances and be justified by the facts of the case.

8.1.2 A limited number of rules and regulations could fit into any or all of the conduct categories based upon the nature of the conduct being addressed. Anyone reviewing such a case should consider the factors outlined in Section 9 below as well as the various facts presented in order to determine

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the most appropriate conduct category.

- 8.1.3 Certain rules and regulations could fit more than one but not all conduct categories. Anyone reviewing such a case should consider the various factors outlined in Section 9 below in order to determine the appropriate conduct category.
- 8.1.4 No attempt has been made to categorize all sources of rules which may apply to alleged misconduct by fire fighters. Clearly, the Department rules and regulations govern fire fighter conduct but there are other rules and orders that might apply to misconduct. These include such things as Mayor's Executive Orders, other policies and procedures, Directives, special orders, training bulletins, or the like. Anyone reviewing misconduct based upon any of these types of violations should consider the factors outlined below in order to determine the appropriate conduct category.

### **Sec. 9 Determining Appropriate Conduct Categories - Analysis**

- 9.1 Situations will arise where personnel charged with the responsibility of recommending or ordering disciplinary sanctions will have to determine the appropriate conduct category into which the misconduct falls and whether the alleged misconduct satisfies the definition of a particular category. This is a necessary first step in determining the appropriate sanction. In analyzing the misconduct, the following questions, among others, should be considered:
- 9.1.1 What is the general nature of the misconduct?
- 9.1.2 How does the misconduct relate to the stated mission, vision, and guiding principles of the Department?
- 9.1.3 How does the misconduct impact the operations and image of the Department and its relationship with other agencies or the community?
- 9.1.4 What is the actual and demonstrable harm or risk of harm involved?
- 9.1.5 Does the misconduct involve an actual and demonstrable impact on fire fighter, employee, or public safety, or a demonstrable serious risk to fire fighter, employee, or public safety?
- 9.1.6 Did the violation result in actual injury to a fire fighter, employee, or a member of the public? If so, what is the extent of the injury?
- 9.1.7 Does the misconduct involve unethical behavior or a serious abuse or misuse of authority?
- 9.1.8 Did the misconduct foreseeably result in death or serious bodily injury?

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9.1.9 Does the misconduct constitute a failure to adhere to any condition of employment required by contract or mandated by law?

9.2 In determining the conduct category, the definition of the category and the analysis described in this section should control the determination of what category applies to the violation in question.

**Sec. 10 Brief Description of Matrix Tables**

10.1 The disciplinary matrix has two primary tables: The Categories, Violations and Discipline Level Assignments Table and the Penalty Table.

10.2 The Categories, Violations and Discipline Level Assignments Table identifies:

10.2.1 The definitions of each Conduct Category (A through F);

10.2.2 Example violations in the form of Rules and Regulations (RRs) that are found within each of these conduct categories; and

10.2.3 The discipline level assigned to each conduct category based, in part, on the number of offenses of an equal or greater conduct category that have occurred during the specific time periods assigned to that conduct category. This table also shows how the discipline level (levels 1 through 8) increases by one level for each repeated violation of an RR of an equal or greater conduct category during the specified time period.

10.3 The Penalty Table identifies: Eight discipline levels (1 through 8) ranging from least serious to most serious; and the penalties associated with that discipline level with specification of the presumptive penalty and the mitigated and aggravated penalty ranges.

**Sec. 11 Establishing Presumptive Penalties**

11.1 The Penalty Table identifies a “presumptive penalty” for each conduct violation.

11.2 To achieve consistency, presumptive penalties are presumed to be the reasonable and appropriate penalties that should be given. However, when mitigating or aggravating factors are established, a departure from the presumptive penalty may be justified. Even then, the penalty will remain within the penalty ranges established for that particular discipline level unless “special circumstances,” as explained below (Section 12), exist.

11.3 The “presumptive penalty” may also increase if a member has prior sustained violations of the same or higher conduct category.

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11.4 The factors or circumstances relied upon to find mitigation, aggravation, or “special circumstances,” must be articulated and justified in writing.

**Sec. 12 Special Circumstances**

12.1 It should be recognized that any discipline system can only be designed for the large majority of cases and that on limited occasions, there will be extraordinary circumstances which would justify a penalty less than or greater than that allowed under the matrix. This is what is generally referred to as “going outside the matrix.” The authority to do so is within the sound discretion of the Chief and the Executive Director of Safety or his/her designee and is reasonable and necessary to avoid injustice. A properly functioning matrix system cannot be so rigidly applied as to mandate a certain sanction or limit a certain sanction where doing so would lead to an unjust result or fail to reflect the totality of the particular circumstances.

12.2 These issues will generally arise when there is extraordinary mitigation, extraordinary aggravation, questions of reduction in rank or grade, extended suspensions, or cases involving termination where termination is not the presumptive or aggravated penalty indicated by the matrix.

12.3 The reasons<sup>2</sup> for departing upward or downward from the maximum or minimum penalty called for in the matrix as well as the basis for determining the particular penalty must be documented and explained.

**Sec. 13 Disciplinary Recommendations made to the Executive Director of Safety or his/her Designee**

13.1 The Executive Director of Safety or his/her designee is charged with the responsibility of ordering all discipline issued to uniformed members of the Denver Fire Department greater than a reprimand. All input into the issue of whether or not a member has violated a Departmental rule or policy and, if so, what the appropriate sanction should be are in the form of recommendations to the Executive Director of Safety or his/her designee.

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<sup>2</sup> Factors to consider in determining whether extraordinary aggravation exists include, but are not limited to: Commission of acts which demonstrate a continued inability or unwillingness to conform to expected standards of conduct; Commission of an act which causes a continuing, disruptive effect on the efficient and/or safe operations of the Department or clearly constitute a substantial risk to public safety; Commission of an act which calls into serious question the member's trustworthiness and/or integrity so as to interfere with the continued performance of his/her assigned duties and responsibilities, or which demonstrate a serious lack of the ethics, character or judgment necessary to hold the position of firefighter; Commission of an act which has had or may be reasonably demonstrated to have, an appreciable negative effect on the general public's confidence and/or trust in the operations of the Department; or Creation of a serious legal or financial risk for the Department or the City arising from the misconduct of a member or the retention of that member.

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13.2 The Executive Director of Safety or his/her designee considers recommendations but is not bound by them. The Director may approve, modify, or disapprove any recommendation made to him/her. No provision of the City Charter or Civil Service Rules requires the Director to follow the recommendations.

13.3 Disciplinary recommendations and their underlying rationale are considered part of the Executive Director of Safety's deliberative process. Therefore, the Department may develop policies and procedures to limit access to, keep confidential, or otherwise protect recommendations / rationales from public disclosure except as required by law or to the extent necessary to facilitate decision-making at various stages of the disciplinary process.

**Sec. 14 Role of the Chief in the Disciplinary Process**

14.1 It is the responsibility of the Chief or his/her designee to initiate disciplinary action against members of the Fire Department by a written order submitted to the Executive Director of Safety for approval.

14.2 Prior to submitting that order, the Chief must provide written notice to the subject member advising him/her of the charges, an explanation of the evidence supporting those charges (generally in the form of a CODA) and an opportunity to respond to the charges at a pre-disciplinary meeting.

14.3 In reviewing disciplinary recommendations made to him/her and in making any recommendation to the Director of Safety or his/her designee, the Chief is guided by the provisions of the Charter, the Civil Service Rules, the Rules and Regulations and policies and procedures of the Department, and all other laws relevant to the imposition of discipline.

14.4 The Chief shall make findings as to each allegation considered and shall determine the discipline he/she believes to be appropriate by applying the principles, guidelines and procedures detailed herein. The recommendation shall contain a written summary of his/her findings, the basis for any disciplinary sanction recommended, and an explanation of how the sanction was determined. This summary shall also include the findings as to each allegation, relevant commendatory and/or disciplinary history, any mitigating or aggravating circumstances considered, and any factors which justify the decision to impose a penalty other than the presumptive or a penalty "outside the matrix" as a result of special circumstances.

**Sec. 15 Role of the Executive Director of Safety in Imposing Discipline**

15.1 The Executive Director of Safety or his/her designee is responsible for ordering all discipline, with the exception of reprimands, in the Denver Fire Department. In doing so, the Director of Safety is guided by the provisions of the Charter, the Civil Service Rules, the Rules and Regulations and policies and procedures of the Denver Fire Department, applicable policies of the City and County of Denver and all other laws relevant to the imposition of discipline.

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15.2 The Director of Safety is also empowered with reasonable discretion in exercising his/her authority to administer the Department of Safety.

15.3 The Director of Safety or his/her designee shall review the entire investigative file, the pre-disciplinary letter containing a summary of the facts, the disciplinary and commendation history, the audio recording of the pre-disciplinary hearing held by the Chief, and a listing of the violations considered. The recommended finding as to each violation is listed along with the recommended penalty as to each. The Director or his/her designee shall consider the recommendation of the Chief but is not bound by it.

15.4 If the Director of Safety or his/her designee finds that there are insufficient facts or information to make a final determination of appropriate discipline, the Director of Safety or his/her designee may return the case for further investigation or otherwise order that the facts or information be provided.

15.5 In sustaining any violations or determining the appropriate discipline, the Director of Safety or his/her designee must follow the same rules, principles and guidelines, including the matrix, followed by other reviewers. The Director or his/her designee must determine the conduct category, the discipline level and the presumptive penalty for each violation. He/she must consider whether any relevant disciplinary history justifies an increase in the discipline level and the corresponding presumptive penalty; whether there are any mitigating or aggravating circumstances that justify the imposition of a penalty in the mitigated or aggravated ranges for the appropriate discipline level; and whether there are any special circumstances such as extraordinary mitigation or extraordinary aggravation that would justify a lesser or greater penalty than that allowed by the matrix. He/she shall also consider whether there are any special circumstances that justify reduction in rank or termination, where termination is not the presumptive or aggravated penalty listed by the matrix.

15.6 The Executive Director of Safety or his/her designee may impose a penalty greater or less than that provided for in the matrix when the conduct taken as a whole justifies a finding of special circumstances. If special circumstances are found, the Director of Safety or his/her designee may impose a penalty less than that provided for by the matrix, a reduction in rank, or termination.

**Sec. 16 Negotiated Settlement of Disciplinary Actions**

16.1 The Department and the Executive Director of Safety recognize that, notwithstanding the consistency which is to be achieved by the application of the disciplinary matrix, circumstances may arise which necessitate meaningful settlement discussions between the member, the Department, and the Director of Safety. Therefore, the Director of Safety or his/her designee or the Chief or his/her designee with the approval of the Director of Safety or his/her designee, may engage in settlement discussions with the subject member. These discussions may focus either on the specific violation(s) to be charged and/or the discipline to be imposed. Nonetheless, members should understand that settlement negotiations are not a matter of right and refusal by the Department or the Director of Safety or his/her designee to enter into settlement discussions or to reach a settlement agreement cannot be a basis of any claim of inconsistent treatment.



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16.2 Settlement, while encouraged in appropriate cases, should occur only for legitimate purposes and not in an effort to circumvent the application of the matrix or the purposes and goals of these Conduct Principles and Disciplinary Guidelines. All settlement agreements must be approved by the Director of Safety or his/her designee.

**Sec. 17 Confidentiality in the Discipline Process**

17.1 All persons who are involved in the investigation and the review of misconduct, recommend disciplinary findings or sanctions, make decisions at any stage in the disciplinary process, or otherwise participate in the administration of the disciplinary process, as well as their legal or Department representatives, are obligated to keep disciplinary deliberations, recommendations, and rationales confidential except where:

- 1.) Disclosure is necessary for the administration of the disciplinary process;
- 2.) Approved by the Chief or the Executive Director of Safety;
- 3.) In accordance with established Department policy and procedure; or
- 4.) Required by the rules of the Civil Service Commission, the ordinances of the City and County of Denver, or any applicable state or federal laws.

**Sec. 18 Conduct Prohibited by Law Involving Driving under the Influence and Driving While Ability Impaired**

As first responders, the Department recognizes the serious public safety issues involved when persons who have consumed alcohol and/or drugs operate motor vehicles. The Department has a significant interest in deterring such misconduct by its members. Therefore, a violation of any rule related to off duty, misdemeanor violations of law involving driving while under the influence or impaired should generally be presumed to merit a suspension equal to three (3) 24-hour shifts (72 hours) or more. While the penalty of 3 shifts is considered presumptive for any off duty, misdemeanor offense, driving while under the influence or impaired is considered a greater safety violation, especially for first responders. As such, higher discipline may be warranted. See Rule and Regulation number 33.

Other factors may be considered which can also increase the disciplinary penalty. These factors include, but are not limited to:

- (a) Driving resulting in death or physical injury;
- (b) Driving resulting in property damage;
- (c) Reckless driving or excessive speeding (20 mph or more over the speed limit);
- (d) Threatening, discourteous, abusive, disrespectful, or unprofessional conduct toward investigating law enforcement officers;
- (e) Attempts to elude apprehension;
- (f) Resisting detention or arrest;
- (g) Carrying a firearm on your person or displaying a firearm;

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- (h) Attempting to improperly influence the investigation by use of the member's position in the Department;
- (i) Leaving the scene, tampering with or altering evidence, making false statements to investigators, or other attempts to avoid detection or responsibility;
- (j) Prior alcohol related law violations or Department violations;
- (k) The loss of or restrictions to driving privileges; and
- (l) A blood alcohol level of .15 or greater.

**Sec. 19 Soliciting Preferential Treatment (i.e., Badging)**

Rule & Regulation 13 is the Department's rules, prohibiting members from "using official position or authority for personal profit or advantage, including kickbacks."

While this can encompass a range of potential misconduct, this rule is most often seen when members attempt to use their position as Department members (i.e., displaying a badge or identifying themselves as fire fighters) to solicit preferential treatment not extended to the general public, such as during a traffic stop.

All members of the Department should understand that the inappropriate use of their position as a member of the Department to solicit any preferential treatment or benefit to which they would not otherwise be entitled is considered highly objectionable and, if proven, will be disciplined accordingly. It is vital to the reputation of the Department that all members conduct themselves in a manner that does not create the perception that members have an expectation of being treated differently, believe they are entitled to benefits others would not be entitled to, or should not be held as accountable for their actions as others would be.

Factors which should be considered by the reviewer include, but are not limited to, the intent of the offending member, the type of preferential treatment or benefit being solicited, the person or entity being solicited, and the manner in which the solicitation is carried out or attempted.

One factual situation of note is the circumstance of a member interacting with law enforcement, i.e., in a domestic dispute, or when stopped for a traffic violation. While no member should have the expectation that he/she is entitled to be treated differently from the general public; nor should the member attempt to dissuade the officer from carrying out his/her duties based upon the fact that he/she is a fellow civil servant, nonetheless, there are times when identifying oneself as a firefighter may be necessary for safety reasons. For example, if an arson investigator who is carrying a concealed weapon is contacted by law enforcement, safety considerations may mandate that the member immediately inform the contacting officer that he or she is in possession of a weapon. Reviewers should carefully consider the circumstances when a member identifies themselves as a fire fighter for safety reasons, in response to a legitimate law enforcement inquiry, or for any other reason that is not in furtherance of seeking personal advantage. Violations of RR – 13 should only be sustained when the member is seeking preferential treatment or some other personal advantage.

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However, under no circumstances should a member attempt to obtain preferential treatment based on his or her employment status.

**ATTACHMENTS TO THIS DIRECTIVE:**

- DFD – Discipline Matrix (Categories – Violations and Discipline Level Assignments Table)**
- DFD - Rules and Regulations**
- DFD – Penalty Table**

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# DENVER FIRE DEPARTMENT DISCIPLINE MATRIX

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Violations and Discipline Level Assignments Table

## Denver Fire Department Discipline Matrix

### Definitions of Conduct Categories A- F

- A. Conduct that has a minimal negative impact on the operations or professional image of the Department.
- B. Conduct that has more than a minimal negative impact on the operations or professional image of the Department; or negatively impacts relationships with other firefighters, employees or agencies, or the public.
- C. Conduct that has a pronounced negative impact on the operations or professional image of the Department; or on relationships with other firefighters, employees, agencies, or the public.
- D. Conduct that is substantially contrary to the guiding principles of the Department or that substantially interferes with its operations or professional image; or that involves a demonstrable serious risk to firefighter, employee or public.
- E. Conduct that involves the serious abuse or misuse of authority, unethical behavior, or an act that results in an actual serious and adverse impact on the Department's mission; or on firefighter, employee or public safety; or to the professionalism of the Department.
- F. Any violation of law, rule or policy which: foreseeably results in death or serious bodily injury; or regardless of the resulting injury, constitutes a willful and wanton disregard of department guiding principles or its mission; or involves any act which demonstrates a serious lack of the integrity, ethics or character related to a firefighter's fitness to hold his or her position; or which involve serious or abusive conduct, including abuse of authority; or involves any conduct which constitutes the failure to adhere to any condition of employment required by contract or mandated by law.

Violations and Discipline Level Assignments Table

<b>Category A:</b> <b>Conduct that has a minimal negative impact on the operations or professional image of the Department.</b>			
<b>1<sup>st</sup> Violation in 3 Years Penalty Level 1</b>		<b>2<sup>nd</sup> Violation in 3 Years Penalty Level 2</b>	
<b>3<sup>rd</sup> Violation in 3 Years Penalty Level 3</b>			
<u>Examples include, but are not limited to:</u>			
RR-1	Non-exempt employees shall not perform unauthorized work outside of their established work schedule. (A-B)		
RR-2	Members shall not neglect their duties. This includes failure to file required reports. (A-C)		
RR-5	Members shall observe written departmental or agency regulations, policies or rules. (A-F)		
RR-8	Members shall not be careless in performance of duties and responsibilities... (A-F)		
RR-24	Members shall maintain satisfactory working relationships with co-workers, other City employees, and the public. (A-C)		
RR-25	Members shall follow department training protocols. (A-C)		
RR-29	Members shall report charges or conviction of crimes. This provision does not apply to zero-point traffic offenses. (A-F)		
RR-31	Members shall not engage in conduct which violates DFD's Department Directives, the City Charter, the Denver Revised Municipal Code, Executive Orders, or any other applicable legal authority. (A-F)		
RR-39	Member shall not engage in: a. conduct prejudicial to the good order and effectiveness of the department or agency or conduct that brings disrepute on or compromises the integrity of the City. (B-F) b. insubordination. (B-F)		

**Violations and Discipline Level Assignments Table Category A:**

- Any prior sustained violation in a category greater than or equal to the current violation shall increase the penalty level by 1. The prior Violation must be within the specified time frame of the current violation.

- Any prior sustained violation within the specified time frame, in a category lower than the current violation, may be considered as an aggravating factor.

\* Violations that appear in multiple categories will require the Department to compare the underlying conduct to the definitions contained in each category to identify the appropriate category for the violation.

\*\* The 4<sup>th</sup> or subsequent sustained violation of the same RR, within the specified time frame, may result in more severe disciplinary recommendations.

The language of some of the rules in this chart has been modified or shortened in the interest of space. Please see the rule itself for complete language.

**Denver Fire Department Discipline Matrix**

Violations and Discipline Level Assignments Table

<b>Category B:</b> <b>Conduct that has more than a minimal negative impact on the operations or professional image of the Department; or that negatively impacts relationships with other firefighters, employees, agencies or the public.</b>					
<b>1<sup>st</sup> Violation in 4 Years Penalty Level 2</b>		<b>2<sup>nd</sup> Violation in 4 Years Penalty Level 3</b>		<b>3<sup>rd</sup> Violation in 4 Years Penalty Level 4</b>	
<u>Examples include, but are not limited to:</u>					
RR-1	Non-exempt employees shall not perform unauthorized work outside of their established work schedule. (A-B)	RR-10	Members shall use City resources in compliance with all rules and policies... (B-D)		
RR-2	Members shall not neglect their duties. This includes failure to file required reports. (A-C)	RR-14	Members shall not accept a gratuity/favor for services required on the job. (B-D)		
RR-3	Members shall not report to work after the scheduled start time of the shift. (B-C)	RR-17	Members shall not lie to superiors or alter or falsify records. (Includes, but not limited to, duties, disciplinary actions, or work hours.) (B-F)		
RR-4	Members shall not be absent from work without authorization, or abuse paid sick time off, sick leave or other types of leave. (B-D)	RR-19	Members shall not: a. possess any alcoholic beverage while on duty. (B-D) b. consume any intoxicating substance while off duty to an extent that results in the commission of an act that brings discredit upon the Department. (B-D)		
RR-5	Members shall observe written departmental or agency regulations, policies or rules. (A-F)	RR-23	Members shall not possess a weapon on City property or a work location without written permission of the Fire Chief or designee. (B-D)		
RR-6	Members shall meet established standards of performance including either qualitative or quantitative standards. (B-F)	RR-24	Members shall maintain satisfactory working relationships with co-workers, other City employees, and the public. (A-C)		
RR-7	Members shall do assigned work the member is capable of doing. (B-F)	RR-25	Members shall follow department training protocols. (A-C)		
RR-8	Members shall not be careless in performance of duties and responsibilities. (A-F)	RR-26	Members shall use safety devices and observe safety regulations... (B-F)		
RR-9	Members shall comply with the lawful orders of an authorized supervisor. (B-D)	RR-29	Members shall report police contact in which the member could be considered a subject, receives criminal charges or is convicted of a crime... (B-F)		

**Violations and Discipline Level Assignments Table Category B:**

- Any prior sustained violation in a category greater than or equal to the current violation shall increase the penalty level by 1. The prior Violation must be within the specified time frame of the current violation.

- Any prior sustained violation within the specified time frame, in a category lower than the current violation, may be considered as an aggravating factor.

\* Violations that appear in multiple categories will require the Department to compare the underlying conduct to the definitions contained in each category to identify the appropriate category for the violation.

\*\* The 4<sup>th</sup> or subsequent sustained violation of the same RR, within the specified time frame, may result in more severe disciplinary recommendations.

The language of some of the rules in this chart has been modified or shortened in the interest of space. Please see the rule itself for complete language

**Denver Fire Department Discipline Matrix**  
**Violations and Discipline Level Assignments Table**

<b>Category B, continued:</b>			
<b>Conduct that has a minimal negative impact on the operations or professional image of the Department.</b>			
<b>1<sup>st</sup> Violation in 4 Years Penalty Level 2</b>	<b>2<sup>nd</sup> Violation in 4 Years Penalty Level 3</b>	<b>3<sup>rd</sup> Violation in 4 Years Penalty Level 4</b>	
<u>Examples include, but are not limited to:</u>			
RR-31	Members shall not engage in conduct which violates DFD's Department Directives, the City Charter, the Denver Revised Municipal Code, Executive Orders, or any other applicable legal authority. (A-F)		
RR-39	Member shall not engage in: a. Conduct prejudicial to the good order and effectiveness of the department or agency or conduct that brings disrepute on or compromises the integrity of the City. (B-F) b. Insubordination. (B-F)		

**Violations and Discipline Level Assignments Table Category B:**

- Any prior sustained violation in a category greater than or equal to the current violation shall increase the penalty level by 1. The prior Violation must be within the specified time frame of the current violation.
  - Any prior sustained violation within the specified time frame, in a category lower than the current violation, may be considered as an aggravating factor.
  - \* Violations that appear in multiple categories will require the Department to compare the underlying conduct to the definitions contained in each category to identify the appropriate category for the violation.
  - \*\* The 4<sup>th</sup> or subsequent sustained violation of the same RR, within the specified time frame, may result in more severe disciplinary recommendations.
- The language of some of the rules in this chart has been modified or shortened in the interest of space. Please see the rule itself for complete language.

**Denver Fire Department Discipline Matrix**  
Violations and Discipline Level Assignments Table



**Category C:**

**Conduct that has a pronounced negative impact on the operations or professional image of the Department; or on relationships with other firefighters, employees, agencies or the public.**

<b>1<sup>st</sup> Violation in 5 Years Penalty Level 3</b>		<b>2<sup>nd</sup> Violation in 5 Years Penalty Level 4</b>		<b>3<sup>rd</sup> Violation in 5 Years Penalty Level 5</b>	
<u>Examples include, but are not limited to:</u>					
RR-2	Members shall not neglect their duties. This includes failure to file required reports. (A-C)	RR-12	Members shall not destroy City records/property without authorization. (C-D)		
RR-3	Members shall not report to work after the scheduled start time of the shift. (B-C)	RR-13	Members shall not use their official position or authority for personal profit or advantage, including kickbacks... (C-F)		
RR-4	Members shall not be absent from work without authorization, or abuse paid sick time off, sick leave or other types of leave. (B-D)	RR-14	Members shall not accept a gratuity/favor for services required on the job. (B-D)		
RR-5	Members shall observe written departmental or agency regulations, policies or rules. (A-F)	RR-15	Members shall not accept, solicit, or pay a bribe. (C-F)		
RR-6	Members shall meet established standards of performance including either qualitative or quantitative standards. (B-F)	RR-16	Members shall not engage in theft of property or materials of any other person while the employee is on duty or on City premises. (C-F)		
RR-7	Members shall do assigned work the member is capable of doing. (B-F)	RR-17	Members shall not lie to superiors or alter or falsify records. (Includes, but not limited to, duties, disciplinary actions, or work hours.) (B-F)		
RR-8	Members shall not be careless in performance of duties and responsibilities. (A-F)	RR-19	Members shall not: a. possess any alcoholic beverage while on duty. (B-D) b. consume any intoxicating substance while off duty to an extent that results in the commission of an act that brings discredit upon the Department. (B-D)		
RR-9	Members shall comply with the lawful orders of an authorized supervisor. (B-D)	RR-20	Members shall not knowingly be present where illegal narcotics/drugs are being used. (C-F)		
RR-10	Members shall use City resources in compliance with all rules and policies... (B-D)	RR-23	Members shall not possess a weapon on City property or a work location without written permission of the Fire Chief or designee. (B-D)		
RR-11	Members shall not engage in theft, destruction, or neglect in the use of City property or property of any agency or entity having a contract with the City. (C-F)	RR-24	Members shall maintain satisfactory working relationships with co-workers, other City employees, and the public. (A-C)		

**Violations and Discipline Level Assignments Table Category C:**

- Any prior sustained violation in a category greater than or equal to the current violation shall increase the penalty level by 1. The prior Violation must be within the specified time frame of the current violation.

- Any prior sustained violation within the specified time frame, in a category lower than the current violation, may be considered as an aggravating factor.

\* Violations that appear in multiple categories will require the Department to compare the underlying conduct to the definitions contained in each category to identify the appropriate category for the violation.

\*\* The 4<sup>th</sup> or subsequent sustained violation of the same RR, within the specified time frame, may result in more severe disciplinary recommendations.

The language of some of the rules in this chart has been modified or shortened in the interest of space. Please see the rule itself for complete language.

**Denver Fire Department Discipline Matrix**  
Violations and Discipline Level Assignments Table

**Category C, continued:**

**Conduct that has a pronounced negative impact on the operations or professional image of the Department; or on relationships with other firefighters, employees, agencies or the public.**

1 <sup>st</sup> Violation in 5 Years Penalty Level 3	2 <sup>nd</sup> Violation in 5 Years Penalty Level 4	3 <sup>rd</sup> Violation in 5 Years Penalty Level 5
<u>Examples include, but are not limited to:</u>		
RR-25	Members shall follow department training protocols. (A-C)	
RR-26	Members shall use safety devices and observe safety regulations. (B-F)	
RR-29	Members shall report police contact in which the member could be considered a subject, receives criminal charges or is convicted of a crime... (B-F)	
RR-30	Members shall take appropriate action to correct and eliminate sexual harassment from the workplace. (C-E)	
RR-31	Members shall not engage in conduct which violates DFD's Department Directives, the City Charter, the Denver Revised Municipal Code, Executive Orders, or any other applicable legal authority. (A-F)	
RR-32	Members shall not use derogatory terms toward others, as defined by DFD/City EEO policies. (C-F)	
RR-33	Members shall not be charged with or convicted of a crime on or off duty. (C-F)	
RR-34	Members shall not discriminate or harass any employee or officer of the City because of protected status. (C-F)	
RR-36	Members shall not divulge confidential or otherwise sensitive information to unauthorized individuals. (C-D)	
RR-37	Members shall not fail to appear in court. (C)	
RR-38	Members shall not fail to appear for jury duty. (C)	
RR-39	Member shall not engage in: a. conduct prejudicial to the good order and effectiveness of the department or agency or conduct that brings disrepute on or compromises the integrity of the City. (B-F) b. insubordination. (B-F)	

**Violations and Discipline Level Assignments Table Category C:**

- Any prior sustained violation in a category greater than or equal to the current violation shall increase the penalty level by 1. The prior Violation must be within the specified time frame of the current violation.

- Any prior sustained violation within the specified time frame, in a category lower than the current violation, may be considered as an aggravating factor.

\* Violations that appear in multiple categories will require the Department to compare the underlying conduct to the definitions contained in each category to identify the appropriate category for the violation.

\*\* The 4<sup>th</sup> or subsequent sustained violation of the same RR, within the specified time frame, may result in more severe disciplinary recommendations.

The language of some of the rules in this chart has been modified or shortened in the interest of space. Please see the rule itself for complete language.

**Denver Fire Department Discipline Matrix**  
Violations and Discipline Level Assignments Table

**Category D:**

**Conduct that is substantially contrary to the guiding principles of the department or that substantially interferes with its operations or professional image; or that involves a demonstrable serious risk to firefighter, employee or public safety.**

<b>1<sup>st</sup> Violation in 7 Years Penalty Level 5</b>		<b>2<sup>nd</sup> Violation in 7 Years Penalty Level 6</b>		<b>3<sup>rd</sup> Violation in 7 Years Penalty Level 7</b>	
<u>Examples include, but are not limited to:</u>					
RR-4	Members shall not be absent from work without authorization, or abuse paid sick time off, sick leave or other types of leave. (B-D)	RR-14	Members shall not accept a gratuity/favor for services required on the job. (B-D)	RR-5	Members shall not accept, solicit, or pay a bribe. (C-F)
RR-5	Members shall observe written departmental or agency regulations, policies or rules. (A-F)	RR-15	Members shall not accept, solicit, or pay a bribe. (C-F)	RR-6	Members shall not engage in theft of property or materials of any other person while the employee is on duty or on City premises. (C-F)
RR-6	Members shall meet established standards of performance including either qualitative or quantitative standards. (B-F)	RR-16	Members shall not engage in theft of property or materials of any other person while the employee is on duty or on City premises. (C-F)	RR-7	Members shall not lie to superiors or alter or falsify records. (Includes, but not limited to, duties, disciplinary actions, or work hours.) (B-F)
RR-7	Members shall do assigned work the member is capable of doing. (B-F)	RR-17	Members shall not lie to superiors or alter or falsify records. (Includes, but not limited to, duties, disciplinary actions, or work hours.) (B-F)	RR-8	Members shall not: a. possess any alcoholic beverage while on duty. (B-D) b. consume any intoxicating substance while off duty to an extent that results in the commission of an act that brings discredit upon the Department. (B-D)
RR-8	Members shall not be careless in performance of duties and responsibilities. (A-F)	RR-19	Members shall not: a. possess any alcoholic beverage while on duty. (B-D) b. consume any intoxicating substance while off duty to an extent that results in the commission of an act that brings discredit upon the Department. (B-D)	RR-9	Members shall not knowingly be present where illegal narcotics/drugs are being used. (C-F)
RR-9	Members shall comply with the lawful orders of an authorized supervisor. (B-D)	RR-20	Members shall not knowingly be present where illegal narcotics/drugs are being used. (C-F)	RR-10	Members shall not possess a weapon on City property or a work location without written permission of the Fire Chief or designee. (B-D)
RR-10	Use of City resources for personal use. (B-D)	RR-23	Members shall not possess a weapon on City property or a work location without written permission of the Fire Chief or designee. (B-D)	RR-11	Members shall use safety devices and observe safety regulations. (B-F)
RR-11	Members shall not engage in theft, destruction, or neglect in the use of City property or property of any agency or entity having a contract with the City. (C-F)	RR-26	Members shall use safety devices and observe safety regulations. (B-F)	RR-12	Members shall use safety devices and observe safety regulations. (B-F)
RR-12	Members shall not destroy City records/property without authorization. (C-D)	RR-26	Members shall use safety devices and observe safety regulations. (B-F)	RR-13	Members shall not threaten, fight with, intimidate, or abuse employees or officers of the City, or any other member of the public, for any reason. (D-F)
RR-13	Members shall not use their official position or authority for personal profit or advantage, including kickbacks. (C-F)	RR-27	Members shall not threaten, fight with, intimidate, or abuse employees or officers of the City, or any other member of the public, for any reason. (D-F)		

**Violations and Discipline Level Assignments Table Category D:**

- Any prior sustained violation in a category greater than or equal to the current violation shall increase the penalty level by 1. The prior Violation must be within the specified time frame of the current violation.

- Any prior sustained violation within the specified time frame, in a category lower than the current violation, may be considered as an aggravating factor.

\* Violations that appear in multiple categories will require the Department to compare the underlying conduct to the definitions contained in each category to identify the appropriate category for the violation.

\*\* The 4<sup>th</sup> or subsequent sustained violation of the same RR, within the specified time frame, may result in more severe disciplinary recommendations.

The language of some of the rules in this chart has been modified or shortened in the interest of space. Please see the rule itself for complete language.

**Denver Fire Department Discipline Matrix**  
Violations and Discipline Level Assignments Table

**Category D, continued:**

**Conduct that is substantially contrary to the guiding principles of the department or that substantially interferes with its operations or professional image; or that involves a demonstrable serious risk to firefighter, employee or public safety.**

1 <sup>st</sup> Violation in 7 Years Penalty Level 5	2 <sup>nd</sup> Violation in 7 Years Penalty Level 6	3 <sup>rd</sup> Violation in 7 Years Penalty Level 7
<u>Examples include, but are not limited to:</u>		
RR-29	Members shall report police contact in which the member could be considered a subject, receives criminal charges or is convicted of a crime... (B-F)	
RR-30	Members shall take appropriate action to correct and eliminate sexual harassment from the workplace. (C-E)	
RR-31	Members shall not engage in conduct which violates DFD's Department Directives, the City Charter, the Denver Revised Municipal Code, Executive Orders, or any other applicable legal authority. (A-F)	
RR-32	Members shall not use derogatory terms toward others, as defined by DFD/City EEO policies. (C-F)	
RR-33	Members shall not be charged with or convicted of a crime on or off duty. (C-F)	
RR-34	Members shall not discriminate or harass any employee or officer of the City because of protected status... (C-F)	
RR-36	Members shall not divulge confidential or otherwise sensitive information to unauthorized individuals. (C-D)	
RR-39	Member shall not engage in: a. Conduct prejudicial to the good order and effectiveness of the department or agency or conduct that brings disrepute on or compromises the integrity of the City. (B-F) b. Insubordination. (B-F)	
RR-40	Members shall not engage in a strike, sabotage, or work slowdown. (D-F)	

**Violations and Discipline Level Assignments Table Category D:**

- Any prior sustained violation in a category greater than or equal to the current violation shall increase the penalty level by 1. The prior Violation must be within the specified time frame of the current violation.
  - Any prior sustained violation within the specified time frame, in a category lower than the current violation, may be considered as an aggravating factor.
  - \* Violations that appear in multiple categories will require the Department to compare the underlying conduct to the definitions contained in each category to identify the appropriate category for the violation.
  - \*\* The 4<sup>th</sup> or subsequent sustained violation of the same RR, within the specified time frame, may result in more severe disciplinary recommendations.
- The language of some of the rules in this chart has been modified or shortened in the interest of space. Please see the rule itself for complete language.

**Denver Fire Department Discipline Matrix**  
Violations and Discipline Level Assignments Table

**Category E:**

**Conduct that involves the serious abuse or misuse of authority, unethical behavior, or an act that results in an actual serious and adverse impact on the Department's mission; or on firefighter, employee or public safety; or to the professionalism of the Department.**

<b>1<sup>st</sup> Violation – No Time Limit Penalty Level 6</b>		<b>2<sup>nd</sup> Violation – No Time Limit Penalty Level 7</b>		<b>3<sup>rd</sup> Violation – No Time Limit Penalty Level 8</b>	
<u>Examples include, but are not limited to:</u>					
RR-5	Members shall observe written departmental or agency regulations, policies, or rules. (A-F)	RR-20	Members shall not knowingly be present where illegal narcotics/drugs are being used. (C-F)		
RR-6	Members shall meet established standards of performance including either qualitative or quantitative standards. (B-F)	RR-26	Members shall use safety devices and observe safety regulations. (B-F)		
RR-7	Members shall do assigned work the member is capable of doing. (B-F)	RR-27	Members shall not threaten, fight with, intimidate, or abuse employees or officers of the City, or any other member of the public, for any reason. (D-F)		
RR-8	Members shall not be careless in performance of duties and responsibilities. (A-F)	RR-28	Members shall not intimidate or retaliate against an individual who has been identified as a witness, party, or representative of any party to any hearing or investigation relating to any disciplinary procedure, or any violation of a city, state, or federal rule, regulation or law, or against an employee who has used a dispute resolution process in good faith. (E-F)		
RR-11	Members shall not engage in theft, destruction, or neglect in the use of City property or property of any agency or entity having a contract with the City. (C-F)	RR-29	Members shall report police contact in which the member could be considered a subject, receives criminal charges or is convicted of a crime... (B-F)		
RR-13	Members shall not use their official position or authority for personal profit or advantage, including kickbacks. (C-F)	RR-30	Members shall take appropriate action to correct and eliminate sexual harassment from the workplace. (C-E)		
RR-15	Members shall not accept, solicit, or pay a bribe. (C-F)	RR-31	Members shall not engage in conduct which violates DFD's Department Directives, the City Charter, the Denver Revised Municipal Code, Executive Orders, or any other applicable legal authority. (A-F)		
RR-16	Members shall not engage in theft of property or materials of any other person while the employee is on duty or on City premises. (C-F)	RR-32	Members shall not use derogatory terms toward others, as defined by DFD/City EEO policies. (C-F)		
RR-17	Members shall not lie to superiors or alter or falsify records. (Includes, but not limited to, duties, disciplinary actions, or work hours.) (B-F)	RR-33	Members shall not be charged with or convicted of a crime on or off duty. (C-F)		

**Violations and Discipline Level Assignments Table Category E:**

- Any prior sustained violation in a category greater than or equal to the current violation shall increase the penalty level by 1. The prior Violation must be within the specified time frame of the current violation.

- Any prior sustained violation within the specified time frame, in a category lower than the current violation, may be considered as an aggravating factor.

\* Violations that appear in multiple categories will require the Department to compare the underlying conduct to the definitions contained in each category to identify the appropriate category for the violation.

\*\* The 4<sup>th</sup> or subsequent sustained violation of the same RR, within the specified time frame, may result in more severe disciplinary recommendations.

The language of some of the rules in this chart has been modified or shortened in the interest of space. Please see the rule itself for complete language.

**Denver Fire Department Discipline Matrix**  
Violations and Discipline Level Assignments Table

**Category E continued:**

**Conduct that is substantially contrary to the guiding principles of the department or that substantially interferes with its operations or professional image; or that involves a demonstrable serious risk to firefighter, employee or public safety.**

1 <sup>st</sup> Violation – No Time Limit Penalty Level 6	2 <sup>nd</sup> Violation – No Time Limit Penalty Level 7	3 <sup>rd</sup> Violation – No Time Limit Penalty Level 8
<u>Examples include, but are not limited to:</u>		
RR-34	Members shall not discriminate or harass any employee or officer of the City because of protected status... (C-F)	
RR-39	Member shall not engage in: a. Conduct prejudicial to the good order and effectiveness of the department or agency or conduct that brings disrepute on or compromises the integrity of the City. (B-F) b. Insubordination. (B-F)	
RR-40	Members shall not engage in a strike, sabotage, or work slowdown. (D-F)	

**Violations and Discipline Level Assignments Table Category E:**

- Any prior sustained violation in a category greater than or equal to the current violation shall increase the penalty level by 1. The prior Violation must be within the specified time frame of the current violation.
  - Any prior sustained violation within the specified time frame, in a category lower than the current violation, may be considered as an aggravating factor.
  - \* Violations that appear in multiple categories will require the Department to compare the underlying conduct to the definitions contained in each category to identify the appropriate category for the violation.
  - \*\* The 4<sup>th</sup> or subsequent sustained violation of the same RR, within the specified time frame, may result in more severe disciplinary recommendations.
- The language of some of the rules in this chart has been modified or shortened in the interest of space. Please see the rule itself for complete language.

**Denver Fire Department Discipline Matrix**  
Violations and Discipline Level Assignments Table

**Category F:**

**Any violation of law, rule or policy which: foreseeably results in death or serious bodily injury; or regardless of the resulting injury, constitutes a willful and wanton disregard of department guiding principles or its mission; or involves any act which demonstrates a serious lack of the integrity, ethics or character related to a firefighter's**

<b>fitness to hold his or her position; or which involves serious or abusive conduct, including abuse of authority; or involves any conduct which constitutes the failure to adhere to any condition of employment required by contract or mandated by law.</b>			
<b>1<sup>st</sup> Violation – No Time Limit Penalty Level 8</b>			
<u>Examples include, but are not limited to:</u>			
RR-5	Members shall observe written departmental or agency regulations, policies or rules. (A-F)	RR-17	Members shall not lie to superiors or alter or falsify records. (Includes, but not limited to, duties, disciplinary actions, or work hours.) (B-F)
RR-6	Members shall meet established standards of performance including either qualitative or quantitative standards. (B-F)	RR-18	Making false statements while under oath. (F)
RR-7	Members shall do assigned work the member is capable of doing. (B-F)	RR-20	Member shall not knowingly present where illegal narcotics/drugs are being used. (C-F)
RR-8	Members shall not be careless in performance of duties and responsibilities. (A-F)	RR-21	Members shall not consume, be under the influence, subject to the effects of, impaired by alcohol, an illegal drug or a legal drug being used improperly; while on duty; while performing city business; while in a city facility; or while operating a city vehicle or other equipment... (F)
RR-11	Members shall not engage in theft, destruction, or neglect in the use of City property or property of any agency or entity having a contract with the City. (C-F)	RR-22	Members shall not sell, purchase, transfer or possess an illegal drug or a legal drug improperly: while on or off duty. (F)
RR-13	Members shall not use their official position or authority for personal profit or advantage, including kickbacks. (C-F)	RR-26	Members shall use safety devices and observe safety regulations. (B-F)
RR-15	Members shall not accept, solicit, or pay a bribe. (C-F)	RR-27	Members shall not threaten, fight with, intimidate, or abuse employees or officers of the City, or any other member of the public, for any reason. (D-F)
RR-16	Members shall not engage in theft of property or materials of any other person while the employee is on duty or on City premises. (C-F)	RR-28	Members shall not intimidate or retaliate against an individual who has been identified as a witness, party, or representative of any party to any hearing or investigation relating to any disciplinary procedure, or any violation of a city, state, or federal rule, regulation or law, or against an employee who has used a dispute resolution process in good faith. (E-F)

**Violations and Discipline Level Assignments Table Category F:**

- Any prior sustained violation in a category greater than or equal to the current violation shall increase the penalty level by 1. The prior Violation must be within the specified time frame of the current violation.

- Any prior sustained violation within the specified time frame, in a category lower than the current violation, may be considered as an aggravating factor.

\* Violations that appear in multiple categories will require the Department to compare the underlying conduct to the definitions contained in each category to identify the appropriate category for the violation.

\*\* The 4<sup>th</sup> or subsequent sustained violation of the same RR, within the specified time frame, may result in more severe disciplinary recommendations.

The language of some of the rules in this chart has been modified or shortened in the interest of space. Please see the rule itself for complete language.

**Denver Fire Department Discipline Matrix**  
Violations and Discipline Level Assignments Table

<b><u>Category F, continued:</u></b>
<b>Any violation of law, rule or policy which: foreseeably results in death or serious bodily injury; or regardless of the resulting injury, constitutes a willful and wanton disregard of department guiding principles or its mission; or involves any act which demonstrates a serious lack of the integrity, ethics or character related to a firefighter’s fitness to hold his or her position; or which involves serious or abusive conduct, including abuse of authority; or</b>

<b>involves any conduct which constitutes the failure to adhere to any condition of employment required by contract or mandated by law.</b>			
<b>1<sup>st</sup> Violation – No Time Limit Penalty Level 8</b>			
<u>Examples include, but are not limited to:</u>			
RR-29	Members shall report police contact in which the member could be considered a subject, receives criminal charges or is convicted of a crime... (B-F)		
RR-31	Members shall not engage in conduct which violates DFD's Department Directives, the City Charter, the Denver Revised Municipal Code, Executive Orders, or any other applicable legal authority. (A-F)		
RR-32	Members shall not use derogatory terms toward others, as defined by DFD/City EEO policies. (C-F)		
RR-33	Members shall not be charged with or convicted of a crime on or off duty. (C-F)		
RR-34	Members shall not discriminate or harass any employee or officer of the City because of protected status... (C-F)		
RR-35	Physical conduct or act of a sexual nature involving the use of force. (F)		
RR-39	Member shall not engage in: a. Conduct prejudicial to the good order and effectiveness of the department or agency. (B-F) b. Insubordination. (B-F)		
RR-40	Members shall not engage in a strike, sabotage, or work slowdown. (D-F)		

**Violations and Discipline Level Assignments Table Category F:**

- Any prior sustained violation in a category greater than or equal to the current violation shall increase the penalty level by 1. The prior Violation must be within the specified time frame of the current violation.

- Any prior sustained violation within the specified time frame, in a category lower than the current violation, may be considered as an aggravating factor.

\* Violations that appear in multiple categories will require the Department to compare the underlying conduct to the definitions contained in each category to identify the appropriate category for the violation.

\*\* The 4<sup>th</sup> or subsequent sustained violation of the same RR, within the specified time frame, may result in more severe disciplinary recommendations.

The language of some of the rules in this chart has been modified or shortened in the interest of space. Please see the rule itself for complete language.



## DENVER FIRE DEPARTMENT RULES AND REGULATIONS

Conduct Category	Rule Number	ACTS OF MISCONDUCT
		<b>PERFORMANCE</b>
A-B	1.	Non-exempt employees shall not perform unauthorized work outside of their established work schedule.
A-C	2.	Members shall not neglect their duties. This includes failure to file required reports.
B-C	3.	Members shall not report to work after the scheduled start time of the shift.
B-D	4.	Members shall not be absent from work without authorization, or abuse paid sick time off, sick leave or other types of leave.
A-F	5.	Members shall observe written departmental or agency regulations, policies or rules.
B-F	6.	Members shall meet established standards of performance including either qualitative or quantitative standards.
B-F	7.	Members shall do assigned work the member is capable of doing.
A-F	8.	Members shall not be careless in performance of duties and responsibilities.
B-D	9.	Members shall comply with the lawful orders of an authorized supervisor.
		<b>ETHICS</b>
B-D	10.	Members shall use City resources in compliance with all rules and policies. (includes, but not limited to, not engaging in unauthorized use of the internet, email, telephone, or other electronic devices for personal use.)
C-F	11.	Members shall not engage in theft, destruction, or neglect in the use of City property or property of any agency or entity having a contract with the City.
C-D	12.	Members shall not destroy City records/property without authorization.
C-F	13.	Members shall not use their official position or authority for personal profit or advantage, including kickbacks.
B-D	14.	Members shall not inappropriately accept a gratuity/favor for services required on the job.
C-F	15.	Members shall not accept, solicit, or pay a bribe.
C-F	16.	Members shall not engage in theft of property or materials of any other person while the employee is on duty or on City premises.

## DENVER FIRE DEPARTMENT RULES AND REGULATIONS

B-F	17.	Members shall not lie to superiors or alter or falsify records. (Includes, but not limited to: duties, official documents, Internal Affairs investigations, disciplinary actions, or work hours.)
F	18.	Members shall not make false statements while under oath.
<b>ALCOHOL/NARCOTICS &amp; DRUG USE</b>		
B-D	19.	Members shall not: a. possess any alcoholic beverage while on duty. b. consume any intoxicating substance while off duty to an extent that results in the commission of an act that brings discredit upon the Department.
C-F	20.	Members shall not knowingly be present where illegal narcotics/drugs are being used.
F	21.	Members shall not consume, be under the influence, subject to the effects of, or impaired by alcohol, an illegal drug or a legal drug being used improperly; while on duty; while performing city business; while in a city facility; while representing themselves as a member of the Department; or while operating a City vehicle or other equipment. The consumption of alcohol by an off-duty employee that does not violate Executive Order 94, is not a violation of this rule.
F	22.	Members shall not sell, purchase, transfer or possess an illegal drug or a legal drug improperly: while on or off duty.
<b>Conduct Category</b>	<b>Rule Number</b>	<b>ACTS OF MISCONDUCT</b>
<b>WORKPLACE SAFETY</b>		
B-D	23.	Members shall not possess a weapon on City property or a work location without written permission of the Fire Chief or designee.
A-C	24.	Members shall maintain satisfactory working relationships with co-workers, other City employees, and the public.
A-C	25.	Members shall follow department training protocols.
B-F	26.	Members shall use safety devices and observe safety regulations. i.e. When failure to use safety devices results in injury to self or others; jeopardizes the safety of self or others; or results in damage or destruction of City property.
D-F	27.	Members shall not threaten, fight with, intimidate, or abuse employees or officers of the City, or any other member of the public, on or off duty, for any reason.

## DENVER FIRE DEPARTMENT RULES AND REGULATIONS

E-F	28.	Members shall not intimidate or retaliate against an individual who has been identified as a witness, party, or representative of any party to any hearing or investigation relating to any disciplinary procedure, or any violation of a city, state, or federal rule, regulation or law, or against an employee who has used a dispute resolution process in good faith.
<b>LEGAL COMPLIANCE</b>		
B-F	29.	Members shall report police contact in which the member could be considered a subject, receives criminal charges or is convicted of a crime. This provision does not apply to zero-point traffic offenses.
C-E	30.	Members shall take appropriate action to correct and eliminate sexual harassment from the workplace.
A-F	31.	Members shall not engage in conduct which violates DFD's Department Directives, the City Charter, the Denver Revised Municipal Code, Executive Orders, or any other applicable legal authority.
C-F	32.	Members shall not use derogatory terms toward others, as defined by DFD/City EEO policies.
C-F	33.	Members shall not: a. be charged with or convicted of a crime, on or off duty. b. be charged with driving under the influence of alcohol and/or drugs. (Conduct Category D as defined in Directive 1057.00 Section 18)
C-F	34.	Members shall not discriminate or harass any employee or officer of the City because of race, color, creed, religion, national origin, gender, sexual orientation, marital status, military status, age, disability, or political affiliation, or any other status protected by federal, state, or local laws. This includes making derogatory statements based on race, color, creed, religion, national origin, gender, sexual orientation, marital status, military status, age, disability, or political affiliation, or any other status protected by federal, state, or local laws. Discipline for this prohibited conduct does not have to rise to the level of violation of any relevant state or federal law before an employee may be disciplined and the imposition of such discipline does not constitute an admission that the City violated any law.
D-F	35.	Members shall not engage in physical force against another person on or off duty or acts of a sexual nature involving the use of force on or off duty.
<b>CONDUCT UNBECOMING</b>		
C-D	36.	Members shall not divulge confidential or otherwise sensitive information to unauthorized individuals.
C	37.	Members shall not fail to appear in court.
C	38.	Members shall not fail to appear for jury duty.
		Member shall not engage in:

**DENVER FIRE DEPARTMENT RULES AND REGULATIONS**

B-F	39.	a. conduct prejudicial to the good order and effectiveness of the department or agency or conduct that brings disrepute on or compromises the integrity of the City.  b. insubordination.
D-F	40.	Members shall not engage in a strike, sabotage, or work slowdown.

# Denver Fire Department

## Penalty Table

<b>Discipline Level</b>	<b>Mitigated Penalty</b>	<b>Presumptive Penalty</b>	<b>Aggravated Penalty</b>
<b>1</b>		<b>Non-Disciplinary Corrective Action</b>	<b>Reprimand</b>
<b>2</b>	<b>Non-Disciplinary Corrective Action</b>	<b>Reprimand</b>	<b>8-16 Hour Fine/Suspension</b>
<b>3</b>	<b>Reprimand</b>	<b>1 Day Fine/Suspension* (24 hours)</b>	<b>1-2 Day Fine/Suspension (24-48 hours)</b>
<b>4</b>	<b>1 Day Fine/Suspension (24 hours)</b>	<b>2 Day Fine/Suspension (48 hours)</b>	<b>2-3 Day Fine/Suspension (48-72 hours)</b>
<b>5</b>	<b>1-2 Day Fine/Suspension (24-48 hours)</b>	<b>3 Day Fine/Suspension (72 hours)</b>	<b>4-5 Day Fine/Suspension (96-120 hours)</b>
<b>6</b>	<b>6-7 Day Fine/Suspension (144-168 hours)</b>	<b>10 Day Fine/Suspension (240 hours)</b>	<b>12-14 Day Fine/Suspension (288-336 hours)</b>
<b>7</b>	<b>15-18 Day Fine/Suspension (360-432 hours)</b>	<b>20 Day Fine/Suspension (480 hours)</b>	<b>Termination</b>
<b>8</b>	<b>30 Day Fine/Suspension (720 hours)</b>	<b>Termination</b>	

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\* As noted in the Disciplinary Handbook, suspended/fined days are calculated using a 24-hour shift. Employees facing suspension who are assigned regular shifts that are under 24 hours, will have any suspension/fined time adjusted as necessary so that suspended hours will be the same regardless of shift length. Fined time is time that will be taken from a member's accrued leave banks. Suspended time may be made up of time off duty or time removed from accrued leave banks or both. **Whether suspended time is served as time off and/or by removal of accrued leave from a member's bank is at the discretion of the Chief (or his/her designee).**

**DENVER FIRE DEPARTMENT**  
**DEPARTMENT DIRECTIVE**

<b>Topic No:</b>	<b>1060.00</b>
<b>Date:</b>	<b>06-27-2022</b>
<b>Approved:</b>	<b><i>KV</i></b>
<b>Review Date:</b>	<b>06-27-2025</b>
<b>Replaces:</b>	<b>Same, dated 05-26-2021</b>

**Topic: Citizen Compliments and Complaints**

**PURPOSE:** To define a consistent method for receiving, reviewing, and resolving citizen compliments, complaints, and concerns.

**SCOPE:** Applies to all members of the Denver Fire Department

**POLICY:** Upon learning that a citizen wishes to express a compliment, complaint, or concern, the steps below shall be followed.

**Step 1** – Ask the citizen to visit the Denver Fire Department website and click on the DFD Compliments and Complaints link.

**[Denver Fire Department Home Page](https://www.denvergov.org/Government/Departments/Fire-Department)**  
**<https://www.denvergov.org/Government/Departments/Fire-Department>**

**Or use the QR code located on the exterior door at all DFD buildings.**

**Step 2** – If the citizen is unable or averse to filing a complaint online, the following information surrounding the compliment/complaint shall be gathered:

- A. The nature and description of the incident.
- B. The location of incident.
- C. The date and time of the incident.
- D. The name of the reporting party and the name(s) of any witness(es).
- E. The contact information of the reporting party and any witnesses, including: phone number, email address, and physical address of the citizen expressing the concern.
- F. The names of employee(s) or unit(s) involved.
- G. The action desired by the citizen to resolve the complaint or concern.
- H. The name of the member taking the complaint/compliment.
- I. Any actions taken to resolve the complaint or concern.

**Step 3** - The preceding information shall be documented in the electronic complaint form, located on the Denver Fire Department website as listed above, and submitted to the Administration Division within three (3) days.

**Step 4** - Upon receipt of the complaint, the Division Chief of Administration or Designee will determine if the complaint warrants a supervisory review or a formal investigation, as indicated through the Discipline Matrix. If a supervisory review is indicated, the Division Chief of Administration shall forward the complaint to the Division Chief in the affected division. If a formal investigation is warranted, the Division Chief of Administration or Designee will forward

**DENVER FIRE DEPARTMENT**  
**DEPARTMENT DIRECTIVE**

<b>Topic No:</b>	<b>1060.00</b>
<b>Date:</b>	<b>06-27-2022</b>
<b>Approved:</b>	<i>KV</i>
<b>Review Date:</b>	<b>06-27-2025</b>
<b>Replaces:</b>	<b>Same, dated 05-26-2021</b>

**Topic: Citizen Compliments and Complaints**

a copy of the complaint to the Deputy Fire Chief and to the Internal Affairs Bureau (IAB). Compliments will be recorded by IAB and forwarded to the member via their chain of command.

**Step 5** - In the case of a supervisory review, the Division Chief of the affected division or their designee shall contact the citizen and notify them of receipt of their complaint. In the case of a formal investigation, the Administration Division Chief or Designee shall contact the citizen to acknowledge receipt of their complaint.

**Step 6** - In the case of a supervisory review, the Department will strive to resolve the complaint or concern within seven (7) business days of receipt of the concern or complaint. In cases of a formal investigation, the complaint will be resolved upon completion of a thorough investigation.

**Step 7** - The findings of a formal investigation will be documented and forwarded to the Division Chief of Administration by the Internal Affairs Bureau. The findings of a supervisory review will be documented by the affected Division Chief or their designee and forwarded to IAB within seven (7) days of receiving notice of the complaint.

**Step 8** - Once the complaint is resolved, the citizen(s) and the member(s) will be notified of the findings of the complaint by the reviewing supervisor or by IAB. In the case of a sustained allegation, the complaint may be placed in the member's personnel file along with any associated discipline.

**DEFINITIONS:**

**As defined by the DFD Discipline Handbook, Directive 1057.00:**

**Exonerated:** The alleged actions occurred, but the actions of the member(s) were justified, lawful, and proper. The member(s) acted in compliance with rules, regulations, policies, and procedures.

**Formal Investigation:** A formal investigation will result from a complaint where the complainant makes an allegation of a serious breach of the DFD Code of Conduct or an allegation of behavior which could result in the filing of criminal charges. A formal investigation is conducted by the Internal Affairs Bureau under the supervision of the Division Chief of Administration.

**Supervisory Review:** A supervisory review will result from a complaint in which the complainant makes an allegation of minor misconduct or inappropriate behavior. A supervisory review is generally conducted by the Division Chief or their designee. At a minimum, a supervisory review shall be conducted by a supervisor one level of supervision above the subject(s) of the complaint.

**Sustained Allegation:** An allegation that is supported by sufficient evidence to justify the conclusion that the action(s) which occurred were a violation of Department policies or procedures.

DENVER FIRE DEPARTMENT  
DEPARTMENT DIRECTIVE

Topic No:	1060.00
Date:	06-27-2022
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Topic: Citizen Compliments and Complaints

**Unfounded Allegation:** The allegation(s) are false, did not occur, or are not supported by the facts. The allegation(s) were without merit and did not occur.

**Not Sustained Allegation:** A case in which insufficient evidence exists to prove or disprove the allegation(s). The allegation(s) appeared to have merit; however, there was insufficient evidence to prove or disprove the allegations.

QR Code:

## Denver Fire Department Compliments and Complaints





DENVER FIRE DEPARTMENT

DEPARTMENT DIRECTIVE

Topic: Denver Fire Department Chaplaincy Program

Topic No:	1063.00
Date:	08-17-17
Approved:	TAB
Review Date:	08-17-19
Replaces:	Old Dept. Dir. 108.06 titled "Department Chaplain" dated 03-10-99

**PURPOSE:** To enhance Total Wellness resources for DFD members and their families, the Denver Fire Department offers a Chaplaincy program to support members' spiritual, emotional, and relational needs.

**SCOPE:** Applies to all members of the Denver Fire Department and their families, with the expressed purpose of enhancing our members' total wellness and resiliency related to work and life stressors.

**DEFINITIONS:**

- **Position Titles**
  - **Lead Chaplain and Coordinator** - Appointed by the Chief of the Department and acts as director of operations for the Chaplaincy program.
  - **Associate Chaplain** - Assistant to the Lead Chaplain and serves in the capacity of a Chaplain and resource for DFD members and their families.
  - **Chaplain Assistant** - Assistant to the Associate Chaplain and serves in the capacity of a Chaplain and resource for DFD members and their families.

*All Chaplains are honorary officer positions and do NOT include fire command authority*

**CHAPLAINCY GUIDELINES:**

- Identification information and private communications with a Chaplain is strictly confidential and cannot be disclosed by a Chaplain to any person, including management. Any Fire Department or family member may access the Chaplain without having to notify anyone else. Chaplains will respond to incidents or requests to provide spiritual/emotional support and encouragement.

- Applicable Colorado Confidential Clergy Communications Statutes:

**C.R.S. 13-90-107(1)(c).** *Who may not testify without consent.*

**C.R.S. 19-3-304.** *Persons required to report child abuse or neglect.*

**C.R.S. 18-6.5-108.** *Mandatory reports of mistreatment of at-risk elders and at-risk adults with IDD - list of reporters - penalties.*

**DENVER FIRE DEPARTMENT**

**DEPARTMENT DIRECTIVE**

**Topic: Denver Fire Department Chaplaincy Program**

<b>Topic No:</b>	<b>1063.00</b>
<b>Date:</b>	<b>08-17-17</b>
<b>Approved:</b>	<b><i>TAB</i></b>
<b>Review Date:</b>	<b>08-17-19</b>
<b>Replaces:</b>	<b>Old Dept. Dir. 108.06 titled "Department Chaplain" dated 03-10-99</b>

- Either Fire Dispatch or the Administration of the Denver Fire Department shall notify the Chaplain by phone, text, or group page of the following incidents:
  - 1) Death, significant injury, hospitalization, or serious illness of a firefighter or family member; whether on- or off-duty.
  - 2) A working fire of "second alarm" or greater.
  - 3) Any incident requiring prolonged scene exposure (rescues, etc.)
  - 4) Incidents involving abnormal exposure: graphic trauma, mass casualties, death or serious injury to a child, civilian fire fatalities or any symptom of abnormal impact on first responders.
  - 5) Any time the Critical Incident Stress Team (CISM Team) is contacted.

**CHAPLAIN DUTIES:**

- If requested, visit hospitalized Department members and members of their families.
- Participate in recruit training as requested by the Fire Chief.
- Be available for counseling members in times of stress or difficulty.
- Attend Fire Department functions.
- Conduct funeral/memorial services as needed and requested.
- Acquire requisite training and be a member of the Critical Incident Stress debriefing team.
- Share availability with other chaplains for "on-call" chaplaincy needs.
- Assist, as available, with public events or public information needs.
- Perform rituals within parameters of the Chaplain's faith tradition and refer to other clergy when appropriate (marriage ceremonies, funerals, baptisms, etc.).
- Provide or outsource training and counseling as qualified and available, such as: marriage and family counseling, relationship training, resiliency, stress management, CISM training, religious classes (upon request only), life coaching or other training as requested by members or family. Chaplains serve to support members in the member's spiritual or religious tradition (or no faith tradition). Chaplains must never proselytize or guide members to any religion or spirituality without an invitation by the member to engage in such conversations.

DENVER FIRE DEPARTMENT

DIRECTIVE

**Topic: GuidanceResources® Employee Assistance Program (EAP)**

<b>Topic No:</b>	<b>1063.01</b>
<b>Date:</b>	<b>11-09-17</b>
<b>Approved:</b>	<b>TAB</b>
<b>Review Date:</b>	<b>11-09-19</b>
<b>Replaces:</b>	<b>Old Dept. Dir. 108.07 Office of Employee Assistance (OEA) dated 12-08-99</b>

**PURPOSE:** A resource provided by the City and County of Denver to assist employees going through difficult situations.

**SCOPE:** Applies to all members of the Denver Fire Department, including C.S.A. employees

The GuidanceResources® Employee Assistance Program, or EAP, is an information, counseling, and referral service. This is a benefit available to all employees of the City and County of Denver, their immediate families, and retirees, at no cost to the employee. The primary mission of the Employee Assistance Program is to help those in need secure help available from our community's resources. They are a 24-hour a day, seven days a week program. You can contact them at **877.327.3854** or online at **GuidanceResources.com** by registering with the **Web ID: DENVEREAP**.

The EAP is a confidential service; nothing ever ends up in a personnel file. Human Resources receives only statistical reports on the type and number of Employee Assistance calls. No names or details about who is helped or the nature of problems are discussed with management, unless the employee feels such discussions are in their best interest and authorizes such discussions in writing. The only procedure to follow is that the employee must call before EAP can help.

The EAP is staffed by trained, professional staff with extensive experience in their field. They are familiar and skilled in getting to the problem and the particular assistance needed. There are no "canned" solutions to offer; each situation is as diverse and unique as the people we serve. Whether the problem is work related, personal, financial, or legal, the advice is distinctive to each person's situation.

DENVER FIRE DEPARTMENT  
DEPARTMENT DIRECTIVE

<b>Topic No:</b>	<b>1065.00</b>
<b>Date:</b>	<b>06-30-2022</b>
<b>Approved:</b>	<i>KV</i>
<b>Review Date:</b>	<b>06-30-2025</b>
<b>Replaces:</b>	<b>Same, dated 08-17-17</b>

**Topic:** Family Medical Leave Policy

**PURPOSE:** The Family Medical Leave Act of 1993 provides eligible employees up to 12 weeks of unpaid job-protected leave every 12 months for their own medical condition, to care for a newborn; an adopted child or foster care child; or for a spouse, child or parent with a serious health condition.

**SCOPE:** Applies to all uniformed and non-uniformed members within the Denver Fire Department.

**FAMILY MEDICAL LEAVE SHALL BE AVAILABLE FOR:**

- For the birth of a son or daughter, and to bond with the newborn child within one year of birth;
- For the placement with the employee of a child for adoption or foster care and to bond with that child within one year of placement;
- To care for an immediate family member, spouse, child, or parent (not a parent “in law”) with a serious health condition;
- To take medical leave when the employee is unable to work because of a serious health condition, or unable to perform the essential functions of their job;
- For qualifying exigencies arising out of the fact that the employee’s spouse, son, daughter, or parent is a covered active duty or call to covered active duty status as a member of the National Guard, Reserves, or Regular Armed Forces.

The FMLA also allows eligible employees to take up to 26 weeks of unpaid leave during a “single 12-month period” to care for a covered service member with a serious injury or illness

**SERIOUS HEALTH CONDITION**

Conditions requiring an overnight stay in a hospital or other medical care facility; conditions that incapacitate you or a family member, (for example, unable to work or attend school) for more than three consecutive days, and have ongoing medical treatment (either multiple appointments with a health care provider, or a single appointment and follow up care such as prescription medication); or chronic conditions that cause occasional periods when you or your family member are incapacitated and require treatment by a health care provider at least twice a year; and pregnancy (including prenatal medical appointments, incapacity due to morning sickness, and medically required bed rest).

DENVER FIRE DEPARTMENT  
DEPARTMENT DIRECTIVE

<b>Topic No:</b>	<b>1065.00</b>
<b>Date:</b>	<b>06-30-2022</b>
<b>Approved:</b>	<b><i>KV</i></b>
<b>Review Date:</b>	<b>06-30-2025</b>
<b>Replaces:</b>	<b>Same, dated 08-17-17</b>

**Topic: Family Medical Leave Policy**

This Policy would not change any current sick, maternity, or parental leave that is already in place, except when the Family and Medical Leave Act is more generous. If this Policy conflicts with Federal or State law, the Federal or State law is controlling.

**ELIGIBILITY**

Any employee who has been employed for at least 12 months and has worked at least 1250 hours in the 12-month period preceding the beginning of the leave shall be eligible to use family and medical leave.

For more information: <https://www.dol.gov/whd/fmla/fmla-faqs.htm>

**Contact the Safety HR Leave Team for additional information:  
Safety HR Leave Team – 720.913.6764**

DENVER FIRE DEPARTMENT

DIRECTIVE

<b>Topic No:</b>	<b>1066.00</b>
<b>Date:</b>	<b>01-24-2022</b>
<b>Approved:</b>	<i>JAV</i>
<b>Review Date:</b>	<b>01-24-2024</b>
<b>Replaces:</b>	<b>Same, dated 08-17-17</b>

**Topic:**     **Securing Personnel Records**

**PURPOSE:**    To ensure that personnel records are properly secured.

**SCOPE:**       Applies to all Denver Fire Department Personnel

Personnel records must be safeguarded against unauthorized access. Official personnel records are not authorized to be maintained in DFD firehouses. All hardcopy/paper **official** personnel records located at work assignments other than DFD firehouses, as well as any hardcopy/paper **non-official** (supervisor-maintained) personnel records shall be kept in a secure location, such as a locked cabinet and/or locked office. Electronic personnel records should be maintained in limited access folders, on secured network drives only. Computer users accessing such personnel records should ensure that their computer access is appropriately password protected and that they either lock their computer stations when they are away from the computer and/or that they completely log off the computer. In all cases, such personnel records should only be available to authorized persons as identified by the Chief or designee.

DENVER FIRE DEPARTMENT

DIRECTIVE

Topic No:	1067.00
Date:	06-24-2021
Approved:	JAV
Review Date:	06-24-2023
Replaces:	Same, dated 08-17-17

Topic: Contents of Member Lockers/Workspaces

**PURPOSE:** To establish a procedure for removing the contents of assigned lockers and/or workspaces of those members unable or not allowed to remove the contents themselves.

**SCOPE:** Applies to all Denver Fire Department Personnel

If, due to death, injury, disciplinary action, or other reason, a department member is unable to empty the contents of their assigned locker, or other personal workspace, the Administration Division will coordinate the process of recovery and removal of all items. The following procedures shall be adhered to:

- Supervising officers shall ensure that **only** those personnel authorized by the Administration Division may open, inspect, or remove **any** of the locker, desk, or personal workspace contents. Other co-workers or crew members are **not** authorized to do so.
- An Internal Affairs officer will coordinate with a Fire Investigations officer to conduct locker inventories. If unavailable to conduct the inventory, Fire Investigations officers will coordinate and direct fire investigators to conduct the inventory.
- Depending on the circumstances, every effort will be made to complete the inventory within 72 hours.
- Officers conducting the inventory will produce a video recording of the process, to include opening the locker/space and conducting an inventory of contents. Internal Affairs will retain a copy of the recording.
- The contents will then be removed to another location, where the personal property will be properly secured for transfer to the member or designee.
- Department issued equipment, designated as Denver Fire Department property will be documented and returned to the warehouse.
- At the time a member or designee picks up their personal property, they will be required to sign a Release of Personal Property form provided by Internal Affairs.

DENVER FIRE DEPARTMENT

DIRECTIVE

<b>Topic No:</b>	<b>1068.00</b>
<b>Date:</b>	<b>01-24-2022</b>
<b>Approved:</b>	<i>JAV</i>
<b>Review Date:</b>	<b>01-24-2024</b>
<b>Replaces:</b>	<b>Same, dated 08-18-17</b>

**Topic: Department Rank Structure**

**PURPOSE:** To identify the Rank Structure and Chain of Command of the DFD.

**SCOPE:** Applies to all uniformed members of the DFD

**CHIEF OF THE DEPARTMENT** – The Appointed Agency Head of the Fire Department. They shall have overall command responsibility of the Department.

**DEPUTY CHIEF OF THE DEPARTMENT** – The Executive Agency Head, next in rank below Chief of the Department. Responsible for the day-to-day operations of the Department, acting as Chief of the Department when the Chief is unavailable.

**DIVISION CHIEF** – The Director of Management. Next in rank below Deputy Chief. Division Chiefs are appointed by the Chief of the Department.

- **Division 1 – Operations:** Directs the management of all suppression activities
- **Division 2 – Fire Prevention:** Directs the management of Fire Prevention and Hazardous Material Compliance
- **Division 3 – Technical Services:** Directs the management of the Repair Shop Facilities, Line Shop, Warehouse, and Fire Communications/Dispatch operations
- **Division 4 – Administration:** Directs the management of Human Resources, Fire Investigations, Internal Affairs, Payroll, Recruiting, and PIO
- **Division 5 – Safety and Training:** Directs entry level training, in-service training, Officer and Engineer promotional development, and R&D activities
- **Division 6 – Airport (DEN):** Directs the management of all aircraft and structural firefighting and training activities at Denver International Airport (DEN)

**SHIFT COMMANDER** – The Manager of Supervision, next in rank below Division Chief. Shift Commanders are appointed by the Chief of the Department. Responsible for management of the Operations Division for emergency response, staffing, and coordination of operational activities. Perform as the Primary Operations Safety Officer and ensure continuity of operations across the Division.

**ASSISTANT CHIEF** – Second level Supervisor, next in rank below Shift Commander. When assigned to suppression, Assistant Chiefs direct rescue and firefighting activities at the command level and manage their fire District on their shift. When assigned to support functions, they act as senior managers within their division.



DENVER FIRE DEPARTMENT

DIRECTIVE

<b>Topic No:</b>	<b>1068.00</b>
<b>Date:</b>	<b>01-24-2022</b>
<b>Approved:</b>	<i>JAV</i>
<b>Review Date:</b>	<b>01-24-2024</b>
<b>Replaces:</b>	<b>Same, dated 08-18-17</b>

**Topic: Department Rank Structure**

**CAPTAIN** – First level Supervisor, next in rank below Assistant Chief. When assigned to suppression, Captains direct the activities of their company on their shift, may act as Assistant Chief in the absence of the assigned Assistant Chief, manage or share management of their assigned station, and perform the duties of emergency scene command as appropriate. When assigned to support functions, they perform as senior staff members, responsible for managing their units’ activities as assigned.

**LIEUTENANT** – Supervisor, next in rank below Captain. When assigned to suppression, Lieutenants direct the activities of their company on their shift and perform the duties of emergency scene command as appropriate. When assigned to support functions, Lieutenants serve as line officers who direct and/or complete tasks within the scope of their responsibility.

**ENGINEER** – Next in rank below Lieutenant, a non-supervisory position subordinate to a company officer. Engineers are responsible for the operation and assigned routine maintenance of the apparatus to which they are assigned. Engineers also perform firefighting duties as directed by their company officer.

**TECHNICIAN** – Next in rank below Engineer. A position in either suppression or support service designated by the Chief of the Department. Prior to being appointed, Technicians must show that they possess special skills, technical expertise, and/or training beyond that attained by other Firefighters.

**FIREFIGHTER** – Next in rank below Engineer. When assigned to suppression, firefighters are subordinate to their company officer and perform as team members that mitigate emergency situations as directed. When assigned to support functions, firefighters perform their duties as directed by the officers to which they are assigned.

**EMERGENCY MEDICAL TECHNICIAN (EMT)** – Next in rank below firefighter. EMT is a position in suppression that is subordinate to a company officer in a firehouse and reports to the Operations / EMS Assistant Chief. When assigned as an EMT, members will work as a team to mitigate emergency medical situations as directed. EMTs will not perform firefighting functions.

**MASTER MECHANIC** – The Manager of Supervision, next in rank below the Division Chief. Responsible for management of the Technical Service Division, Apparatus and Equipment Repair Shop. Performs a wide variety of functions surrounding fleet and equipment management including staffing, budgeting, annual planning, specifying, and procurement. Ensures continuity of operations between Divisions within the Department. Works as liaison with other City fleets and various agencies dealing with Citywide issues and programs.

DENVER FIRE DEPARTMENT

DIRECTIVE

<b>Topic No:</b>	<b>1068.00</b>
<b>Date:</b>	<b>01-24-2022</b>
<b>Approved:</b>	<i>JAV</i>
<b>Review Date:</b>	<b>01-24-2024</b>
<b>Replaces:</b>	<b>Same, dated 08-18-17</b>

**Topic: Department Rank Structure**

**ASSISTANT MASTER MECHANIC** – Second level Supervisor, next in rank below the Master Mechanic. Direct Supervisor over all personnel within the Mechanic rank. Responsible for all day-to-day operations within the Repair Shop. Performs scheduling and oversight of all repairs both scheduled (preventative) and non-scheduled (daily breakage, road calls, accidents, special projects). Also works with Master Mechanic as liaison with other City fleets and various agencies dealing with Citywide issues and programs.

**MECHANIC** – Next in rank below the Assistant Master Mechanic. Responsible for all repairs and maintenance to equipment and apparatus within the Department as assigned by the Assistant or Master Mechanic. With their skill level are also expected to function autonomously to effect unassigned repairs as needed.

**SUPERINTENDENT OF FIRE ALARM** – The Manager of Supervision, the Superintendent of Fire Alarm reports directly to the Technical Services Division Chief and supervises Fire Systems Technical Specialists that ensures technical equipment used by the Department is functional and reliable. Such equipment includes communication equipment used by Dispatch and response crews, electrical systems within fire stations, fireboxes, in-vehicle computers, IT applications, and the Department's Aerial Support Team.

**ASSISTANT SUPERINTENDENT OF FIRE ALARM** – Second Level Supervisor, the Assistant Superintendent of Fire Alarm assists the Superintendent of Fire Alarm by supervising a portion of the Fire Systems Technical Specialists assigned to his location and acts as the Superintendent of Fire Alarm in their absence.

**FIRE SYSTEMS TECHNICAL SPECIALIST** – Next rank below the Assistant Superintendent of Fire Alarm. Fire Systems Technical Specialist are assigned to install, maintain fire radio, alarm an electrical equipment used in support of dispatching and responding to calls. These functions may also include siren, IT, and drone functions performed by the Lineshop.

DENVER FIRE DEPARTMENT

DIRECTIVE

Topic No:	1069.00
Date:	01-24-2022
Approved:	JAV
Review Date:	01-24-2024
Replaces:	Same, dated 08-18-17

Topic: Contract Grievance Procedure

**PURPOSE:** To inform all uniformed members of the correct contract grievance procedure.

**SCOPE:** All uniformed members of the DFD

**GRIEVANCE PROCEDURES**

All grievances must be settled in accordance with the spirit and intent of the current Collective Bargaining Agreement/Contract between Denver Firefighters – Local 858 and the City and County of Denver. The following procedures will be adhered to in the processing of all *contract* grievances in the Denver Fire Department:

1. Immediately upon a grievance being filed with a Division Chief, a copy of the grievance **must** be forwarded to the Administration Division Chief.
2. The grievance shall be handled in accordance with Article XV, Section 3, Steps 1 & 2 of the current bargaining agreement between Denver Firefighters Local 858, IAFF, AFL-CIO and the City & County of Denver.
3. In the event that a grievance reaches Step 2, the following members of the City’s negotiating team shall be notified:
  - a. Mayor of Denver  
1437 Bannock Street, Rm 350  
Denver, CO 80202
  - b. Chief of Fire Department  
745 West Colfax Avenue  
Denver, CO 80204
  - c. Safety HR  
1331 Cherokee  
Denver, CO 80202
  - d. Staff Director, Denver City Council  
1437 Bannock, Rm 451  
Denver, CO 80202
  - e. Executive Director of Safety  
1331 Cherokee Street, Rm 302  
Denver, CO 80204
  - f. Denver Chief Finance Officer  
201 West Colfax Avenue, Dept 1010  
Denver, CO 80202
  - g. Employee Relations, Career Service Authority  
201 West Colfax Avenue  
Denver, CO 80202
  - h. City Attorney  
201 West Colfax Avenue, Dept 1207  
Denver, CO 80202

**REFERENCES:** DENVER FIREFIGHTERS COLLECTIVE BARGAINING AGREEMENT - LOCAL 858 and CITY & COUNTY OF DENVER

DENVER FIRE DEPARTMENT

DEPARTMENT DIRECTIVE

Topic: Confidentiality Guidelines for Department of Safety Peer Support Program

Topic No:	1071.00
Date:	08-18-17
Approved:	TAB
Review Date:	08-18-19
Replaces:	Old Dept. Dir. 108.01, dated 11-24-04

**PURPOSE:** To establish the guidelines for confidentiality pertaining to the Peer Support Team when dealing with peer contacts of any kind.

**SCOPE:** This includes the Peer Support Team, Department Psychologist, and any member that makes a contact with the Peer Support Team.

**DEFINITIONS:**

Peer Contact: This is a subjective term based on the judgement of the Peer Supporter. Whenever a Peer Supporter is contacted (verbal, electronic, phone, referral, etc.) or finds it necessary to contact a member in the capacity of a “Peer Supporter” (not a normal social interaction). Peer Support “contacts” are kept track of by the Peer Supporter only submitting the 1) time and date, and 2) reason for contact into a Google Doc database that is maintained by one of the members of the Peer Support Team designated by the Director of the Peer Support Team.

The Denver Fire Department Peer Support Team is comprised of active and retired members that have attended and completed the Peer Support Academy (see the CISM/Peer Support Directive 1052.00 for detailed information) and act on a “volunteer” basis as Department of Safety Peer Supporters.

The mission of the Peer Support Team is to provide support to our members and family members, which may include, but is not limited to: resources for counseling, relationship issues, drug and alcohol rehabilitation, and psychological, mental, and emotional support.

The Department of Safety personnel acting within the Peer Support Program shall keep all peer contact communications made to them confidential, except when the communication involves any of the following circumstances:

1. Child abuse or neglect, or elder abuse or neglect
2. A risk of physical harm to the member who made the communication (e.g. suicide), or a risk of physical harm to another
3. Criminal activity or activity that goes against the Code of Conduct of the Denver Fire Department
4. On-the-job activity that presents a safety risk to Department personnel or the public
5. When the Peer Supporter is an officer, and keeping the communication confidential conflicts with the duties and responsibilities of an officer.

If any of the above circumstances exist, the Peer Supporter is obligated and shall report the information to the Department Psychologist, Director of the Peer Support Team, and to the appropriate authorities, which may include, depending on the nature of the information, the member’s chain of command, the Administration Division/Internal Affairs, a potential

**DENVER FIRE DEPARTMENT**

**DEPARTMENT DIRECTIVE**

**Topic: Confidentiality Guidelines for Department of Safety Peer Support Program**

<b>Topic No:</b>	<b>1071.00</b>
<b>Date:</b>	<b>08-18-17</b>
<b>Approved:</b>	<b><i>TAB</i></b>
<b>Review Date:</b>	<b>08-18-19</b>
<b>Replaces:</b>	<b>Old Dept. Dir. 108.01, dated 11-24-04</b>

victim, a social services agency, a law enforcement agency, or, if subpoenaed, to a court of law.

**REFERENCES:**

Department Directive 1052.00 CISM/Peer Support Team

DENVER FIRE DEPARTMENT

DIRECTIVE

<b>Topic No:</b>	<b>1072.00</b>
<b>Date:</b>	<b>01-24-2022</b>
<b>Approved:</b>	<b>JAV</b>
<b>Review Date:</b>	<b>01-24-2024</b>
<b>Replaces:</b>	<b>Same, dated 09-01-17</b>

**Topic: Physical Fitness**

**PURPOSE:** To provide DFD members with the opportunity to maintain a high level of physical fitness, which enhances the Department's total wellness program.

**SCOPE:** Applies to all members of the Denver Fire Department

**Physical Fitness Activity:**

In conjunction with the Department's Wellness Program, all suppression members shall make every effort to participate in one hour of physical fitness during their work shift. Suppression Firefighters may utilize public parks, recreation centers, fitness centers within their first-in district, but shall remain in service at all times. Non-suppression members are encouraged to participate in one hour of physical fitness activity three times per week. All fitness activities shall be approved and coordinated by Assistant Chiefs and/or Division Chiefs. Members commencing new fitness activity should consult their physician prior to beginning any such activity.

When utilizing public facilities, activities shall be limited to walking, jogging, running, weightlifting, and/or calisthenics-type activities. Racquet sports, team sports, or any activity that necessitates the use of special equipment (weight equipment excepted) is unacceptable. If a member is unfamiliar with the proper use of weight equipment, they shall seek advice from representatives at the facility prior to utilizing same.

**Utilization of Fitness Centers:**

Denver Fire members are authorized to utilize fitness centers on-duty (i.e., 24-Hour Fitness, Vasa, etc.) for fitness activity. Members must follow the following guidelines.

1. Must be inside the City and County of Denver
2. Members must have their own membership, **no membership fees to the City**
3. Must be inside their 1<sup>st</sup> due area
4. Abide by the policies set forth in this Directive and the facility

**Utilization of City Recreation Centers:**

The Denver Fire Department has entered into a partnership with the Denver Parks and Recreation Department whereby all on-duty Firefighters will have the opportunity to utilize the City's fitness facilities for one hour per work shift. The Department pays an annual fee for the privilege of providing this one-hour visit to members free of charge. It is imperative that all members follow the established guidelines which have been established by the Parks and Recreation Department.

DENVER FIRE DEPARTMENT

DIRECTIVE

<b>Topic No:</b>	<b>1072.00</b>
<b>Date:</b>	<b>01-24-2022</b>
<b>Approved:</b>	<b>JAV</b>
<b>Review Date:</b>	<b>01-24-2024</b>
<b>Replaces:</b>	<b>Same, dated 09-01-17</b>

**Topic: Physical Fitness**

Fire stations are no longer required to keep a recreation card. Members shall enter the nearest recreation center and the staff will issue a card for the duration of the visit. This administration fully supports any and all physical fitness activities that are deemed appropriate and beneficial to our Department. This Directive is not intended to deter additional Firefighter activities in and around the firehouse; it is merely an addendum to current programs.

**Denver Parks and Recreation Policy for Special User Membership Cards:**

**Purpose:** To provide guidelines for Special User Membership Cards

**Policy:** The Department of Denver Parks and Recreation has created a Special User Membership Card which will allow other City agencies and non-profit organizations access to any of the 30 recreation facilities, in their efforts to make Denver a better place to live and work.

**Guidelines:**

1. All City Recreation centers will grant access to on-duty Denver Fire Personnel in which they will issue a temporary access card. Fire stations are no longer issued recreation center cards.
2. City agencies and non-profit organizations are the only authorized users of the Special User Membership Card. **No exceptions.**
3. Valuables may not be checked at the counter (i.e., wallets, money, watches, keys, etc.) The recreation center is not responsible for stolen items.
4. Special User Membership Cards provide access to the fitness center and weight rooms **only**. ***Special User Membership Card holders*** who wish to use the swimming pool (lap swim), gymnasium for drop-in basketball, or a class (i.e., fitness class) will be charged the appropriate fees.

**Fitness Center Rules:**

1. Please wear proper gym attire and gym shoes – no cleat shoes, bare or stocking feet.
2. Please do not bring any food in the fitness room.
3. No smoking, alcoholic beverages, or illegal drugs.
4. Return weights as well as fitness machines back to their original condition.
5. Use weight equipment at your own risk.\*

\* Members unfamiliar with the proper use of weight equipment shall seek assistance from recreation facility staff.

DENVER FIRE DEPARTMENT

DEPARTMENT DIRECTIVE

Topic: Administrative Leave

Topic No:	1075.00
Date:	09-01-17
Approved:	TAB
Review Date:	09-01-19
Replaces:	Old Dept. Dir. 112.01, dated 03-10-99

**PURPOSE:** To ensure a fair and equitable way for the Department to allow members to attend certain approved events and functions

**SCOPE:** Applies to all members of the Denver Fire Department

Administrative Leave will be granted by the Chief of Department or his/her designee, for the following purposes:

- Required Military Leave
- Union business, as approved by the Collective Bargaining Agreement
- Department-approved training courses
- Funeral Leave
- Jury Duty
- Required Court appearances
- Additional events approved by the Chief of the Department or his/her designee

All requests involving Administrative Leave shall go through their respective Division Chiefs.



**DENVER FIRE DEPARTMENT**

**DEPARTMENT DIRECTIVE**

**Topic:    Loaning Out Department Tools and  
          Equipment**

<b>Topic No:</b>	<b>1076.00</b>
<b>Date:</b>	<b>01-24-2022</b>
<b>Approved:</b>	<i>JAV</i>
<b>Review Date:</b>	<b>01-24-2024</b>
<b>Replaces:</b>	<b>Same, dated 09-01-17</b>

**PURPOSE:** To help ensure fiscal accountability for equipment that has been purchased while providing equipment to citizens who may need it during or shortly after an emergency.

**SCOPE:** Applies to all members of the Denver Fire Department when loaning out equipment after an incident.

Department tools and equipment cannot be loaned out or left at the scene of an incident without the authorization of the Incident Commander and/or the Company Officer. Company Officers are responsible for retrieving that equipment as soon as possible after loaning out any equipment and will be held responsible for tools and equipment which is lost or damaged. Any damage or loss will need to be documented in the form of an internal correspondence to the Fire Chief through the chain of command.

DENVER FIRE DEPARTMENT

DEPARTMENT DIRECTIVE

Topic: Theft and Vandalism to Fire Department Property

Topic No:	1077.00
Date:	09-01-17
Approved:	TAB
Review Date:	09-01-19
Replaces:	Old Dept. Dir. 113.03, dated 03-10-99

**PURPOSE:** To help ensure fiscal accountability for equipment that has been purchased while providing adequate accountability for loss of Fire Department property.

**SCOPE:** Applies to all members of the Denver Fire Department.

Any time a theft, presumed theft, or vandalism of Fire Department property occurs, it shall be the duty of the officer in charge of said property to notify:

1. The Denver Police Department
2. The Fire Investigation Bureau
3. The District Chief

It is imperative that the theft or vandalism be reported as soon as possible. Due to the costs being incurred from the loss and destruction of Fire Department equipment and supplies, the following policies are effective immediately:

**Accountability**

1. Company Captains will be held responsible for their apparatus and apparatus inventory.
2. House Captains will be held responsible for their station and station inventory.
3. Each member will be held responsible for their personal protective equipment and clothing.

Company Captains shall institute policies for members to follow in inventorying and caring for all equipment. Some items to consider are as follows:

1. A daily inventory conducted by the entire crew with responsibility assigned to each member for certain tools and equipment and initialed by the on-duty Officer for accountability.
2. All Officers will be held responsible for stopping apparatus immediately, including during emergency responses, to retrieve lost equipment.
3. Any members found **negligent** in the loss or destruction of Department equipment will be held responsible for that loss, and may be subject to discipline.

All lost, stolen, or abused Fire Department property must be documented in the form of an internal correspondence to the Fire Chief through the chain of command explaining the actions they have taken.

DENVER FIRE DEPARTMENT

DIRECTIVE

Topic No:	1082.00
Date:	01-26-2021
Approved:	JAV
Review Date:	01-26-2023
Replaces:	Same, dated 12-13-17

Topic: Outside Employment or Business Activity

**PURPOSE:** To outline the responsibility of all members to avoid potential conflicts of interest regarding employment or business activity away from the Denver Fire Department

**SCOPE:** Applies to all Denver Fire Department personnel

*The Denver Code of Ethics (March 6, 2017, as amended) addresses outside employment or business activity in Sections 2-61(g) and 2-63. All DFD members who engage in outside employment or business activity shall read and understand the provisions of these Sections, which are outlined on the Report of Outside Employment or Business Activity and Request Form to be submitted.*

**PROCEDURES FOR EMPLOYEES:**

1. All employees desiring to engage in outside employment or outside business activity must complete and submit a Report of Outside Employment or Business Activity and Request for Approval form for the current year, through chain of command (outlined on the form), to the Deputy Chief of Department **prior to** engaging in the activity. The Deputy Chief will review the request and give final approval.
2. A new request form shall be filed by the end of January in each year in which the employee works or intends to work, or when the nature of the outside work changes.
3. A request form shall be submitted at any time during the year when the employee desires to engage in an activity for which a request has not been previously made.
4. Requests will be reviewed by the Deputy Chief and emailed to the employee with approval or disapproval. Copies of the form will be scanned to the employee's electronic personnel file.

**CRITERIA FOR EVALUATING OFF DUTY EMPLOYMENT OR BUSINESS:**

- Any activities directly or indirectly connected with any off-duty work shall not interfere with Fire Department duties or responsibilities.
- Work hours of the off-duty employment or activity shall not interfere with the employee's Fire Department work schedule and shall not compromise the employee's performance.
- Off-duty business or employment shall not result in a conflict of interest as defined by the *Denver Code of Ethics*, Sections 2-61(g) and 2-63.

**DENVER FIRE DEPARTMENT**

**DIRECTIVE**

<b>Topic No:</b>	<b>1082.00</b>
<b>Date:</b>	<b>01-26-2021</b>
<b>Approved:</b>	<i>JAV</i>
<b>Review Date:</b>	<b>01-26-2023</b>
<b>Replaces:</b>	<b>Same, dated 12-13-17</b>

**Topic: Outside Employment or Business Activity**

- Off-duty business or employment shall not constitute a threat to the status or integrity of the Denver Fire Department, including employment dealing with adult entertainment, pornography, or gambling not exempted by law.

DENVER FIRE DEPARTMENT

DIRECTIVE

Topic No:	1089.00
Date:	12-10-2020
Approved:	DGF
Review Date:	12-10-2022
Replaces:	NEW

Topic: Department of Public Safety  
Fraternization Policy

**PURPOSE:** The City and County of Denver strongly believes that a work environment where employees maintain clear boundaries between employee personal and business interactions is necessary for effective business operations. Although this policy does not prevent the development of friendships or romantic relationships between co-workers, it does establish boundaries as to how relationships are conducted during working hours and within the working environment.

**SCOPE:** Per the City and County of Denver Code of Ethics, individuals in supervisory or managerial roles and those with authority over others' terms and conditions of employment are subject to more stringent requirements due to their status as role models, their access to sensitive information, and their ability to affect the employment of individuals in subordinate positions.

This policy does not preclude or interfere with the rights of employees protected by any applicable statute concerning the employment relationship.

Procedures

1. During working time and in working areas, employees are expected to conduct themselves in an appropriate workplace manner that does not interfere with others or with overall productivity.
2. During nonworking time, such as lunches, breaks, and before and after work periods, employees engaging in personal exchanges in nonwork areas should observe an appropriate workplace manner to avoid offending other workers or putting others in an uncomfortable position.
3. Employees are strictly prohibited from engaging in physical contact that would in any way be deemed inappropriate in the workplace by a reasonable person while anywhere on city premises, whether during working hours or not.
4. Employees who allow personal relationships with co-workers to adversely affect the work environment may be subject to The City and County of Denver's disciplinary policy. Failure to change behavior and maintain expected work responsibilities may be viewed as a serious disciplinary matter.
5. Employee off-duty conduct is generally regarded as private, as long as such conduct does not create problems within the workplace. An exception to this principle, however, is romantic or sexual relationships between supervisors and subordinates are prohibited.

DENVER FIRE DEPARTMENT

DIRECTIVE

Topic No:	1089.00
Date:	12-10-2020
Approved:	DGF
Review Date:	12-10-2022
Replaces:	NEW

Topic: Department of Public Safety  
Fraternization Policy

6. Any supervisor, manager, executive or other city official in a sensitive or influential position with The City and County of Denver must disclose the existence of a romantic or sexual relationship with another co-worker. Disclosure may be made to the individual's immediate supervisor or Human Resources. The City and County of Denver leadership will review the circumstances to determine whether any conflict of interest exists. If an employee is unsure if/he is in a position requiring disclosure of such a relationship, the employee should contact Human Resources.
7. When a conflict-of-interest or potential risk is identified due to a city official's relationship with a co-worker, The City and County of Denver will work with the parties involved to consider options for resolving the problem. The initial solution may be to make sure the parties no longer work together on matters where one is able to influence the other or take action for the other. Matters such as hiring, firing, promotions, performance management, compensation decisions and financial transactions are examples of situations that may require reallocation of duties to avoid any actual or perceived reward or disadvantage. In some cases, other measures may be necessary, such as transfer of one or both parties to other positions or departments.
8. Failure to cooperate with The City and County of Denver to resolve a conflict or problem caused by a romantic or sexual relationship between co-workers or among managers, supervisors or others in positions of authority in a mutually agreeable fashion may be deemed insubordination and result in disciplinary action up to and including termination.
9. The provisions of this policy apply regardless of the sexual orientation of the parties involved.
10. Where doubts exist as to the specific meaning of the terms used above, employees should make judgments based on the overall spirit and intent of this policy.
11. Any concerns about the administration of this policy should be addressed to the Director of HR and/or the CAO.

DENVER FIRE DEPARTMENT

DIRECTIVE

<b>Topic No:</b>	<b>1089.00</b>
<b>Date:</b>	<b>12-10-2020</b>
<b>Approved:</b>	<b>DGF</b>
<b>Review Date:</b>	<b>12-10-2022</b>
<b>Replaces:</b>	<b>NEW</b>

**Topic: Department of Public Safety  
Fraternization Policy**

CONSENSUAL RELATIONSHIP AGREEMENT

[Employee A Name], employed by The City and County of Denver as a Uob title], and [Employee B Name], employed by The City and County of Denver as a Uob title], hereby notify The City and County of Denver that we have entered into a voluntary and mutual consensual social relationship.

In entering into this relationship, we both understand and agree to the following:

- Our personal relationship is voluntary and consensual.
- We are both free to end the relationship at anytime.
- If the social relationship should end, we both agree that we shall not allow the end of this relationship to negatively impact our job performance.
- We will act professionally in the workplace without public display of affection.
- We have received and reviewed The City and County of Denver]'s sexual-harassment policy.
- We acknowledge that the social relationship between us does not violate The City and County of Denver's policies and that entering into the social relationship has not been made a condition or term of employment

Employee A:

Employee B:

\_\_\_\_\_  
Print

\_\_\_\_\_  
Print

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

Department of Public Safety  
1331Cherokee St. #302 | Denver, CO 80204  
www.denvergov.org/safety  
p. 120.913.5020 | f. 720-913-7028

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# Section C

## Denver Fire Department Standard Operating Guidelines



## SOG INDEX FOR OPERATIONS DIVISION (2100s)

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## SOG INDEX FOR OPERATIONS DIVISION (2100s)

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## SOG INDEX FOR OPERATIONS DIVISION (2100s)

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## SOG INDEX FOR OPERATIONS DIVISION (2100s)

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## SOG INDEX FOR OPERATIONS DIVISION (2100s)

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**SOG INDEX FOR OPERATIONS DIVISION (2100s)**

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DENVER FIRE DEPARTMENT

STANDARD OPERATING GUIDELINE

Section: OPERATIONS: RANK  
Topic: Rank Structure

Topic No:	2101.01
Date:	10-19-18
Approved:	CDIII
Review Date:	10-19-20
Replaces:	Same, dated 11-25-16

**PURPOSE:** To define each rank's duties, responsibilities, and chain of command in Operations.

**SCOPE:** Applies to all DFD Operations members.

All ranks shall meet the criteria defined within their applicable job description. All ranks shall be familiar with and abide by the following:

1. Meeting all criteria defined in the Assistant Chief's job description on file at the Civil Service Commission.
2. All Department Directives/Standard Operating Guidelines.
3. All established Department safety standards and policies.
4. All guidelines and standards pertaining to their assignment.
5. Maintain the physical ability to perform the functions related to their assignment.
6. All members except for Assistant Chiefs shall be properly attired, prepared, and on duty at 0730 hours. Assistant Chiefs shall be properly attired, prepared, and on duty at 0645 hours.

**A. DIVISION CHIEF OF OPERATIONS**

Next in rank below Deputy Chief, Division Chiefs are appointed by the Chief of the Department.

Directs the management of all Suppression activities, Technical Rescue disciplines, Hazardous Materials response and mitigation, cost recovery, research and development of equipment, Wild fire program, Office of Emergency Management for Fire, Special Events, EMS, and QA/QI program.

**B. SHIFT COMMANDER**

Next in rank below Division Chief of Operations, Shift Commanders are appointed and are delegated authority by the Chief of Department. Shift Commanders manage the Operations Division on their shift and function as the Incident Safety Officer at incidents. Shift Commanders are responsible for knowing the Operations Division Chief's administrative duties and being able to perform in that position whenever the Operations Division Chief is unavailable.

Shift Commanders are to keep current of the technical and practical applications of firefighting techniques and all phases of fire Suppression. Shift Commanders operate in all areas of wellness and safety to include writing after action and near miss reports on significant responses.



DENVER FIRE DEPARTMENT

STANDARD OPERATING GUIDELINE

**Section:** OPERATIONS: RANK  
**Topic:** Rank Structure

<b>Topic No:</b>	<b>2101.01</b>
<b>Date:</b>	<b>10-19-18</b>
<b>Approved:</b>	<b>CDIII</b>
<b>Review Date:</b>	<b>10-19-20</b>
<b>Replaces:</b>	<b>Same, dated 11-25-16</b>

Shift Commanders are responsible for administering the daily staffing conference, temporarily re-assigning personnel to balance staffing city wide, hiring overtime for Operations, and documenting these activities in TeleStaff.

Shift Commanders will act in the capacity of the Fire Prevention Duty Chief for the Operations Division while on duty.

Shift Commanders shall be assigned one of the following four duties by the Operations Division Chief: Administration Chief, Training Chief, Fire Prevention Chief, and Special Projects Chief.

**Administrative Shift Commander**, in cooperation with other assigned Shift Commanders, is responsible for:

1. Assisting the Division Chief of Operations with the formulation and posting of division policies and administrative procedures.
2. Assist the Operations Division Chief with the approval, denial, and administering transfers and staffing according to the Transfer Policy
3. The effective distribution and placement of personnel throughout the city, in accordance with established Department policies
4. Assisting the Operations Division and the Administration Division in the review, revision, and implementation of protocols and procedures necessary to ensure fair and effective personnel practices
5. Monitoring the condition of Department facilities within Operations and assisting Assistant Chiefs in securing necessary maintenance and repair of firehouses, equipment, and apparatus
6. Monitoring community relations programs in the city. This includes using Salesforce to gather information on community outreach events.
7. Monitoring safety concerns to ensure all concerns are being addressed by the proper Division.

**Safety and Training Shift Commander** is responsible for:

1. Ensuring that all members comply with the yearly training program as determined by the Division Chiefs of Operations and Safety and Training.
2. Ensuring that all training operations are carried out in a safe manner, adhering to written and prescribed procedures.
3. Ensuring that all companies in the city can demonstrate proficiency in posted company standards. Assisting in the review, revision, and implementation of protocols and procedures necessary to ensure safe fire ground operations.
4. Supervising and administering district programs as developed in coordination with the Safety and Training Division and the District Training Chiefs.

DENVER FIRE DEPARTMENT

STANDARD OPERATING GUIDELINE

Section: OPERATIONS: RANK  
Topic: Rank Structure

Topic No:	2101.01
Date:	10-19-18
Approved:	CDIII
Review Date:	10-19-20
Replaces:	Same, dated 11-25-16

5. Ensuring that training is carried out within time parameters identified.
6. Acting as a communication link between the Safety and Training Division and the District Training Chiefs.
7. Reviewing company records on a regular basis to verify daily training.
8. Ensuring that all Operations members have completed the Performance Evolutions on an annual basis.
9. Making sure that all members are trained and/or educated on issues relating to “Safety Concerns.”

**Fire Prevention Shift Commander** is responsible for:

1. Acting as a communication link between the Fire Prevention Division and the District Fire Prevention Chiefs.
2. Developing and maintaining a program to identify and pre-plan critical occupancies and target hazards within the City. Supervising the Department fire inspection programs and general inspection practices.
3. Monitoring the City-wide inspection program ensuring timeliness and completeness of assigned inspections.
4. Review and assist with resolution of referrals prior to forwarding them to the Fire Prevention Division (this does not preclude referral of immediate life-threatening violations directly to the Fire Prevention Division by other assigned District Chiefs.)
5. Assessing overcrowding in public assembly occupancies and other Fire Code violations in public assembly occupancies in conjunction with District Chiefs.
6. Fielding questions regarding the inspection program from citizens and members of the Department.
7. Monitoring Inspection Violations on the DFD Web and making sure that the District Chiefs are reviewing and following up with violations.
8. Following up with the Fire Prevention Division on Safety Concerns on the DFD Web relating to fire prevention issues.

**Special Projects Shift Commander** is responsible for:

1. Design and implementation of new technology or programs.
2. Review and revision of Division Standard Operating Guidelines
3. Liaison to the Department of Risk Management
4. Management of projects as directed by the Operations Division Chief
5. Assisting with community outreach and Salesforce software.
6. Monitoring the “Safety Concerns” and assisting with resolving concerns brought up by the members.

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**C. ASSISTANT CHIEF OF OPERATIONS-SUPPRESSION**

Next rank below that of Shift Commander. When assigned to suppression, Assistant Chiefs direct rescue and firefighting activities at the command level and manage their Fire District on their shift. Assistant Chiefs are to keep current of the technical and practical applications of firefighting techniques in all phases of fire suppression. Assistant Chiefs shall be assigned one of the following three duties by the Operations Division Chief: District Administrator, Training Chief, or Fire Prevention Chief. They are responsible for moving personnel as needed within their district to balance staffing or meet district needs by utilizing TeleStaff. They are responsible for receiving notice of leave, ensuring that proper approvals have been made and that the Shift Commander has been notified. When assigned to support functions, they act as senior managers within their Division.

**All Assistant Chiefs of Operations** are responsible for:

1. Assisting in the review, revision, and implementation of protocols and procedures necessary to ensure safe, effective technical operations
2. Maintaining the physical ability to perform the functions related to their assignment.
3. Reviewing and assisting the Shift Commander with resolution of referrals prior to forwarding them to the Fire Prevention Division (this does not preclude referral of immediate life-threatening violations directly to the Fire Prevention Division when necessary).
4. Assessing overcrowding in public assembly occupancies and other Fire Code violations in public assembly occupancies in coordination with the Shift Commander.
5. Monitoring and assisting with community relations programs in their district.

**District Administrators**, in cooperation with other assigned Chiefs, are responsible for:

1. Formulating and posting district policies and administrative procedures after they have been approved by the Administrative Shift Commander and the Division Chief of Operations.
2. Assisting the Administrative Shift Commander in making suggestions on the approval, denial, and administering district transfers and staffing according to the Transfer Policy.
3. The effective distribution and placement of personnel throughout the district, in accordance with established Department policies.
4. Approving and/or disapproving all physical fitness activities in their district.
5. Assisting the Administrative Shift Commander in the review, revision, and implementation of protocols and procedures necessary to ensure fair and effective personnel practices.
6. Monitoring the condition of Department facilities within their district and assisting Captains in securing necessary maintenance and repair.

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7. Approving all house policies, as adopted by the House Captain, and that they are consistent with the all Department and Division Directives and Guidelines.

**District Safety and Training Chiefs** are responsible for:

1. Ensuring that all members comply with the yearly training program as determined by the Division Chiefs of Operations and Safety and Training and as directed by the Safety and Training Shift Commander.
2. Ensuring that all training operations are carried out in a safe manner, adhering to written and prescribed procedures.
3. Ensuring that District level training is conducted as directed by the Division Chief of Operations.
4. Ensuring that all companies in their district are proficient in the posted company standards.
5. Assisting in the review, revision, and implementation of protocols and procedures necessary to ensure safe fire ground operations.
6. Supervising and administering district training programs as developed in coordination with the Safety and Training Shift Commander.
7. Assuring that training is carried out within time parameters identified
8. Designating and supervising the district training program.
9. Acting as a communication link between the Safety and Training Shift Commander and the members of the district.
10. Reviewing company records on a regular basis to verify daily training.

**District Fire Prevention Chiefs** are responsible for:

1. Acting as a communication link between the Fire Prevention Shift Commander and the members of the district.
2. Developing and maintaining a program to identify and pre-plan critical occupancies and target hazards within the district and informing the Fire Prevention Shift Commander as appropriate.
3. Supervising the district fire inspection program and general inspection practices.
4. Monitoring for proper completion of all inspections.
5. Reviewing and assisting with resolution of referrals prior to forwarding them through the Fire Prevention Shift Commander to the Fire Prevention Division (this does not preclude referral of immediate life-threatening violations directly to the Fire Prevention Division when necessary, the District Fire Prevention Shift Commander should still be informed.)
6. Fielding questions regarding the inspection program from citizens and members of the District.

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**D. ASSISTANT CHIEF OF OPERATIONS-ADMINISTRATION**

Reports directly to the Division Chief of Operations. Responsibilities include:

1. Assisting in the review, revision, and implementation of protocols and procedures necessary to ensure safe, effective technical operations.
2. Maintaining the physical ability to perform the functions related to their assignment.
3. Carrying out all duties within the scope of the Operations Division
4. Knowing the technical and practical applications of the latest firefighting techniques and keeping current in all phases of fire suppression.
5. Acting as aide to the Incident Commander or Operations Section Chief when on scene at incidents.
6. Staffing the position of Fire/Rescue Branch Supervisor in the City and County of Denver's Emergency Operation's Center (EOC) as the backup on the EOC Blue Shift. If Operations Assistant Chief is unavailable, this position should be staffed by the Operations/EMS Captain.
7. Acting as the backup to the Department liaison and representative to the Office of Emergency Management.
8. Assigning/scheduling Operations companies to various Department training events.
9. Scheduling outside agencies to present pertinent information to Operations members as needed.
10. Working with other City agencies and outside organizations to meet the needs of the Department and the goals of the Operations Division.
11. Serve on committees and attend meetings as requested by the Division Chief of Operations which may include the Metro Fire Chief's Response Group and the South Area Operations Group.
12. Managing the Public Safety Cadet(s) assigned to Operations.
13. Receiving and addressing all complaints related to Operational concerns. These complaints will be logged in to a Department approved complaint tracking system. District Chiefs may be asked to assist with investigation and discipline throughout the complaint process.
14. Tracking Telestaff documentation of overtime and other related issues.
15. Monitoring and assigning community relations events in the city including using Salesforce to gather information on community outreach events.
16. Adding community outreach events to the Operations Calendar
17. Directly oversees the Captain of Operations/EMS.
18. Serves as backup to the Infection Control Officer.

**E. ASSISTANT CHIEF OF OPERATIONS-SPECIAL OPERATIONS**

Reports directly to the Division Chief of Operations. Responsibilities include:

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1. Responding to all Special Operations Incidents in the City and County of Denver as well as mutual aid incidents region wide. At these incidents, functioning as an integral part of the technical rescue teams and/or assisting the incident commander. Special Operations incidents include, but are not limited to: water rescue, swift water rescue, high angle rescue, confined space rescue, building collapse, trench rescue, hazardous materials incidents, mass decon incidents, mass casualty incidents, machinery extrication, and wildland incidents.
2. Maintaining knowledge and proficiency in all areas of technical rescue.
3. Ensuring that all new members, with the cooperation of the specific technical discipline Captain, are aware of and agree with the stipulation agreements.
4. Coordinating daily with the officers on Specialty Companies and their respective District Chiefs and Shift Commander to ensure that technician staffing levels are maintained at a sufficient level to safely respond on all technical rescue responses each day.
5. Planning, developing, and implementing training for all the personnel assigned to specialty apparatus. Working with the Captains of the specialty companies to ensure that the training needs of their companies are being met.
6. Assisting the Captains of the specialty apparatus with the needs of their companies. This includes but is not limited to: equipment procurement and implementation of new procedures.
7. Ordering all equipment along with cost tracking for the Special Operation companies.
8. Assisting the Operations Division with the annual review of Standard Operating Guidelines relating to technical rescue responses. Assisting with updating existing SOGs as needed and coordinating the implementation of the new SOGs that pertain to technical rescues.
9. Working with other agencies within the City and County of Denver (Office of Emergency Management, Denver Health and Hospitals, Denver Police Department, etc.) to ensure that the City and County of Denver is prepared for multi-agency technical rescue incidents.
10. Working with other technical rescue teams in the region and multi-regional agencies to ensure that the Denver Fire Department Technical Rescue Teams can work seamlessly throughout the metro region.
11. Overseeing research and development of tools and equipment as it relates to technical rescue. This includes working with vendors, manufacturers, and DFD personnel to test and evaluate existing and new tools and equipment. Also, working with the Purchasing Department of the City and County of Denver to implement, ensure compliance with, and renew tool and equipment bids.
12. At hazardous materials incidents, functioning as the code enforcement and cost recovery specialist. Responsible for working with the Fire Prevention Division after these incidents to ensure code compliance.
13. Responsibilities and determining the opportunities for cost assessment, and billing for cost recovery. Training Operations personnel in cost recovery identification and

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documentation. All hours response or phone inquiries from the Operations Division assisting in the cost recovery determination, documentation at active incidents.

14. Responsible for the management and direction of the Department's Wildland program including the direct oversight of the Department's wildland coordinator.
15. Directly oversees the Special Operations/Events/OEM Captain.

**F. CAPTAIN OF OPERATIONS-SUPPRESSION**

When assigned to suppression, Captains direct the activities of their company on their shift, may act as Assistant Chief in the absence of the assigned Chief, manage or share management of their assigned station, and perform the duties of emergency scene command as appropriate.

House Captains shall maintain the Division's library, including but not limited to the following:

1. Department Directives.
2. Department Standard Operating Guidelines.
3. Denver Metro EMT – Basic Protocols.
4. Probationary Field Training Handbook.
5. National Incident Management System (NIMS).
6. Denver Fire Department Inspection Manual.
7. Denver Fire Department Investigation Manual.
8. Denver Fire Department Driving Manual.
9. IFSTA Manuals.
10. Any materials assigned by the Chief of Department or his/her designee.

Post the following information:

1. House Rules.
2. Current Executive Orders.
3. Civil Service information.
4. Union information.
5. Firefighter Protective Association information.
6. Cleaning and maintenance schedules.
7. Training information.
8. Information on special hazards.
9. Peer Support information.
10. Current Sexual Harassment Policies.
11. Current Discrimination Policies.
12. Employee Rights Under the Fair Labor Standards Act.
13. Any information as assigned by the Department Chief or his/her designee.

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14. Be notified of all activities to take place under their command and may cancel such activities if they are not in the best interest of the Fire Department.
15. Inspect their workplace regularly for cleanliness, needed repairs, and safety, and report needed items to the applicable subdivision to be fixed through the chain of command.
16. Be informed of all activities, modifications, repairs, and additions to their workplace, and shall maintain this information in a log so that all members may be kept informed.
17. Maintain the house fund, either personally or through their designated representative. Captains will ultimately make final budgetary decisions where discrepancies occur in fund allocations.
18. Train regularly to ensure that all members under their command are familiar with all maintenance schedules and procedures.
19. Maintain control over all keys to their assigned buildings to ensure workplace security.
20. Be responsible for monitoring their assigned budget and ordering the monthly supplies.
21. Perform all other duties assigned by supervisors.
22. Maintain and keep secure all personnel records, files, and other confidential information.
23. Ascertain that all members are aware that no confidential information, including addresses, phone numbers, Social Security numbers, etc. are to be released to non-Department personnel.
24. Have full charge of their junior officers and members.

Company Captains shall:

1. Determine company policy which is consistent with Department Directives / Guidelines.
2. Be trained to proficiently perform the duties and responsibilities of a District Chief, and act in that capacity when temporarily assigned.
3. Directly supervise and control the operation of a single piece of fire apparatus on his/her assigned platoon and be responsible for the operations of their company on other platoons relating to training, inspections, maintenance, etc.
4. Prepare disciplinary paperwork as necessary and present to their District Chief any incompetence, neglect of duty, disobedience, or violation of Department Directives or Guidelines by any member of their company.
  - Preserve order and discipline.
  - Be responsible for enforcing procedures, policies, and directives from supervising officers.
  - Be responsible for processing and handling grievances as set forth in Department Directives and collective bargaining agreements.



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5. Call the roll and inspect all members of their shift promptly at 0730 hours daily. Suppression duty shift shall be from 0730 one calendar date to 0730 the following calendar date.
6. Temporarily transfer company members as directed by their District Chief according to Department Directives.
7. Require safe operation of their apparatus at all times.
8. Take command at fires or other emergencies as outlined in the Incident Management System.
9. Determine the cause of the fire whenever possible. In the event they are unable to determine the cause, or if fire is of suspicious origin, notify the Fire Investigator and take the following steps:
  - Stop overhaul operations, except those necessary to assure the fire is extinguished.
  - Secure the premises from entry by all unauthorized persons, including on scene Firefighters.
  - Avoid touching or disturbing any objects to prevent destruction or alteration of potential evidence.
10. Be responsible for the proper placement and use of all personnel, equipment, and apparatus assigned to them at incidents.
11. In the event of an emergency at the shift change, the Captain of the oncoming platoon shall call the roll and consult the Dispatcher to see if members should go to the emergency scene or remain in quarters. If needed at the emergency, respond and report to the Incident Commander.
12. Upon returning to quarters from fires or other emergency responses:
  - Fill out incident reports as required by the Department within 72 hours of said incident. All incident reports are required to be opened and saved in the ESO software prior to the end of each shift.
  - Report the loss or destruction of any Department equipment entrusted to their care to their Division Chief through the chain of command, stating details and actions to prevent further loss.
  - See that the apparatus and all equipment are ready for future responses.
13. Immediately report to the Fire Dispatcher/Incident Commander any difficulties encountered with fire hydrants.
14. Keep their District Chief informed of all changes that affect the operation of their company.
15. When assigned to a company that performs specialized operations such as HazMat, Decon, and/or other technical rescue operations, they shall be required to develop and maintain the requisite skills, knowledge, and certifications necessary to qualify as a professional rescue technician as outlined in NFPA Standards 472, 1006, and 1670, EPA Guideline 1910.120, and other applicable standards. They shall also be required

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to proficiently direct and perform as a part of a team involved in hazardous material operations or technical rescue operations.

16. Be responsible for company training and the proficient operation of their company.
  - Develop a program of drills and/or classes to be held on a regular basis to maintain proficiency.
  - Ensure completion of assigned training outlined by the Operations Division, Safety and Training Division, Safety and Training Shift Commander, and the District Training Chief.
  - Document all training in the Target Solutions computer program.
17. Be responsible for evaluating all probationary members assigned to them.
  - Determine whether the member's performance meets Department standards.
  - Forward recommendations to their District Chief.
  - Ensure that evaluations are forwarded to the Training Division as required.
18. Under the supervision of their District Fire Prevention Chief, be responsible for coordinating the company fire inspection program.
  - Distribute the assigned inspections equitably among all platoons.
  - Be responsible for all members of their company being trained in inspection procedures as outlined in Department Directives.
19. Be responsible for the accuracy of company records and the submission and distribution of all required documentation.
20. Sign for articles delivered to the station.
21. Be just and dignified in all matters.
  - Greet all visitors to their station in a courteous and dignified manner, determining visitor business and enforcing the visitor rules.
  - Do not permit social gatherings in quarters unless authorized.
  - Prohibit unauthorized persons and unaccompanied children from visiting buildings and premises.
  - Set a good example.
22. Assign duties in an equitable manner to balance the workload among platoons
  - Schedule all daily, weekly, and monthly maintenance of their apparatus and equipment. These schedules should be posted for the use of the company members.
  - Ensure that quarters, grounds, apparatus, and equipment are kept clean and serviceable at all times.
  - Maintain an apparatus repair and maintenance log showing required repairs, repairs made, the Mechanics and/or Linemen who responded, and the date and time repairs were reported and completed.
  - Maintain a current inventory of all equipment assigned to them.
23. Be responsible for the fair and equitable distribution of hold over overtime and acting for their company.

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- Designate members qualified to act as officers and Engineers and maintain a current list of qualified members.
- Maintain a current acting roster showing dates and times worked by company members.

**G. CAPTAIN OF OPERATIONS-EMS**

Next rank below that of Assistant Chief. Reports directly to the Assistant Chief of Operations-Administration.

**Operations Responsibilities:**

1. Functions as the Department's Infection Control Officer.
2. Assist the Operations Assistant Chief with maintaining the Activity Calendar with timely and accurate entries and resolving any conflicts on it.
3. Assist the Operations Assistant Chief with coordination and scheduling of In-Service Training.
4. Stay prepared and informed about and participate in the Daily Staffing Conference.
5. In the absence of the Operations Assistant Chief, communicate with the Shift Commander running the conference to update them on the activities of the day.
6. Participate in the development, implementation, and review of Operations Division Standard Operating Guidelines.
7. Review and update tool and equipment bids as assigned to increase standardization and ensure that the best tools and equipment are available for use by the members. Work closely with the Special Operations Captain and the City and County of Denver Purchasing Division to accomplish this.
8. Research and test tools and equipment as requested to achieve item 7 above. Conduct and document field testing.
9. Represent the Operations Division in meetings and preparedness exercises with other City departments and/or agencies and Federal agencies when requested.
10. Respond to significant incidents within the City when requested to provide assistance to the Incident Commander as needed.
11. Provide scheduling and documentation preparation for civilian and Public Safety Cadet Ride-A-Longs.
12. Provide for exposure documentation for members exposed to carcinogens and other non-infectious or non-communicable disease contaminants (i.e. asbestos).

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13. Responsible for assisting the Special Operations Assistant Chief with the management and direction of the Department's Wildland program including the direct oversight of the Department's wildland coordinator.
14. Staffing the position of Fire/Rescue Branch Supervisor in the City and County of Denver's Emergency Operations Center (EOC) as an alternate when the Red or Blue Shift Supervisors are not available.

**EMS Responsibilities:**

1. Function as the DFD liaison to the DHHA Paramedic Division to coordinate training and certification.
2. Operate as the DFD liaison to the DHHA Paramedic Division for conflict resolution and complaint reconciliation.
3. Send a weekly DFD roster update to the EMS Education Lead Instructor.
4. Conduct research and development on EMS and medical equipment. Facilitate the review and evaluation of EMS and medical equipment at the company level. Document the results of field testing. Utilize company recommendations for the procurement of medical and EMS equipment.
5. Periodically review and recommend changes and updates as needed to the Safety and First Aid Supplies bid. Work closely with the City and County of Denver Purchasing Division to procure the best EMS supplies and equipment.
6. Maintain accurate file copies of all members' CPR and EMT certifications. One copy shall be physically maintained in the Operations Division file folder. One copy shall be scanned and maintained in the Operations Division shared computer file folder.
7. Create and distribute an annual FCM regarding the EMS Training and Program Schedule for the year. This memo should go out between December 15 and January 15 of each year.
8. Coordinate CPR recertification for DFD members.
9. Coordinate EMT recertification for DFD members. Maintain a database and tracking system of CME hours for state recertification in cooperation with the DHHA EMS Education Lead Instructor.
10. Coordinate EMS Continuing Medical Education for all Department members using EMS Education personnel from DHHA EMS Education Department.
11. Administer and oversee the DFD AED program.
12. Create a dialogue with the DHHA Medical Director to maintain familiarity with ongoing changes in the medical field.
13. Schedule and participate in fire station visits with the DHHA Medical Director.
14. Handle referrals for "911 abusers" with Adult Protective Services (APS) and follow up with APS case workers for resolution.
15. Supervise the QA/QI Coordinator.

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16. Administer and coordinate Hazardous Materials and Dive Physicals for team members with the COSH (Center of Occupational Safety and Health), formerly known as the Employee's Medical Clinic.

**Infection Control Officer Responsibilities:**

1. Serve as the Department "designated officer" as required by the Ryan White Comprehensive Aids Resources Act of 1990.
2. Ensure companies have EMS PPE available at all times.
3. Serve as the DFD Exposure Officer. Evaluate possible member exposures to communicable and infectious diseases.
  - a. Assist members with advice on the need for prophylactic treatment and evaluation of the need for a visit to the COSH.
  - b. Assist members with proper documentation of exposure incidents (i.e. FD207).
4. Coordinate the immunization program with the COSH.
5. Facilitate the yearly Tuberculosis Testing for DFD members:
6. Provide for all other responsibilities covered in the DFD Infection Control Policies and Procedures SOG.

**H. CAPTAIN OF OPERATIONS-SPECIAL OPERATIONS/EVENTS AND OEM LIAISON**

**Special Operations Responsibilities:**

1. Respond to Special Operations incidents within the City when requested or when the Assistant Chief of Special Operations is not able to respond.
2. Maintain knowledge and proficiency in all areas of technical rescue.
3. Assist Special Operations Chief with coordination of daily staffing levels on Special Operations Companies.
4. Assist Special Operations Chief with training for Special Operations Companies.
5. Assist in the development and annual review of Special Operations Standard Operating Guidelines.
6. Assist in the research and development of tools and equipment for Specialized Rescue and Hazardous Materials response.
7. In the absence of the Special Operations Chief, act as the backup code enforcement and cost recovery specialist at Hazardous Materials incidents.
8. Acting as the Department liaison and representative to the Office of Emergency Management.
9. Review and update tool and equipment bids as assigned to increase standardization and ensure that the best tools and equipment are available for

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use by the members. Work closely with the Operations Captain and the City and County of Denver Purchasing Division to accomplish this.

10. Assist with the ordering of all equipment along with cost tracking for the Special Operation companies.
11. Assist with providing scheduling and documentation preparation for civilian and Public Safety Cadet Ride-A-Longs.

**Special Events Responsibilities:**

1. Act as the coordinator for Event Command program.
2. Perform as a liaison to the City Office of Special Events
3. Participate as a member of the Special Event and Planning (SEAP) Committee
4. Participate as member of the Event Workflow group
5. Participate as a member of the Special Event Safety Committee
6. Advise and review Special Event emergency action plans.
7. Coordinate Department mission essential functions for Special Events.
8. Participate in local, state, and federal multi-agency coordination training.

**OEM Responsibilities:**

1. Perform as a liaison to the Denver Office of Emergency Management.
2. Ensure Department mission essential functions and core capabilities are understood and appropriately implemented according to the City and County of Denver Emergency Management Capabilities.
3. Staffing the position of Fire/Rescue Branch Supervisor in the City and County of Denver's Emergency Operations Center (EOC) on the Red Shift.
4. Assist with the development, review, and update of the Critical Infrastructure Program.
5. Participate as a member of the City and County of Denver Emergency Operations Plan Committee.
6. Serve as the Continuity of Operations Plan (COOP) coordinator and update the plan as required.
7. Serve on committees and attend meetings as required to facilitate the National Infrastructure Protection Program (NIPP)

**I. LIEUTENANT OF OPERATIONS**

When assigned to suppression, Lieutenants direct the activities of their company on their shift and perform the duties of emergency scene command as appropriate. When assigned to support functions, Lieutenants serve as line officers who direct and/or complete tasks within the scope of their responsibility.

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Lieutenants must meet all the criteria for **the rank of suppression Captain** number “3” through “23” above.

**J. ENGINEER OF OPERATIONS**

Non-supervisory position subordinate to a company officer. Engineers are responsible for the operation and assigned routine maintenance of their apparatus to which they are assigned. Engineers also perform firefighting duties as directed by their company officer. Engineers shall:

1. Be responsible for maintaining their apparatus in good operating condition and readiness at all times
2. Have a valid Colorado driver’s license and a proper Denver Fire Department license
3. When assigned to an engine, be familiar with the streets and fire hydrants within their assigned district, and when responding to an emergency, be responsible for selecting the best route and hydrant unless directed to do otherwise by the company officer
4. When assigned to an aerial or other apparatus, be familiar with the streets in their assigned district, and when responding be responsible for selecting the best routes unless directed to do otherwise by the company officer. Professionally operate and maintain the apparatus, including all ladders, pumps, and other equipment assigned to their company
5. Remain at or near the control panel when the apparatus or equipment is in operation at emergency scenes and during all training sessions
6. Can perform all Firefighter functions as assigned and assist other Firefighters with administering emergency treatment, implementing rescue, information gathering, and other Firefighter duties as their assignment allows
7. Be responsible for conducting in-service training for other company members on apparatus function and the proper use of all equipment assigned to that apparatus
8. Be responsible for performing all inspection duties and assist company members in said duties as directed by the company officer
9. When assigned to a company that performs specialized operations such as HazMat, Decon, and/or other technical rescue operations, they shall be required to develop and maintain the requisite skills, knowledge, and certifications necessary to qualify as a professional rescue technician as outlined in NFPA Standards 472, 1006, and 1670, EPA Guideline 1910.120, and other applicable standards. They shall also be required to proficiently direct and perform as part of a team involved in hazardous material operations or technical rescue operations.

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10. Carefully complete their fifty-six-point checklist and submit the required documentation daily by 1000 hours
11. Inform their company officer or immediate supervisor whenever material, supplies, or repairs are needed
12. Not attempt to make repairs, adjustments, or modifications on apparatus. When repair or adjustments are needed, they shall be responsible for relaying this information to Fleet Maintenance through the company officer.
13. Perform such other lawful duties as prescribed by ranking officers
14. Be responsible for the safe operation of their vehicle at all times
15. Be familiar with and comply with the accident reporting and investigating of the Denver Fire Department, and applicable State laws

**K. TECHNICIAN OF OPERATIONS**

A position in suppression designated by the Chief of Department. Prior to being appointed, Technicians demonstrate that they possess special skills, technical expertise, and/or training beyond that attained by other Firefighters. Technicians shall be appointed and removed at the discretion of the Chief of the Department.

Technicians shall:

1. Serve a minimum training period as designated by the Chief of the Department, in the unit where appointment is contemplated. The Company Captain may request that the training period be altered or waived through the chain of command for members with prior experience. When members have demonstrated the skills, knowledge, and ability to perform the duties, the Company Captain shall submit a Request for Technician Status form to the Deputy Chief of the Department through the chain of command for approval and copy DFD Administration.
2. Can perform all Firefighter functions as assigned and referenced below.
3. When assigned to a company that performs specialized operations such as HazMat, Decon, and/or technical rescue operations, they shall be required to develop and maintain the requisite skills, knowledge, and certifications necessary to qualify as a professional rescue technician as outlined in NFPA Standards 472, 1006, and 1670, EPA Guideline 1910.120, and other applicable standards. They shall also be required to proficiently direct and perform as a part of a team involved in hazardous material operations or technical rescue operations.
4. Perform such other lawful duties as prescribed by senior officers



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STANDARD OPERATING GUIDELINE

Section: OPERATIONS: RANK  
Topic: Rank Structure

Topic No:	2101.01
Date:	10-19-18
Approved:	CDIII
Review Date:	10-19-20
Replaces:	Same, dated 11-25-16

**L. FIREFIGHTER OF OPERATIONS**

When assigned to suppression, Firefighters are subordinate to their company officer and perform as team members that mitigate emergency situations as directed. When assigned to support functions, Firefighters perform their duties as directed by the officers to which they are assigned. They shall:

1. Respond to all alarms as an integral part of a team assigned to one of the various types of Department apparatus.
2. Inspect protective gear at the beginning of each shift to ensure serviceability
3. Inspect and maintain their apparatus, tools, and equipment for serviceability at all times
4. Participate in the daily maintenance of the station and grounds in accordance with the posted schedule
5. When assigned to a company that performs specialized operations such as HazMat, Decon, and/or other technical rescue operations, they shall be required to proficiently perform as part of the team under proper supervision.
6. Perform such other lawful duties as prescribed by officers
7. All Firefighters 3<sup>rd</sup> grade and above shall be Department emergency driver certified. All members shall be capable of proficient apparatus operation.

**REFERENCES:** Civil Service Job Descriptions for ranks on the Fire Department  
NFPA Standards 472, 1006, and 1670 for Rescue Technicians  
EPA Guidelines, 1910.120

**DENVER FIRE DEPARTMENT**

**STANDARD OPERATING GUIDELINE**

**Section: OPERATIONS: DIVISION RESOURCE MGMT.**  
**Topic: Snow Emergency Plan**

<b>Topic No:</b>	<b>2102.12</b>
<b>Date:</b>	<b>02-02-18</b>
<b>Approved:</b>	<b><i>CDIII</i></b>
<b>Review Date:</b>	<b>02-02-20</b>
<b>Replaces:</b>	<b>Same, dated 01-12-18 (minor word change)</b>

The Snow Emergency Plan allows the Denver Fire Department to function with central coordination from the Emergency Operation Command Center. The Plan is to be used as a guide for the emergency, as an activator for the emergency, and contains a checklist for staff personnel at the E.O.C. All coordination of Fire Department activities should be accomplished through staff members at the E.O.C. Members staffing the E.O.C. will be designated by the Chief of Department.

There are two snow plans in existence in the City.

1. The City Snow Plan used to mobilize street cleaning equipment.
2. The Denver Fire Department Snow Plan used to mobilize our resources to cope with heavy snow and response problems related to heavy snow.

The Denver Fire Department Snow Plan will be reviewed and updated yearly, if necessary.

Activation of the City Snow Plan does not automatically activate the Denver Fire Department Snow Plan. The Denver Fire Department Snow Plan is activated under the following conditions.

**I. ACTIVATION AND NOTIFICATION**

**A. Activators**

The Snow Emergency Plan may take effect by authorization of the Chief of Department or his designee under the following conditions.

1. Four inches of snow accumulation with a forecast for more snow.
2. When snow is falling at the rate of one inch per hour.
3. When the National Weather Service issues a blizzard warning.
4. When heavy snow causes numerous response problems.
5. When heavy snow and numerous fires cause the “hold order” to be put into effect.
6. When a Shift Commander recommends that the plan be put into effect based upon personal observations of snow-caused response problems in his/her district.

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STANDARD OPERATING GUIDELINE

**Section:** OPERATIONS: DIVISION RESOURCE MGMT.  
**Topic:** Snow Emergency Plan

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<b>Date:</b>	<b>02-02-18</b>
<b>Approved:</b>	<b><i>CDIII</i></b>
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B. Notification

When conditions require activation of the Snow Emergency Plan, the Dispatcher shall notify.

1. Chief of Department
2. Office of Emergency Management Director
3. Operations Division Chief
4. On-duty Shift Commander

**II. OPENING OF E.O.C.**

When the Emergency Operation Center opens, E.O.C. staff will notify Denver Fire Dispatchers of snow condition via ring down line. Opening of the E.O.C. doesn't automatically activate this snow plan.

**III. COMMAND CENTER RESPONSE**

- A. If the Chief of Department feels that conditions warrant activation of the Snow Emergency Plan, response points and staffing will be designated by the Chief of Department or his designee.
- B. When the plan is activated by the Chief of Department, the following logistical consideration shall be performed:
  1. Apparatus Readiness
    - a. All districts will be notified by vocalarm.
    - b. District Chiefs shall poll each station to determine the readiness of equipment in his/her district, location of services, and standby for a conference call from the Shift Commander to report readiness of all fire equipment and snow removal problems at fire stations.
    - c. After first-line equipment is ready, all reserves shall be loaded with hose.

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STANDARD OPERATING GUIDELINE

**Section:** OPERATIONS: DIVISION RESOURCE MGMT.  
**Topic:** Snow Emergency Plan

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<b>Replaces:</b>	<b>Same, dated 01-12-18 (minor word change)</b>

d. All officers shall evaluate the fuel supplies on their respective apparatus and coordinate fuel acquisition with their District Chief.

2. Reduced Response

The Division Chief of Operations will review response needs and make appropriate orders.

3. Support Personnel

a. Chief of Department or designee decides if support personnel are needed and assign as necessary.

b. Chief of Department or designee will contact the Master Mechanic and Superintendent of Fire Alarm, and recall personnel as needed to a location that is appropriate, if necessary.

c. Call back is authorized only by the Chief of Department or his designee.

i. When call back is authorized, it shall be made in the most expedient manner considering availability and distance from emergency.

4. Snow Removal

a. Heavy snow accumulation at stations shall be removed by the most expedient manner and company officer shall report snow problems to their District Chief when he/she polls stations.

b. Denver Fire Department staff members at E.O.C. shall coordinate removal of heavy snow conditions blocking driveway access.

5. Wrecker Location

**DENVER FIRE DEPARTMENT**

**STANDARD OPERATING GUIDELINE**

**Section:** OPERATIONS: DIVISION RESOURCE MGMT.  
**Topic:** Snow Emergency Plan

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<b>Date:</b>	<b>02-02-18</b>
<b>Approved:</b>	<b>CDIII</b>
<b>Review Date:</b>	<b>02-02-20</b>
<b>Replaces:</b>	<b>Same, dated 01-12-18 (minor word change)</b>

Wrecker location and support personnel shall be placed by need on orders from Denver Fire Department staff at E.O.C.

6. Fuel Delivery Truck

7. Weather Forecast

- a. Obtained through National Weather Service via M.E.T.S. phone, or direct phone.
- b. Monitored by staff officers.

8. Availability of Four-wheel Drive Vehicles

If conditions deteriorate to the point that four-wheel drive vehicles are all that can respond, an all-station request shall be made to find out how many four-wheel vehicles can be made available.

9. Mutual Aid

Requested by the Chief of Department or designee.

DENVER FIRE DEPARTMENT

STANDARD OPERATING GUIDELINE

Section: OPERATIONS: FIRE STATION MANAGEMENT  
Topic: Fire Station Supplies

Topic No:	2104.04
Date:	06-12-17
Approved:	CD
Review Date:	06-12-19
Replaces:	Same, dated 05-03-11

**PURPOSE:** To establish a Standard Operating Guideline for the ordering and management of station supplies

**SCOPE:** Applies to all House Captains

- A. House Captains will be responsible to ensure compliance with allotted Warehouse and glove budgets (gloves are charged to the Operations Division and do not come out of station fund).
- B. Monthly, (three) days before the corresponding station number, the House Captain or their designee shall submit their monthly supply requisitions to the Warehouse utilizing the DFD Warehouse Catalog. This catalog is provided to the firehouses annually. Orders are completed and submitted as an attachment via email.
  - a) There will be one (1) designated ordering officer and one (1) alternate for each firehouse. These individuals will be authorized to place orders and will also be responsible for the budget.
  - b) Send orders to [dfdwarehouse@denvergov.org](mailto:dfdwarehouse@denvergov.org). **Please send orders in an attachment with an email.** To avoid delays in processing orders please do not change the format of the order form
  - c) Once the items have been selected, condense the form, this can be done by going to the top of “ordered” column, click on the down arrow to open a drop-down box. Scroll to the bottom and remove the check mark in the blanks box. This will condense the order.
  - d) **Station 36’s** order is due on the **16<sup>th</sup>** of the month.
  - e) **Station 37’s** order is due on the **17<sup>th</sup>** of the month.
  - f) **Station 38’s** order is due on the **18<sup>th</sup>** of the month.
- C. House Captains shall monitor the supplies that they retain in reserve and keep them to a minimum.
- D. All officers and members shall conserve supplies to eliminate waste. Officers shall have members assist the Warehouse driver in unloading all supplies.
- E. All supplies shall be inventoried upon receipt.
- F. Supplemental supply requisitions shall be kept to a minimum.

DENVER FIRE DEPARTMENT

STANDARD OPERATING GUIDELINE

**Section:** OPERATIONS: FIRE STATION MANAGEMENT  
**Topic:** Fire Station Specialized Equipment

<b>Topic No:</b>	<b>2104.05</b>
<b>Date:</b>	<b>04-15-19</b>
<b>Approved:</b>	<b><i>CDIII</i></b>
<b>Review Date:</b>	<b>04-15-21</b>
<b>Replaces:</b>	<b>Same, dated 10-04-17</b>

**PURPOSE:** To establish a Standard Operating Guideline for repair or replacement of specialized equipment

**SCOPE:** Applies to all members assigned to Operations

Only members trained to use specialized station equipment, and authorized to do so by the House Captain, shall perform these tasks:

Examples:

1. Station 4 O<sub>2</sub> bottles
2. Station 6 Class B Foam concentrate
3. Station 9 Meters
4. Station 15 Hose and repair
5. Station 25 Snow chain repair
6. Station 27 Helmets
7. Station 28 O<sub>2</sub> regulators

DENVER FIRE DEPARTMENT

STANDARD OPERATING GUIDELINE

**Section:** OPERATIONS: FIRE STATION MANAGEMENT  
**Topic:** Personal Activities in Fire Station

<b>Topic No:</b>	2104.07
<b>Date:</b>	10-18-2021
<b>Approved:</b>	<i>RM</i>
<b>Review Date:</b>	10-18-2024
<b>Replaces:</b>	Same, dated 11-25-16

**PURPOSE:** To establish a Guideline that defines approved personal activities within the fire stations

**SCOPE:** Applies to all members assigned to Operations

Working on personal projects shall be allowed as a privilege in fire stations (during on-time duty only) with the following restrictions:

1. All such activities shall be authorized and regulated by Company Officers, District Chiefs, Shift Commanders and/or the Division Chief of Operations.
2. Personal activities shall not interfere with Fire Department operations, nor bring discredit to the Department or the City and County of Denver.
3. Personal projects cannot use Department supplies.
4. The spraying of flammable or combustible products is forbidden.



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STANDARD OPERATING GUIDELINE

**Section:** OPERATIONS: APPARATUS  
**Topic:** Operating Apparatus in Reverse

<b>Topic No:</b>	<b>2105.01</b>
<b>Date:</b>	<b>03-23-18</b>
<b>Approved:</b>	<i>CDIII</i>
<b>Review Date:</b>	<b>03-23-20</b>
<b>Replaces:</b>	<b>Same, dated 03-08-17</b>

**PURPOSE:** To ensure Department apparatus is safely operated while in reverse

**SCOPE:** Applies to all members operating or riding on Department apparatus

Before operating apparatus in reverse, the Driver/Operator shall remove any hearing protection worn and lower the driver-side window at least ¼ of the way down. Two firefighters shall position themselves near the rear of the vehicle. The two spotters should be safely positioned so that the Engineer can see the spotter positioned on the Engineer's side of the apparatus, or the primary spotter, at all times. If at any time the Engineer loses sight of the primary spotter, the Engineer shall stop immediately until the spotter makes him/herself visible again. In case the apparatus does not have a minimum of four persons on board, the Company Officer will be required to act as one of the spotters located near the rear of the apparatus.

While operating in reverse, the Officer, Firefighters, and Engineer shall work together to maintain a safe environment for the members, apparatus, and surrounding property.

Communications between the Engineer and spotters shall include the use of hand signals. Standard signals include:

- A. Straight Back: One hand above the head with palm toward face, waving back. Other hand at your side (left or right hand optional).
- B. Turn: Both arms pointing the same direction with index fingers extended (driver will advise the spotter which way the turn will be made). The spotter then assists the Engineer in backing apparatus.
- C. Stop: Forearms crossed to form an X.

NIGHT BACKING

Signals will be the same. The spotter will assure that the rear scene lights or the spotlights on rear of apparatus are turned on before allowing apparatus to be backed. A flashlight may be carried, but at no time will it be directed toward the mirror.

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STANDARD OPERATING GUIDELINE

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**Topic:** Operating Apparatus in Reverse

<b>Topic No:</b>	<b>2105.01</b>
<b>Date:</b>	<b>03-23-18</b>
<b>Approved:</b>	<i>CDIII</i>
<b>Review Date:</b>	<b>03-23-20</b>
<b>Replaces:</b>	<b>Same, dated 03-08-17</b>

**ACCOUNTABILITY:**

All personnel will be held accountable for using backers. **Non-compliance may result in disciplinary action.** Officers and Acting Officers are responsible for ensuring that all Department members comply with this Standard Operating Guideline, and backers are utilized when the apparatus is operated in reverse.

DENVER FIRE DEPARTMENT

STANDARD OPERATING GUIDELINE

Section: OPERATIONS: EQUIPMENT

Topic: Hose Inventory, Maintenance, and Testing

Topic No:	2106.01
Date:	04-10-2020
Approved:	CDIII
Review Date:	04-10-2022
Replaces:	Same, dated 01-23-19

**PURPOSE:** To set forth procedures pertaining to fire hose inventories, maintenance and annual testing of fire hose.

**SCOPE:** Applies to all members assigned to use, maintain and test fire hose.

**POLICY:**

All Department hose shall be issued and serviced by Station 15 personnel, this includes all maintenance, issuance of new hose and inventories located in Firehouse Software for each Engine Company and Truck Companies that carry hose. Any questions regarding fire hose, including changes to inventories, should be addressed to the Engine Officer at Station 15.

**INVENTORIES:**

The Department currently has the following sizes of fire hose in inventory:

<u>Size</u>	<u>Color</u>	<u>Use</u>
1 3/4"	White	Attack
2"	Green	High Rise Attack only
2 1/2"	White	Attack (not to be used in High Rises)
Lightweight 2 1/2"	Yellow	Attack/High Rise Attack
3"	White	Supply
5"	Yellow	Supply

All sizes except for 5" are in 50' sections, 5" come in both 35' and 100' sections. At no time should 2 1/2" hose be used for supply line.

All sections of hose contain an inventory number comprised of the year of hose along with the section number assigned by Station 15 that is stenciled up to 18 inches from each coupling and stamped on each coupling in the following manner (5" will not have coupling stamped):

13-xxx      13 is the year, xxx is the section number

High Rise hose is marked in the following manner in addition to the inventory number:

- 32 inches from the end of the female coupling shall be a *circumferential 1/2" wide bold line with H.R.* marked above the line.
- Approximately six inches from the male coupling "*two straps male side*"
- At the midpoint of the hose section shall be a *circumferential 3/4" wide bold line*

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Topic No:	2106.01
Date:	01-23-19
Approved:	CDIII
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Replaces:	Same, dated 11-25-16

All hose shall be marked with the company colors on each coupling. This shall be completed by each company.

The recommended quantity of hose carried on Engine Companies and in the Station inventory is as follows:

**Attack Hose:**

It is recommended that each Engine company carry at least 600 ft of 1 3/4" and 1100 ft. of 2 1/2" attack hose. More attack hose can be carried at the discretion of the Engine Captain and the Operations Division Chief. All Engine companies should have on their hose rack an amount of 1 3/4" (24 sections) and 2 1/2" (44 sections) hose that is equal to what is carried on the apparatus. Engine Captains should set up their attack hose in accordance with the hazards associated within their individual response districts.

**High Rise Attack Hose:**

Each Engine company shall carry 200' of 2" High Rise Attack hose and 200' of Lightweight 2 1/2" High Rise attack hose in accordance with SOG 2114.04. All Engine companies shall have an equal amount of 2" and Lightweight 2 1/2" High Rise attack hose on their hose rack.

**Supply Hose:**

Non-5" Engine companies shall have a minimum of 48 sections of 3" supply hose. Each non-5" Engine Company shall carry a split bed of 3" supply hose, loaded for a forward lay. Each engine company should carry at least 800 ft. of 3" in each hose bed, space permitting. The remaining sections of 3" are to be stored on the station hose rack.

**5" Engine companies shall have a total of 24 sections of 3" supply hose. 5" Engine Companies shall have a split supply bed and carry at least 800' of 5" supply hose, space permitting, and as much 3" supply hose that can be carried in the other bed. Each 5" Engine company shall have 500' (5 sections) of 5" supply hose and the remainder of their 3" supply hose, to total 30 sections, on their hose rack.**

All Engine Companies shall carry one 35' section of 5" supply hose with Storz couplings and one back-up 35' section of 5" on their hose rack.

Ready Reserve Engines shall have the same hose compliments as that on the first line apparatus.

There shall be no spare hose on the rack for the ready Reserve.

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Topic: Hose Inventory, Maintenance, and Testing

Topic No:	2106.01
Date:	01-23-19
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Replaces:	Same, dated 11-25-16

**MAINTENANCE:**

Any hose that is damaged and needs repair or needs to be decommissioned due to date shall be sent to Station 15 via the Warehouse Truck. The hose must be clean and dry, and the damaged area should be clearly marked and easily identifiable. Hose with damaged couplings shall be rolled so the damaged coupling is on the outside.

Instructions for sending hose to Station 15 for maintenance:

1. Officer must log on to The Firehouse Program.
2. Click the "Inventory" icon on task bar at top
3. Click "Browse" and input hose number in "Hose ID" field. Hose ID must be the exact number on the hose - for example 05-100
4. Once the inventory page comes up for the specific section of hose entered, click on the "Maintenance/Test" tab.
5. Click the "Add" tab in the middle of the page above Scheduled Maintenance
6. Click new job.
7. Click on the "Notes" tab.
8. Click "Append." Please tell us what exactly is wrong with the section of hose you are sending Station 15. Be descriptive for example; "hose is leaking approximately 15' from female coupling", "hose is twisted 6' from male coupling," etc. This includes any hose that is to be decommissioned; in the note section, put "hose decommissioned due to date." Make sure to mark damaged area with rag tied around it. Once finished, it will spell check and it will have a time/date stamp along with the F number of the Officer logged in.
9. Use masking tape and mark "TO: Station 15, FROM: your station" and set out for the Warehouse to pick up and deliver to Station 15. The Warehouse will not pick up hose if not labeled correctly.

If a section of hose is sent to Station 15 without completing the Firehouse software component, the section of hose will be sent back. No work will be completed until the Firehouse component is completed.

Once hose is repaired, Station 15 will send the hose to the corresponding Station via the warehouse truck. All hose that has been repaired must be tested by the receiving Company according to the hose testing procedure that follows this section. New fire hose must always be tested by the receiving Company before being placed in service according to the hose testing procedure below.

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Section: OPERATIONS: EQUIPMENT

Topic: Hose Inventory, Maintenance, and Testing

Topic No:	2106.01
Date:	01-23-19
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Replaces:	Same, dated 11-25-16

**HOSE TESTING**

All Department hose shall be tested annually according to the yearly schedule specified by the Division Chief of Operations. All testing shall be completed by the last day of the assigned month. The hose testing schedule will be released by the Operations Division no later than March 15th of each year.

Hose shall be tested to the following service test pressures according to NFPA 1962:

<u>Size</u>	<u>Service Test Pressure</u>
1 3/4"	Test at 300 PSI
2"	Test at 300 PSI
2 1/2"	Test at 300 PSI
3"	Test at 300 PSI
5" (prior to 2018)	Test at 200 PSI
5" (2018 and newer)	Test at 300 PSI
5" (35' sections) *	Test at 200 PSI prior to 2018 Test at 300 PSI 2018 and Newer

**\* PUMP ONLY THROUGH 5" HOSE THAT HAS BEEN TESTED AT 200 PSI OR 300 PSI**

Single jacketed hose of any size or length is considered obsolete and shall not be tested. If any of this hose is encountered, it should be removed from service. Truck companies can use single jacketed 1 3/4" hose for their sump pumps if needed.

The Department decommissions any fire hose that is 15 years or older. Prior to testing remove any hose from service that meets this restriction.

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Section: OPERATIONS: EQUIPMENT

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Topic No:	2106.01
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**HOSE TESTING PROCEDURES:**

- A. Officer - log on to Firehouse and print out current inventory. Check accuracy of inventory to the hose being tested, any changes or discrepancies send to the Engine Captain and Lieutenants at Station 15 via their personal DFD email.
- B. Connect lines to outlets on the Engine and attach nozzle. There is no maximum length requirement on hose lines.
- C. Hose lines shall not be attached to outlets at or adjacent to the pump operator.
- D. Fill all lines at hydrant pressure; bleed off air in the line and ensure couplings are tight.
- E. Mark each section of hose at each coupling where the hose attaches with a pencil to determine any separation between the hose and the coupling during the test.
- F. Discharge gates should be open only slightly when pressurizing the hose lines to prevent potential hose-whipping should ruptures occur.
- G. Slowly raise the pump pressure to the desired level and hold that pressure for five minutes (NFPA 1962).
- H. During the test, a nozzle must be attached to a 2-1/2" discharge and be open so that water is flowing from the pump to avoid damaging overheating of the water in the pump.
- I. While the hose is at test pressure, inspect for leaks while standing 15' to the side of the hose.
- J. The hose shall be inspected for hose/coupling separation after the test has been completed and the pressure has been reduced to hydrant pressure.
- K. Hose lengths of 40' or less shall be removed from service.
- L. If the hose is seeping and only the outer jacket is chafed through or has a hole in it, do not send it in for repairs; this hose is serviceable.

Once testing is completed, complete the following steps in the Firehouse:

- 1. Officer must log on to Firehouse using the same Login used for Training input.
- 2. Click the "File" tab at top left and place cursor on "Apparatus, Equipment and Inventory". This opens a new menu to the right, click on "Batch Maintenance/Test Entry."
- 3. Enter your Station number in "Station" field and click Browse.
- 4. Right click anywhere in the list of hose and click "Select all." This will highlight all sections in blue.
- 5. Hold the Control key (CTRL) and click on the individual sections that did not pass

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**STANDARD OPERATING GUIDELINE**

**Section: OPERATIONS: EQUIPMENT**

**Topic: Hose Inventory, Maintenance, and Testing**

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<b>Approved:</b>	<b><i>CDIII</i></b>
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<b>Replaces:</b>	<b>Same, dated 11-25-16</b>

the test, this includes all sections that are out of date. These sections will need to be entered individually according to the “Maintenance” instructions. Once all sections that did not pass are not highlighted, click “Ok.”

6. The “Maintenance/Test” page will be on the screen. Click on box next to yellow “Job” window. Double Click "Hose Test."
7. Click on "Details" and complete checklist. This checklist will apply to all hose that passed the hose test.
8. Click on the “Notes” tab.
9. Click “Append” and enter "Annual Hose Test."
10. Click "Save."
11. Complete the instructions for "Maintenance" for each individual section of hose that did not pass the test.

**REFERENCES:** NFPA 1962



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STANDARD OPERATING GUIDELINE

Section: OPERATIONS: COMMUNICATION  
Topic: Incident Communications

Topic No:	2107.01
Date:	06-24-2021
Approved:	JAV
Review Date:	06-24-2023
Replaces:	Same, dated 06-10-2021

**PURPOSE:** To ensure safe and consistent incident communications

**SCOPE:** Applies to All DFD Personnel when operating at incidents or training

**I. RADIO COMMUNICATIONS**

- A. Initial tactical channels are assigned by DFD Dispatch.
- B. The tactical channel can only be changed by the Incident Commander.
- C. Tactical messages are restricted to units responding to or working at an incident. The following are considered tactical messages:
  - 1. Initial Radio Report
  - 2. Progress Reports (IC, Division/Group, Unit)
  - 3. Tactical Benchmarks
    - a. Water on Fire
    - b. Primary Search Complete
    - c. Secondary Search Complete
    - d. Victim(s) Removed
    - e. Utilities Secured
    - f. Loss Stop
    - g. Under Control
- D. Shift Commanders will use a separate radio channel (Command Channels) for non-tactical radio traffic that is pertinent to the incident. Moving non-tactical transmissions to the Command Channel will reduce traffic on the tactical channel.

Examples of Command Channel transmissions include:

- Incident Rehab
- Staging

- E. A Personnel Accountability Report (PAR) is utilized when firefighters are missing at an emergency scene, or to account for all personnel after a significant change in tactical operations, such as abandon/withdraw from a building, or changing from an offensive to defensive strategy. A PAR is a systemic method to account for all personnel operating at an emergency incident. A PAR can also be used to confirm location of units/crews during the initial phase of a fast-moving incident. When a PAR is conducted, Division and/or Group Supervisors and individual company officers shall give an immediate accounting of the

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STANDARD OPERATING GUIDELINE

**Section:** OPERATIONS: COMMUNICATION  
**Topic:** Incident Communications

<b>Topic No:</b>	<b>2107.01</b>
<b>Date:</b>	<b>06-24-2021</b>
<b>Approved:</b>	<i>JAV</i>
<b>Review Date:</b>	<b>06-24-2023</b>
<b>Replaces:</b>	<b>Same, dated 06-10-2021</b>

personnel. A PAR conducted by a Division /Group Supervisor should be done face-to-face if possible, to limit unnecessary radio traffic. A PAR should only be conducted at the direction of the Incident Commander or Safety Officer.

- F. Anytime a tactical channel change is made after incident operations have been initiated, a PAR shall be conducted.
- G. Members shall use plain English and standard NIMS terminology pertaining to radio communications.
- H. If direct telephone conversation is needed with dispatch (i.e., sensitive information), members shall utilize 720-913-2407.
- I. When an incident has escalated to a 2nd alarm or greater, Dispatch will issue an all-stations notifying our members of the event.
- J. Remaining in-service District Chiefs will provide assistance to the Fire Dispatch Team to appropriately manage the City. District Chiefs may need to relocate to allow for maximum geographic and response coverage.
- K. Communications shall always be professional in nature.
- L. Members shall use the term “Emergency Traffic” to convey an emergency condition or situation. “Emergency Traffic” may be declared by any member who recognizes conditions or a change in conditions or witnesses an event or action that could affect the current tactical operations or the safety of members working in the hazard zone.

Example: “Emergency Traffic” from Tower 1, the roof is sagging on the Charlie side of the building.”

- M. The term “Mayday” shall be reserved only to report lost or trapped firefighters. (See SOG 2110.02)
- N. Echoing  
Echoing is essential for relaying critical information and for confirming that assignments are received and understood.  
The “echo” should be the last segment of the complete radio message.
  - 1. Example: “Truck 8, Broadway Command, take your crew to the roof of the fire building to open a ventilation hole.”

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2. The “echoed” response would be as follows: “Broadway Command, Truck 8, copy, proceeding to the roof of the fire building to open a ventilation hole.”

## II. FACE-TO-FACE COMMUNICATIONS

Face-to-face communication is recommended between members of a group or division whenever possible.

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STANDARD OPERATING GUIDELINE

**Section:** OPERATIONS: COMMUNICATION  
**Topic:** Standardized Dispatch Format

<b>Topic No:</b>	<b>2107.02</b>
<b>Date:</b>	<b>06-10-2021</b>
<b>Approved:</b>	<i>JAV</i>
<b>Review Date:</b>	<b>06-10-2023</b>
<b>Replaces:</b>	<b>Same, dated 06-12-17</b>

**PURPOSE:** To establish a Standard Operating Guideline for consistent dissemination of information.

**SCOPE:** Applies to all DFD personnel

**STANDARDIZED DISPATCH FORMAT**

A. The standard dispatch format for an multi resource assignment shall be:

Map page (if applicable),  
Report of a: (Nature)  
Address:  
For: (Units Responding)  
Operating on: (Tactical channel)  
Additional Information:

Example: “Attention, This is map page Oscar 20 (two zero), Report of a structure fire at 5300 W. Dartmouth for Engines 23, 25 and 28, Trucks 23 and 28, Chiefs 7 and 3 and Ops 2. Engine 30 will be the RIT, and Rescue 1. This is at the McDonald’s.”

Or for a single company response

Example:  
“Engine 15, Engine 15 respond to an unconscious party at 1325 Madison.”

B. Order of dispatch shall be Engines, Trucks, Chiefs, RIT, Rescue, and then specialty companies, i.e., Collapse, Decon, etc.

C. Dispatch shall designate the RIT on calls in which crews are potentially entering an IDLH or as requested by the Incident Commander.

D. The dispatch information shall be given two (2) times over the VOCALARM.

*The second time on the VOCALARM, the dispatcher will state the address by individual numbers, i.e., 1234 Logan would be: “one-two-three-four Logan.”*

E. When units are available (on the air) dispatch shall utilize three consecutive short tones followed by unit identification and response information for single resource responses.

F. Long tone will be utilized for those responses that encompass more than a three-unit response (i.e., Structure fires, Parties Trapped, Technical Rescue).

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STANDARD OPERATING GUIDELINE

**Section:** OPERATIONS: SAFETY  
**Topic:** Safety Officer Roles and Responsibilities

<b>Topic No:</b>	<b>2110.05</b>
<b>Date:</b>	<b>08-30-17</b>
<b>Approved:</b>	<i>CDIII</i>
<b>Review Date:</b>	<b>08-30-19</b>
<b>Replaces:</b>	<b>Same, dated 08-15-13</b>

**PURPOSE:** To outline the role and responsibilities of the Incident Safety Officer position.

**SCOPE:** All DFD personnel

**THE ROLE OF AN INCIDENT SAFETY OFFICER (ISO)**

Incident scene safety is the ultimate responsibility of the Incident Commander, but everyone operating on the scene has the responsibility of working in a safe manner. The role of an Incident Safety Officer (ISO) is to confirm and recommend measures for ensuring personnel safety as well as assess and anticipate hazardous and unsafe situations at incidents or training evolutions. The Incident Commander can override the ISO and take responsibility for the risk. The ISO position is staffed by the Shift Commander assigned to the incident and is part of the Incident Commander's Command Staff. In the case where a Shift Commander is not assigned to an incident, the Incident Commander should appoint a Safety Officer. An ISO does not need to be an officer as the Incident Commander can appoint whomever they deem the most qualified to fill the position. The ISO's responsibility is the overall safety of a given incident. Assistant Safety Officers can be appointed and assigned to specific locations and tasks as needed. An example might be to designate a member with experience in High Angle Rescue as the Assistant Safety Officer of a High Angle Incident.

Safety Officers/Assistant Safety Officers are different from a Rapid Intervention Team (RIT); each have distinctively different functions.

The Safety Officer/Assistant Safety Officers are an individual or group of individuals that are assigned to evaluate and monitor all aspects of the incident to include the safety of operations and tactical effectiveness and identify destabilizing and/or changing conditions that may adversely affect the efficiency of operations and personnel on scene.

A Safety Officer/Assistant Safety Officer may assist with implementing the Personnel Accountability System (P.A.S.) at the discretion of the Incident Commander.

While all members are empowered to do whatever is necessary to prevent injury, the Safety Officer has the authority to call for an immediate cessation of operations without previously consulting the Incident Commander.

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Topic: Safety Officer Roles and Responsibilities

Topic No:	2110.05
Date:	08-30-17
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Replaces:	Same, dated 08-15-13

**I. SAFETY OFFICER FUNCTIONS (ISO)**

The ISO's primary job is the safety of the members working on an emergency scene. The ISO must be mobile to be able to evaluate all aspects of the incident. The ISO has the authority to alter, suspend or terminate operations. At the onset of the incident, the ISO should review and understand the Incident Action Plan by conferring with the Incident Commander. The ISO will then look for immediate risks as well as potential hazards. It may be necessary for the ISO to give the Incident Commander periodic updates and evaluations of the incident. The ISO may produce and articulate a safety message for all members operating at a scene; high-risk events with a high degree of technical difficulty as well as incidents with extended operational periods are just two examples of when a safety message will be communicated by the ISO via the Incident Commander.

Some of the functions of the ISO include:

- Identify and establish safety zones
- Monitor vehicle traffic near responders
- Establishment of the proper level of Rapid Intervention Teams.
- Ensure that the Incident Commander has addressed Responder Rehabilitation and that the level and extent of rehabilitation matches the size/complexity of the incident.

**II. POTENTIAL RISKS AND MITIGATION OPTIONS**

Potential Risks include:

- Construction type-age, bars on windows, roll up doors
- Weather conditions
- Tripping hazards
- Vehicle movement
- Overhead hazards
- Assess Operational Period worktimes and implement Rehab in support of the Incident Commander
- Working conditions

Some of the items an ISO is looking for include:

- Appropriate PPE
- Accountability
- Span of Control

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- Haz-Mat
  - Electrical hazards
  - Appropriate staffing levels available to relieve crews working on scene
  - Changing conditions-new information
  - Unsafe acts
  - Scene security
  - Escape routes such as two means of egress from a roof
- In mitigating an incident, members of the Denver Fire Department will operate from a "Risk-Based Response" platform. Risks taken will be assessed, calculated and driven by the "Mission" and "Needs" of the incident. Maintaining acute situational awareness on the scene, wearing appropriate personal protective equipment, and continual training will help manage the risk of an emergency scene. An ISO evaluates and manages risks in the following ways;
    - Stopping unsafe, unnecessary actions immediately
    - Monitoring and informing the Incident Commander of any identified safety concerns
    - Removing, flagging, or setting up barriers around hazards
    - Suggest/recommend adjusting the Incident Action Plan

Not all hazards have to be dealt with, the ISO or Incident Commander may choose to accept the risks of certain hazards to accomplish a mission.

**III. DOCUMENTATION**

DFD Safety Officers utilize a Safety Officer Checklist at all significant incidents. After each incident, the completed checklist shall be attached to the NFIR for that incident.

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STANDARD OPERATING GUIDELINE

**Section:** OPERATIONS: INCIDENT OPERATIONS  
**Topic:** Evacuation of a Structure or Area  
During an Operating Incident

<b>Topic No:</b>	2111.05
<b>Date:</b>	03-08-2022
<b>Approved:</b>	<i>RM</i>
<b>Review Date:</b>	03-08-2024
<b>Replaces:</b>	Same, dated 08-30-17

**PURPOSE:** To facilitate the evacuation of DFD personnel from a life-threatening situation at an operating incident

**SCOPE:** Applies to all DFD members operating at an incident

To evacuate Fire Department personnel from a life-threatening situation at an incident, the following procedures shall be followed:

- A. If a life-threatening situation is imminent or has already occurred, the Incident Commander or Safety Officer shall immediately direct all members working at the incident to evacuate the structure and ask the Dispatch Team to sound the Emergency Backout Tone over the tactical channel.
- B. The Dispatch Team activates the oscillating Emergency Back-out Tone on the tactical channel (keep in mind that the tone cannot be transmitted on a non-repeated channel, i.e., radio-to-radio).
- C. All fire apparatus operators on scene, upon hearing the Incident Commander's order and/or the evacuation alert tone, will sound their air horns for 15 seconds. The 15-second horn blasts can be repeated when the complexity of the structure and/or incident warrant.
- D. Fire Dispatch will transmit on the tactical channel the oscillating Emergency Back-out Tone. This message will be transmitted three times. When the tactical channel is a non-repeated channel (radio-to-radio), the Incident Commander shall repeat three times that DFD personnel are ordered to evacuate the structure or area.
- E. All on-scene officers shall immediately order their subordinates to evacuate.
- F. All personnel shall retreat to a safe area, as designated by the Incident Commander, Branch Director, Division/Group Supervisor, or Company Officer. The Incident Commander will ensure that a Personal Accountability Report (PAR) is conducted immediately following members evacuating a structure due to the backout order.
- G. Immediately following the evacuation of the building and the PAR, the Branch Director or Division/Group Supervisors or Company Officers shall report the status of their assigned crews when asked by the Incident Commander or designee who is coordinating the PAR.
- H. Company Officers shall include a report of their location and tactical assignment when contacted for a PAR.



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STANDARD OPERATING GUIDELINE

**Section:** OPERATIONS: INCIDENT OPERATIONS  
**Topic:** Fire Investigation Unit

<b>Topic No:</b>	<b>2111.14</b>
<b>Date:</b>	<b>12-07-17</b>
<b>Approved:</b>	<b>CDIII</b>
<b>Review Date:</b>	<b>12-07-19</b>
<b>Replaces:</b>	<b>Same, dated 11-03-11</b>

**PURPOSE:** To provide an operational guideline for utilization of the Fire Investigation Unit.

**SCOPE:** Applies to members involved at the scene of an incident that may require a response by members of the Fire Investigation Unit.

**DEFINITIONS:**

**Cause** – The circumstances, conditions, or agencies that brought about or resulted in the fire or explosion incident, damage to property resulting from the fire or explosion incident, or bodily injury or loss of life resulting from the fire or explosion incident.

**Origin/Point of Origin** – A general geographical location with a fire scene in which the “point of origin” of a fire is reasonably believed to be located; The exact physical location within the area of origin where a heat source and the fuel interact, resulting in a fire or explosion.

**Serious Bodily Injury** – An injury that involves a substantial risk of death, serious permanent disfigurement, or protracted loss or impairment of the function of any part or organ of the body; or breaks, fractures, or burns of the second or third degree.

The Fire Investigation Unit (FIU) investigates all explosions and fires of suspicious or unknown origin. Investigators will attempt to determine the cause and origin of such events, and will pursue criminal charges for all arson and related crimes. *While this document defines the majority of the incident types to which Investigators respond, it in no way precludes the Incident Commander from contacting an Investigator for advice or direction on any incident.*

Fire Investigators are responsible for enforcement of the *Colorado Revised Statutes*, the *Denver Fire Code*, the *International Fire Code*, and sections of the *Revised Municipal Code* as they pertain to fire related offenses. Fire Investigators are also responsible for collection of evidence, interviewing witnesses and victims, interrogating suspects, preparing and serving search and/or arrest warrants, preparing and presenting case filings to the prosecuting attorney, and testifying in legal proceedings.

Fire Investigators shall be called to respond to:

- A. All suspicious or known arson fires.
- B. All fires causing property damage when the Incident Commander is unable to determine the cause and origin.

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<b>Replaces:</b>	<b>Same, dated 11-03-11</b>

- C. All explosions involving property damage and/or life-threatening injuries
- D. All multiple alarm fires.
- E. All fires involving fatalities and/or serious bodily injuries, whether civilian or firefighter.
- F. All fires resulting in injuries deemed serious enough to warrant ambulance transport, whether civilian or firefighter.
- G. Any fire scene at which a firefighter is injured as a direct result of malfunctioning personal protective equipment.
- H. Malicious false alarms where information is available that might identify a suspect.
- I. All fires caused by juveniles. Children less than ten years of age will be referred to the Youth Fire Stop Program by the Arson Investigator.
- J. All auto accidents involving fire that result in the serious bodily injury or death of a person.
- K. All threats of arson.
- L. All reports of incendiary devices and/or their components.
- M. Any incident when requested by the Incident Commander.
- N. Any incident when requested by the Denver Police Department.
- O. Requests from the Fire Prevention Duty Officer or Shift Commander for assistance in remedying reports of overcrowding and/or other occupancy violations which create an immediate life safety hazard.
- P. Fire Investigators will not respond to or enter any building where there is a bomb threat unless specifically requested by the Incident Commander or the Police Department. Investigators will respond to bombings when fire apparatus is dispatched and will assist the Police Department upon request only. If an Investigator is first on the scene, he/she shall secure the scene until arrival of the Police Department.

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**Section:** OPERATIONS: INCIDENT OPERATIONS

**Topic:** Fire Investigation Unit

<b>Topic No:</b>	<b>2111.14</b>
<b>Date:</b>	<b>12-07-17</b>
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<b>Replaces:</b>	<b>Same, dated 11-03-11</b>

**REFERENCES:**

- *NFPA 921 Guide for Fire and Explosion Investigations, 2017 Edition*
- *Colorado Revised Statutes, 2016 Edition*

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STANDARD OPERATING GUIDELINE

Section: OPERATIONS: INCIDENT OPERATIONS  
Topic: Safety Vest Usage While In Traffic

Topic No:	2111.15
Date:	08-30-17
Approved:	CDIII
Review Date:	08-30-19
Replaces:	Same, dated 05-18-11

**PURPOSE:** To describe the requirements of safety vest or other ANSI compliant outerwear usage by Denver Fire Department members when working at an incident that places the member in or near moving traffic or on a highway/interstate. Structural turnout coats are not ANSI compliant.

**SCOPE:** Applies to all Operations Members operating at incidents on roadways

**DEFINITION:**

**Hot Zone** - The hazard area that includes the environment where an immediate danger exists to firefighters operating in areas where fire, heat, chemicals, and other contaminants and/or an entanglement hazard exists

**I. BACKGROUND**

For incidents where exposure to the hazards of moving traffic are present for Fire Department personnel working on foot, safety vest or other ANSI compliant outerwear usage is required except as explained below. Conforming to this policy places the member in compliance with Federal law 23 CFR Part 634 and applicable provisions of the Federal Highway Administration’s Manual on Uniform Traffic Devices (MUTCD).

**II. PROCEDURE**

Specifically, when the nature of the incident requires the member to work in or near moving traffic or on a highway/interstate or any other roadway, the following personal protective apparel shall be worn:

- A. ANSI 107-compliant Class II vest, Class III Traffic Safety garment, or ANSI 207 Public Safety vest
- B. Other ANSI compliant outerwear

If firefighters are wearing structural turnout coats due to inclement weather (i.e. rain, cold, etc.) or other reasons, the ANSI traffic safety vest needs to be donned over the turnout coat unless the firefighter will be working in a hazardous area as described in “Exceptions.”

**III. EXCEPTIONS**

Several unique incident types may be encountered where the donning of a highway safety vest may actually increase risk of injury for the Fire Department member or where wearing of a vest may in fact be otherwise impractical. Under these limited situations,

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**Topic:** Safety Vest Usage While In Traffic

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<b>Date:</b>	<b>08-30-17</b>
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the requirement for donning ANSI-compliant vests by members directly involved in hazard area “Hot Zone” activities is modified.

The exemptions for wearing a highway safety vest apply only to members directly involved in activities within an established “Hot Zone.”

The required ANSI-compliant Highway Safety vest need not be worn when a member is required to:

- A. Don structural PPE and SCBA to work in close proximity to a source of heat such as during suppression of a vehicle fire.
- B. Don hazardous material personal protective equipment to avoid potential exposure to chemicals or other contaminants.
- C. Don technical rescue PPE and/or equipment for a technical rescue incident such as extrication, high or low-angle rope rescue, swift water rescue, etc.
- D. Don PPE to work in close proximity to operating machinery where wearing the traffic vest may create a possible entanglement hazard.

All members on-scene performing duties or involved in activities other than those listed above are required to don ANSI-compliant vests when working in or near moving traffic.

At any incident, immediate attention should be given to creating a safe working zone through rig placement, using traffic cones, etc. to make the incident as safe as possible. This becomes more imperative when personnel are working without the benefit of wearing ANSI approved outerwear.

Members directly involved in source of heat, chemical, or technical rescue activities as listed above and who complete their activities within the designated Hot Zone are required to don ANSI-compliant vests or other ANSI approved outerwear once their activities within the Hot Zone are completed or they leave the immediate Hot Zone area of the incident scene. For example, safety vests shall be donned once members return to the apparatus to return tools and equipment involved in Hot Zone activities, or to doff Structural PPE, and expect to remain on scene after these activities are completed.

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STANDARD OPERATING GUIDELINE

Section: OPERATIONS: INCIDENT OPERATIONS  
Topic: Mandatory SCBA Use

Topic No:	2111.16
Date:	08-30-17
Approved:	CDIII
Review Date:	08-30-19
Replaces:	Same, dated 12-17-12

**I. SUBJECT, PURPOSE, AND SCOPE**

**SUBJECT:** Mandatory use of Self Contained Breathing Apparatus (SCBA) during pre and post control operations, during fire suppression activities to include but not limited to: rubbish fires, vehicle fires, and structure fires.

**PURPOSE:** To develop a “Best Practice” approach to increasing the safety and health of members assigned to suppression.

**SCOPE:** This guideline applies to all Department members involved in fire suppression activities, regardless of the nature.

**II. INTRODUCTION**

Exposure to Carbon Monoxide (CO), Hydrogen Cyanide (HCN), and other by-products of combustion have been linked to increases in fire related deaths and sickness, due to the fact of HCN and CO being an escape inhibitor. CO and HCN are two of the most deadly gases present in a structure fire. There are several other irritants, asphyxiates, and toxic gases present at every fire that are not able to be consistently monitored that include but are not limited to solids, particulates, and dusts. CO and HCN, being the most prevalent, can cause impairment of a firefighter. The affected member will not be able to think rationally or be able to avert an unforeseen event during pre and post control fire operations.

**III. SCOPE**

The intent of the Mandatory SCBA Use Guideline is to avoid, or minimize, any respiratory contact with products of combustion, super-heated gases, toxic products, or other hazardous contaminants.

The use of breathing apparatus means that **ALL** personnel will have facepieces in place, breathing air from the supply provided. Where appropriate, Airline-Supplied Breathing Apparatus may be used in place of SCBA.

The utilization of the SCBA shall be required for all personnel operating:

- In an active fire area, pre and post control.
- Directly above an active fire area, pre and post control.
- In a potential explosion or fire area, including gas leaks and fuel spills.

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STANDARD OPERATING GUIDELINE

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Topic: Mandatory SCBA Use

Topic No:	2111.16
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- Where products of combustion are visible in the atmosphere (smoke), **including vehicle fires and dumpster fires** -- where invisible contaminants are suspected to be present (i.e. Carbon Monoxide and Hydrogen Cyanide during overhaul).
- **Where fire crews are operating within 10 feet of the affected building.**
- Where IDLH (Immediately Dangerous to Life and Health) atmospheres are present, suspected to be present, or may be released without warning.
- In any confined space which has not been tested to establish respiratory safety.

Mandatory use of the SCBA must be adhered to at all times. This is particularly significant during overhaul, when smoldering materials may produce increased quantities of carbon monoxide, hydrogen cyanide, and other toxic products including but not limited to solids, particulates, and dusts.

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STANDARD OPERATING GUIDELINE

Section: OPERATIONS: INCIDENT OPERATIONS

Topic: Ballistic Gear Use, Storage, and Maintenance

Topic No:	2111.19
Date:	08-24-2021
Approved:	RM
Review Date:	08-24-2024
Replaces:	Same, dated 06-03-16

**PURPOSE:** To identify the process and procedures for use, storage, and maintenance of DFD Ballistic Gear

**SCOPE:** Applies to all Operations Division Personnel

**I.** Storage of Ballistic Gear

- A. Ballistic gear consists of a Ballistic Helmet and Soft Body Armor with a Plate Carrier.
- B. Each DFD apparatus is issued four sets of Ballistic gear. District Chief Officers are issued one set of Ballistic gear.
- C. Ballistic gear shall be stored in a dry and easily accessible area on each apparatus.

**II.** Firefighter Use of Ballistic Gear

- A. Ballistic gear shall be worn at any active shooter incident. Ballistic gear maybe utilized at other incidents at officers' discretion.
- B. Gear is to be inspected and fitted at the start of each shift.

**III.** Maintenance and Replacement of Ballistic Gear

- A. After each use, whether in training or on an actual call, gear is to be inspected for serviceability and repair needs according to manufacturer guidelines.
- B. If gear is in need of repair, members are to contact the Operations Division Captain, noting the type and extent of damage. The gear shall then be prepared and tagged for pickup by the Warehouse truck for transport to the Department Quartermaster.
- C. If after use the gear is determined to be serviceable, it should be cleaned and placed back into service.



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STANDARD OPERATING GUIDELINE

Section: OPERATIONS: INCIDENT OPERATIONS

Topic: INCIDENT COMMAND

Topic No:	2111.20
Date:	09-09-2021
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Replaces:	Same, dated 08-02-16

**PURPOSE:** To provide a summary of Incident Command System (ICS) with an emphasis on common DFD command structure and practices

**SCOPE:** All personnel operating at planned events, training scenarios, and incidents

**INTRODUCTION**

The Denver Fire Department adopted the National Incident Management System/Incident Command System (NIMS/ICS) after 9/11/2001 and the use of it is federally mandated. NIMS/ICS is a complex system; however, the portions of ICS that are pertinent to the daily operations of the Denver Fire Department are fairly streamlined and are summarized in this SOG. This SOG will focus heavily on terminology and use of ICS used for the majority of the incidents that we encounter in Denver.

A key principle of ICS is its flexibility. The ICS organization may be expanded easily from a very small size, for routine operations, to a larger organization capable of handling catastrophic events. Along with the flexibility of ICS to expand or contract based on the needs of the incident comes the flexibility for each Incident Commander (IC) to use the portions of ICS that will work on a particular incident. An IC might look at an incident and use Groups to manage it, while another may look at the same incident and see that Divisions would have worked as well. ICS has the flexibility for there to be many variations of command structure to achieve the same goal. As long as each Incident Commander and all personnel assigned at the incident understand the system and definitions and stay within the framework of the particular incident, then ICS becomes an effective tool to manage an incident.

Instituting a formal script of how each incident should be set up beforehand is difficult to accomplish and, due to the many variables at each incident, may actually hinder an Incident Commander when managing a scene. For this reason, it is imperative for everyone to understand ICS and its flexibility and be able to adapt the system to fit an incident, not adapt an incident to fit the Incident Command System. There are examples provided hereafter that provide a functional snapshot into how a particular incident may be run by an IC in Denver; use these as a reference when modeling command structure. An area that the Department does formally, to a small degree, script the ICS structure is technical responses. Due to the high complexity of these responses, it has been advantageous for the DFD to structure the technical area of an incident ahead of time.

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Section: OPERATIONS: INCIDENT OPERATIONS

Topic: INCIDENT COMMAND

Topic No:	2111.20
Date:	09-09-2021
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**DEFINITIONS**

**Branch:** The organizational level having functional responsibility for major parts of the Operations or Logistics functions. The Branch level is organizationally between Section and Division/Group in the Operations Section, and between Section and Units in the Logistics Section. Branches are identified by the use of Roman numerals or by functional name (e.g., medical, security, etc.). The person in charge of a Branch is a Director.

**Command Staff:** The Command Staff consists of the Public Information Officer, Safety Officer, and Liaison Officer. They report directly to the Incident Commander. They may have an Assistant or Assistants, as needed.

**Deputy:** A fully qualified individual who, in the absence of a superior, could be delegated the authority to manage a functional operation or perform a specific task. In some cases, a Deputy could act as relief for a superior and therefore must be fully qualified in the position. Deputies can be assigned to the Incident Commander, General Staff, and Branch Directors.

**Division:** Divisions are used to divide an incident into geographical areas of operation. A Division is located within the ICS organization between the Branch and the Task Force/Strike Team. Divisions are identified by alphabetic characters for horizontal applications and, often, by floor numbers when used in buildings. The person in charge of a Division is a Supervisor.

**General Staff:** A group of incident management personnel organized according to function and reporting to the Incident Commander. The General Staff normally consists of the Operations Section Chief, Planning Section Chief, Logistics Section Chief, and Finance/Administration Section Chief.

**Group:** Groups are established to divide the incident into functional areas of operation. Groups are composed of resources assembled to perform a special function not necessarily within a single geographic division. Groups are at the same organizational level as Divisions within the ICS hierarchy. The person in charge of a Group is a Supervisor.

**Incident Action Plan (IAP):** An oral or written plan containing general objectives reflecting the overall strategy for managing an incident. It may include the identification of operational resources and assignments. It may also include attachments that provide direction and important information for management of the incident during one or more operational periods.

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**Incident Command System (ICS):** A standardized management tool for meeting the demands of small or large emergency or nonemergency situations.

- Represents "best practices" and has become the standard for emergency management across the country.
- May be used for planned events, natural disasters, and acts of terrorism.
- Is a key feature of the National Incident Management System (NIMS)

**Incident Objectives:** Statements of guidance and direction necessary for the selection of appropriate strategy/strategies, and the tactical direction of resources. Incident objectives are based on realistic expectations of what can be accomplished when all allocated resources have been effectively deployed. Incident objectives must be achievable and measurable, yet flexible enough to allow for strategic and tactical alternatives.

**National Incident Management System (NIMS):** A national, systematic and proactive approach to guide departments and agencies at all levels of government, nongovernmental organizations (NGO), and the private sector in working together to mitigate incidents of all types and hazards regardless of cause, size, location, or complexity. NIMS is divided into 5 areas: 1. Preparedness (training); 2. Communications and Information Management; 3. Resource Management; 4. Command Management (ICS); and 5. Ongoing System Assessment.

**Officer:** The ICS title for the personnel responsible for the Command Staff positions of Safety, Liaison, and Public Information.

**Public Information Officer (PIO):** A member of the Command Staff responsible for interfacing with the public and media.

**Rehab Area:** An area that is established for the purpose of rest/rehab/medical monitoring of emergency personnel assigned to the incident. The person in charge of the Rehab Area is the Rehab Manager.

**Safety Officer:** A member of the Command Staff responsible for monitoring and assessing safety hazards or unsafe situations, and for developing measures for ensuring personnel safety. The Safety Officer may have Assistants.

**Section:** The organizational level having responsibility for a major functional area of incident management, e.g., Operations, Planning, Logistics, Finance/Administration, and Intelligence (if established). The section is organizationally situated between the Branch and the Incident Commander.

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**Single Resource:** An individual, a piece of equipment and its personnel complement, or a crew or team of individuals with an identified work Supervisor that can be used on an incident.

**Span of Control:** The number of individuals a supervisor is responsible for, usually expressed as the ratio of supervisors to individuals. (Under the NIMS, an appropriate span of control is between 1:3 and 1:7.)

**Staging Area:** Location established where resources can be placed while awaiting a tactical assignment. The Operations Section manages Staging Areas.

**Strike Team:** A specified combination of the same kind and type of resources with common communications and a Leader. An example of a Strike Team is the metro Denver area's mutual aid program to provide assistance to a department in need by other area agencies providing a Strike Team of five engines and a Strike Team Leader within two hours of the request for assistance. A Strike Team is between Single Resources and Divisions/Groups in the ICS hierarchy. The use of the Task Force/Strike Team level is very common nationally (example - forest fires). Even though this level is not common in the City of Denver, all personnel should be familiar with the terms/use of this level in case of mutual aid or in case of a full scale, complex incident in Denver.

**Strategy:** The general direction selected to accomplish incident objectives set by the Incident Commander

**Tactics:** Deploying and directing resources on an incident to accomplish incident strategy and objectives.

**Task Force:** A group of resources with common communications and a leader that may be pre-established and sent to an incident or formed at an incident. Differs from a Strike Team in that the resources within a Task Force are different types of resources. An example would be an Engine, Truck, Police Unit, ambulance, and Task Force Leader working together as one within a large geographical Division at a hazmat incident to search/evacuate that Division. A Task Force is between Single Resources and Divisions/Groups in the ICS hierarchy. The use of the Task Force/Strike Team level is very common nationally (example - forest fires). Even though this level is not common in the City of Denver, all personnel should be familiar with the terms/use of this level in case of mutual aid or in case of a full scale, complex incident in Denver.

**Unit:** That organization element having functional responsibility for a specific incident planning, logistics, or finance/administration activity. An example would be the Food Unit at a major incident, tasked with the responsibility of procuring and providing food for all personnel assigned to the incident.

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**Unity of Command:** The concept by which each person within an organization reports to one and only one designated person. The purpose of unity of command is to ensure unity of effort under one responsible commander for every objective.

**SINGLE RESOURCE INCIDENTS**

**Definition of a Single Resource:** An individual, a piece of equipment and its personnel complement, or a crew or team of individuals with an identified work Supervisor that can be used on an incident. Examples of single resources would be an Engine (i.e. Engine 21), a Truck (i.e. Truck 4), and a Chief (i.e. Chief 5).

Every incident has an Incident Commander; on a Single Resource response, the Incident Commander is the officer of that particular Single Resource. Example - Engine 26 responds on a dumpster fire, the Incident Commander is the officer on Engine 26.

**Span of Control:** A driving force behind expanding an incident beyond Single Resources by implementing Divisions/Groups/Branches/Sections is Span of Control. Span of Control is defined as the number of individuals a supervisor is responsible for, usually expressed as the ratio of supervisors to individuals. By ICS definition, an appropriate span of control is between 1:3 and 1:7, with the latter being a less complex and slower moving / routine incident. As long as an Incident Commander is within the Span of Control, Groups/Divisions/ etc. do not necessarily need to be created.

**Single Resource Fire Example:**

Small House Fire (Example - bedroom room and contents fire, 900 sq. ft. house)

Group Response of 3 Engines, 2 Trucks, Rescue, 2 Chiefs, 1 RIT, OPS 2

- 1<sup>st</sup> Engine - Attack Line
- 2<sup>nd</sup> Engine - Backup Line to front door
- 3<sup>rd</sup> Engine - Supply line to rear, standing by
- 1<sup>st</sup> Truck - Search
- 2<sup>nd</sup> Truck - Roof
- Rescue 1 - Crew standing by at ICP
- RIT -RECON completed, staged at ICP
- OPS 2 - Incident Safety Officer (ISO) (Note - ISO is part of IC's Command Staff and does not count in Span of Control)
- 2<sup>nd</sup> Chief - Charlie side

In this example, the IC is within the recommended Span of Control. Span of Control is 1:6. Six Single Resources (crews) working, 2 Single Resources (crews) are unassigned (Rescue 1 and 3<sup>rd</sup> Engine). Fire is controlled quickly, and Groups/Divisions were not needed or used.

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**EXPANDING THE INCIDENT: STRIKE TEAMS/TASK FORCES**

*In the Incident Command System, there is a level between Single Resources and Groups/Divisions that is not commonly used on the DFD; that level is Strike Teams/Task Forces. Please see the Definitions section of this SOG for further details.*

**EXPANDING THE INCIDENT: DIVISIONS/GROUPS**

As an incident grows in size and complexity and as more resources are assigned to the incident, the IC's span of control will increase to unsafe levels unless measures are put in place to limit that span of control. The measures in ICS that the DFD uses most commonly to address this issue are Groups and Divisions. Groups/Divisions are the next step in the ICS hierarchy that are used by the DFD when there are too many single resources assigned to an incident and the IC's span of control is too great. Groups and Divisions are at the same management level; one is not subordinate to the other. For example, a Group Supervisor cannot be in charge of a Division Supervisor or vice versa.

- **Divisions:** Divisions are used to divide an incident into geographical areas of operation. Divisions are identified by alphabetic characters for horizontal applications and, often, by floor numbers when used in buildings. The person in charge of a Division is called a Supervisor. Examples: Alpha Division for the Alpha side of a building, Division 10 for the 10<sup>th</sup> floor of a building, Roof Division for the roof.
- **Groups:** Groups are established to divide the incident into functional areas of operation. Groups are composed of resources assembled to perform a special function not necessarily within a single geographic division. The person in charge of a Group is called a Supervisor. Examples: Search Group for a group of single resources, most likely Truck Companies, given the task of searching an area. Fire Attack Group for a group of single resources, most likely Engine Companies, given the task of extinguishing a fire.

As an IC creates Groups/Divisions, the following four points should be addressed:

- Name of the Division/Group (i.e. Roof Division, Search Group)
- Who is in the Group/Division (i.e. Tower 1, Truck 4, Rescue 1)
- The responsibilities of the Group/Division (i.e. Roof Division is responsible for all activities on the roof-ventilation, extinguishment of any fire extension to roof, and overhaul of roof).
- Designation of the Supervisor (i.e. Tower 1 officer is the Roof Division Supervisor).

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If an officer from a Single Resource is designated by the IC to be a Group/Division Supervisor, that officer assumes responsibility for all resources assigned to that Group/Division and as such is not as able to take part in tasks (i.e. An Engine officer designated to the Fire Attack Group Supervisor with three Engine Companies assigned to the Group will not be able to work at the task level with his Engine Company but must coordinate the tasks of all companies in the Group).

At times, there has been confusion on whether a task has been assigned or whether a Group/Division has been created. Incident Commanders should be very clear and specific when creating Groups/Divisions. For example, “*Engine 9 you will be doing fire attack*” means that Engine 9 will be extinguishing the fire and is still operating as a Single Resource. “*Engine 9 and Engine 3 will be the Fire Attack Group and will be responsible for extinguishing the fire with Engine 9’s officer as the Group Supervisor*” means that a specific Group has been created.

The only person that can create command structure at the incident is the Incident Commander. On larger incidents this ability extends to the Section Chiefs and Branch Directors. Companies will retain their company designations and act as Single Resources until otherwise instructed by the IC.

Groups and Divisions are at the same level within the ICS hierarchy and as such are not subordinate to each other. Span of Control applies to Divisions and Groups as well. Each Division or Group Supervisor’s span of control is recommended to be 3 to 7.

An incident can have a mix of Single Resources, Divisions, and Groups.

Note: It has become a somewhat common practice on the DFD for the Incident Commander to create a Fire Attack Group with the first in Truck officer as the Group Supervisor. The Fire Attack Group is given the responsibility of fire attack, search, rescue, and ventilation (everything on the interior of the building). This is a mis-categorization of the term Fire Attack and a mis-categorization of a Group. Fire Attack is defined as attacking (extinguishing) the fire. A group is defined as a group of Single Resources responsible for a task on the fire ground. Additionally, the Fire Attack Group has been commonly used for small, non-complex incidents where the span of control is not exceeded, making the creation of this group not necessary.

**Example One**

2 alarm response (6 engines, 4 trucks, Rescue Company, RIT Team, 4 Chiefs, Ops 2). 4-story apartment fire, large layout, 8 apartments per floor, interior hallways, fire on the 3<sup>rd</sup> floor, 1 apartment involved, heavy smoke throughout floor, fire extending to 4<sup>th</sup> floor.

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- Division 3 - Engines 1 and 3, Tower 1, Truck 4, Rescue 1, Chief 4. Chief 4 as Division Supervisor. Given the task of extinguishment, search, rescue, evacuation, and ventilation (all tasks) on 3<sup>rd</sup> floor.
- Division 4 - Engine 8, Truck 8. Division Supervisor is Truck 8. Given the task of extinguishment, search, rescue, evacuation, and ventilation (all tasks) on the 4<sup>th</sup> floor.
- Single Resource - Tower 9 given the task of evaluating roof conditions and updating IC if ventilation needed or if fire extends to roof.
- RIT - Engine 9, located on 2<sup>nd</sup> floor.
- Exterior Rescue Group - E15, E21, Chief 3. Chief 3 as Group Supervisor. Given the task of rescuing people from windows using ground ladders, leaving ladders as means of egress for Division 3.
- Incident Safety Officer - Ops 2.
- Engine 11 at Level 2 Staging 1 block away. 1 more Truck ordered from Dispatch to keep at least 1 Engine and 1 Truck in staging.

In this example, IC has a span of control of 5 (Div3, Div 4, TR9, RIT, Ext Rescue Group). Safety Officer and Staging are not counted in span of control.

**Example Two**

2 Alarm Response (6 engines, 4 trucks, Rescue 1, RIT Team, 4 Chiefs, Ops 2). Large warehouse fire, one occupancy, heavy fire in warehouse, heavy smoke throughout, companies in Offensive mode, fire not involving structural members of roof.

- Fire Attack Group - Engines 27, 26, and 29. Engine 27 Officer is Group Supervisor. Given the task of extinguishment.
- Search Group - TR27, T02, Rescue 1. TR27 Officer is Group Supervisor, given the task of large area search of the warehouse.
- Horizontal Vent Group - HM01, E14. HM01 Officer is the Group Supervisor. Given the task of opening all exterior bay doors.
- Roof Division - TR09, TR15. TR09 Officer is the Division Supervisor. Given the task of evaluating the roof, opening skylights.
- RIT - T26
- Safety Officer - Ops 2
- E10, E09 in Level 2 staging one block away. 1 more Truck ordered from Dispatch to keep at least 1 Engine and 1 Truck in staging.

In this example, IC has a span of control of 5 (Fire Attack Group, Search Group, Vent Group, Roof Division, and RIT). Safety Officer and Staging are not counted in span of control.



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Note: In this example, a Fire Attack Group was used with the group having only one task (attacking/extinguishing the fire); other Groups completed other tasks.

**EXPANDING THE INCIDENT: BRANCHES**

As an incident grows in size and complexity and more resources are assigned to the incident, as well as multiple groups/divisions being created, the IC's span of control will increase to unsafe levels unless measures are put in place to control that span of control. One manner in which ICS addresses this issue is with Branches. Branches are one of the next steps in the ICS hierarchy that are used when there are too many single resources/groups/divisions assigned to an incident and the IC's span of control is too great.

Many times, it is advantageous to create Branches, due to the complexity of the incident, even though an IC is within their span of control with existing Single Resources/Groups/Divisions. In these cases, there may be several groups/divisions engaged in the same type of activity and grouping them further into a Branch makes the incident safer and more controlled. The Hazmat Branch is an example of this practice.

In addition, it is beneficial to create Branches when there are several agencies present at an incident. EMS and Law Enforcement Branch are examples of this practice; these Branches can be staffed primarily with personnel from the corresponding agencies (DHMC for EMS Branch, DPD for Law Enforcement Branch). The Branch Directors of these Branches can order additional resources from their respective agencies, thus decreasing the responsibilities of the IC (or the position designated by the IC responsible for ordering resources). In these cases, the IC or designee should be updated constantly of resources assigned/ordered for safety/tracking purposes. A Branch Director also has the ability to manage the structure within their Branch by managing the amount of single resources/groups/divisions assigned and expanding/decreasing the size of their Branch as needed.

As an IC creates Branches, the following 4 points should be addressed:

- Name of the Branch (i.e. EMS Branch)
- Who is in the Branch (i.e. Triage Group, Treatment Group, Transport Group)
- The responsibilities of the Branch (i.e. triage, treatment, and transport of all patients at the incident).
- Designation of the Supervisor (i.e. DHMC paramedic supervisor is the EMS Branch Director).

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**Examples of Branches:**

- **Hazmat Branch:** On a full hazmat response in Denver, the Hazmat Team responds in a pre-made Branch. HAMER 1 officer is the Branch Director. 6 Single Resources respond automatically on a full hazmat response (HAMER 1, E06, Rescue Company, Engine 9, Tower 9, and the Decon) in addition to a District Chief, an Engine, a Truck, and Ops 2. Within the Hazmat Branch there are already pre-created Groups (Entry Group, Rescue Group, and Decon Group). A full-scale hazmat incident is very complex and a Hazmat Branch is an ideal way to delegate the technical portion of the incident to one person and allows the IC to more easily manage all other portions of the incident (search, evacuation, medical care, etc.).
- **EMS (or Medical) Branch:** An example of this would be a large, mass casualty incident created by a large building collapse. Within that EMS (or Medical) Branch, the Branch Director may have a Triage Group, Treatment Group, and Transport Group. A large, mass casualty incident is very complex and by creating an EMS (or Medical) Branch the IC can more easily manage all other portions of the incident (search, rescue, shoring, debris removal, scene control, etc.)
- **Law Enforcement Branch:** An example of this would be a large, mass casualty incident such as an active shooter situation. This type of incident would have a major fire, EMS, and police presence. The Law Enforcement Branch Director would have responsibility for SWAT, bomb squad personnel, and police single resources involved in securing the scene as well as perimeter control.
- **Branches at a High-Rise Incident:** As detailed in the DFD High Rise SOG, Branches may be utilized by the IC at a High-Rise incident as deemed necessary. The High Rise SOG delineates three distinct Branches and the IC may choose to use none, one, two, or all three of these Branches as needed to organize the incident. The three branches are:
  - Lower Floors Branch - includes Lobby, Building Systems, Equipment Support, elevators, Rehab, and Interior Staging.
  - Suppression Branch - includes floor below fire (where RIT is located), fire floor, floor above the fire.
  - Upper Floors Branch - all floors above the floor above the fire.

**EXPANDING THE INCIDENT: GENERAL STAFF**

As an incident grows in size and complexity and more resources are assigned to the incident, as well as multiple groups/divisions/branches being created, the IC's span of control will increase to unsafe levels unless measures are put in place to lower that span of control. At very large or very complex incidents, it is advantageous for an Incident Commander to utilize some or all of the positions available at the General Staff Level.

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At times, it is beneficial to create Sections, due to the complexity of the incident, even though an IC is within their span of control with existing Single Resources/Groups/Divisions/Branches. An example would be a very large building collapse that will take several days to mitigate. While not beyond the span of control operationally, this size of incident is very demanding on an IC. It would be beneficial to delegate the Operations portion of this incident, as well as the Logistics and Planning portions. While not common, in Denver there is a large potential for a large/complex incident to occur and a need for any potential Incident Commander to understand the highest levels of the Incident Command structure.

**General Staff:** A group of incident management personnel organized according to function and reporting to the Incident Commander. The General Staff normally consists of the Operations Section Chief, Planning Section Chief, Logistics Section Chief, and Finance/Administration Section Chief.

**Sections:** The organizational level having responsibility for a major functional area of incident management, e.g., Operations, Planning, Logistics, Finance/Administration. The Section is organizationally situated between the Branch and the Incident Command. The leader of a Section is a Section Chief.

- **Operations Section:** The functional area in the command structure that has the responsibility for implementing the strategy and tactics used to achieve the incident objectives/mission. The Operations Section Chief has the supervisory responsibility for the Single Resources/Groups/Divisions/Branches that are working tactically at the incident. At a very large incident, the IC can implement an Operations Section and that Section Chief can manage the tactical portion of the incident.
- **Planning Section:** The functional area in the command structure that has the responsibility for the collection, evaluation, and dissemination of tactical information related to the incident, and for the preparation and documentation of Incident Action Plans.

This section also maintains the information on the current and forecasted situation, and the status of resources assigned to the incident. At a very large incident, the IC can implement a Planning Section and that Section Chief can manage the planning portion of the incident. Duties of the Planning Section include tracking resources, forecasting the need for future resources, facilitating meetings of the Command and General Staff, preparing Incident Action Plans, and facilitating briefings at the start of each operational period.

- **Logistics Section:** The functional area in the command structure that has the responsibility for providing facilities, services, and materials in support of the incident. At a very large incident, the IC can implement a Logistics Section and that Section Chief can manage the

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logistics portion of the incident. Duties of the Logistics Section include acquisition of vehicles, tools, equipment, food, and facilities needed at the incident.

- **Finance/Administration:** The functional area in the command structure that has the responsibility for all administrative and financial considerations on an incident. At a very large incident, the IC can implement a Finance Section and that Section Chief can manage the finance/administration portion of the incident. Duties of the Finance/Administration Section include tracking hours worked of all personnel (including personnel from assisting agencies), costs of tools, equipment, food, facilities, and maintenance costs of vehicles.

**EXPANDING THE INCIDENT: COMMAND STAFF**

As an incident grows in size and complexity, the Incident Commander may need assistance with handling the information flow to citizens and media, having a dedicated person(s) to oversee the safety aspect of the incident, and interacting with governmental agencies that have informational needs. Command Staff Officers are not considered when factoring the span of control of the IC due to their ability to work autonomously.

**Command Staff:** The Command Staff consists of the Public Information Officer, Safety Officer, and Liaison Officer. The ICS titles for the personnel responsible for the Command Staff positions are Safety Officer, Liaison Officer, and Public Information Officer. They report directly to the Incident Commander. They may have an Assistant or Assistants, as needed.

- **Public Information Officer (PIO):** The demands on the Incident Commander with regard to disseminating information to the public and media can be time consuming but is a vital function. Information regarding the incident, corresponding threats to structures or areas, evacuation zones, shelters, street or area closures, etc., is valuable and needs to be addressed. The Public Information Officer is established to assist the IC in this area.
- **Safety Officer:** A member of the Command Staff responsible for monitoring and assessing safety hazards or unsafe situations, and for developing measures for ensuring personnel safety. The Safety Officer may have Assistants. The Denver Fire Department will have a dedicated Safety Officer at any structure fire, technical rescue, or sizeable incident.
- **Liaison Officer:** A member of the Command Staff responsible for communicating with governmental agencies that are impacted by the incident but are not a functional part of the incident. An example would be communicating with the Office of the Mayor to provide updates on an incident or communicating with CDOT to provide information regarding expected time frames of a highway closure that is in place at an incident.

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**Links for further NIMS/ICS information:**

<http://training.fema.gov/emiweb/is/icsresource/assets/reviewmaterials.pdf>

[https://www.osha.gov/SLTC/etools/ics/org\\_ops.html](https://www.osha.gov/SLTC/etools/ics/org_ops.html)

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**STANDARD OPERATING GUIDELINE**

**Section:** OPERATIONS: WILDLAND  
**Topic:** Wildland Operating Procedures

<b>Topic No:</b>	<b>2117.01</b>
<b>Date:</b>	<b>04-12-18</b>
<b>Approved:</b>	<i>CDIII</i>
<b>Review Date:</b>	<b>04-12-19</b>
<b>Replaces:</b>	<b>Same, dated 05-26-17</b>

**PURPOSE:** To provide the procedural overview of the Denver Fire Department Wildland Team policies and participation procedures.

**SCOPE:** Applies to all Denver Fire Department personnel

**I. OVERVIEW**

The Denver Fire Department Wildland Team is composed of Denver Firefighters committed to serving in national, regional, and local wildland fire response and support roles. Participants must fulfill the Team's training and participation requirements, agree to follow Department Directives and those contained within national interagency guidance in terms of conduct, PPE/equipment, deployment, finances, and documentation. Wildland Team members will be able to deploy year around, though most wildland deployment opportunities typically occur between May 1 and October 15. The total number of deployed personnel and equipment at any one time will be at the discretion of the Operations Division Chief. If for any reason the staffing needs of the department are not being met, deployments will be temporally halted until further notice.

**II. MEMBERSHIP REQUIREMENTS**

Membership on the Denver Fire Department Wildland Team is open to all uniformed employees of the Department, except for probationary Firefighters. The number of open positions on the Team will be determined by the Operations Division Chief and as approved by the Chief of the Department.

**A. RETURNING TEAM MEMBERS INCLUDING TRAINEES:**

Each returning member must renew and maintain active status with the Wildland Team annually by meeting the following minimum requirements:

- Attending a RT-130, Annual Fireline Safety Refresher (4-hours)
- Attending the Department's Administrative Refresher Course
- Completing a Work Capacity Test (WCT) if required by the current qualifications held.
- Have a current EMT Basic certification.
- Trainees will additionally have:
  - Position Task Book(s) (PTB), current and not expired.
  - Appropriate position Job Aid (J) if available.
- Be issued an updated and signed Incident Qualifications System (IQS) card for the current year.

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***B. FIRST-TIME TEAM MEMBERS***

**ELIGIBILITY REQUIREMENTS**

Department personnel wanting to become a member of the Wildland Team and be eligible for deployments must meet the following requirements depending on the functional area of participation interest.

The training requirements for eligibility will vary by type of position and are defined in the most current version of the National Wildfire Coordinating Group (NWCG) *PMS 310-1 National Incident Management System (NIMS): Wildland Fire Qualification System Guide*.

**A. MINIMUM PRE-REQUISITIES (All):**

- FEMA IS-700.b (On-line) with IS-800.b recommended
- ICS-100 and ICS-200 (FEMA On-line or classroom)
- City & County of Denver Defensive Driving course (required once every 3 years)

**B. WILDLAND OPERATIONS—All Positions:** i.e. Firefighter, Crew/Engine Boss, Engine Crewmember, Aviation, etc.

*Successful completion of:*

- S-130/190 Firefighting Training/Introduction to Wildland Fire Behavior (Classroom or on-line Blended); plus, Field Day for on-line.
- L-180 Human Factors in the Wildland Fire Service (On-line) or classroom if available.
- RT-130 Annual Fireline Safety Refresher
- Work Capacity Test (Pack, Field or Walk) if required for position(s)
- Current EMT-Basic Certification
- Attendance at a scheduled Wildland Admin Refresher

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**Section: OPERATIONS: WILDLAND**  
**Topic: Wildland Operating Procedures**

<b>Topic No:</b>	<b>2117.01</b>
<b>Date:</b>	<b>04-12-18</b>
<b>Approved:</b>	<b><i>CDIII</i></b>
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<b>Replaces:</b>	<b>Same, dated 05-26-17</b>

**C. WILDFIRE POSITIONS – OTHER**

Depending on personal interest and other skills, training and deployment opportunities are extensive in other wildland functional areas such as dispatch, communications, PIO, Planning, Logistics, and Finance; as well as other Technical Specialist and incident support areas.

Team members are encouraged to contact the Department’s Wildland Coordinator to learn more about these opportunities and their training requirements.

**D. SUPPLEMENTAL TRAINING – ALL TEAM MEMBERS**

While not required, the Department encourages all Team members to pursue additional wildland training to improve personal skills and lay the groundwork for advancement in individual wildfire functions.

Wildland training courses is available to members throughout the year to diversify a member’s wildland knowledge and meet many of the pre-requisites for advancement in the wildland profession. Members should contact the Wildland Coordinator regarding supplemental training and available training venues.

**E. DISCONTINUED WILDLAND TEAM PARTICIPATION**

At any time, a member wishes to discontinue their participation with the Wildland Team, the member is asked to provide the Wildland Coordinator with written notification. This will allow the Department to accurately maintain its mailing lists plus IQS and ROSS data bases.



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### III. STANDARDS FOR DEPLOYMENT

- All members assigned to the Operations division will be given a Wildland Availability Status Report (SOG Form 2117.01a) at the beginning and mid-way through the season. each year. The status report shall be completed and signed by the member's immediate supervisor, stating they are meeting all department requirements, e.g. EMS, Company Standards, required reading and inspections for officers. The completed and signed status report shall be sent to the wildland coordinator by no later than May 1<sup>st</sup> and August 1<sup>st</sup> annually before members can go available. Each division will set their own requirements for members to be available for deployments.
- The point of contact for all inquiries regarding potential deployments, assignments, or availability will be the Wildland Coordinator.
- Any issues encountered with improper ROSS status, length of assignment, or extensions below will be referred to and handled on a case-by-case basis with the Special Operations Assistant Chief.

#### A. ROSS AND STATUS REQUIREMENTS

- a. It is the personal responsibility of each Team member to be aware of their current ROSS status; and to update it if personal availability circumstances change. Members can only make themselves "available" or "unavailable" for deployment by following the steps below:
  - For tracking purposes, all ROSS status requests will only be made by sending an e-mail to [dfdwildland@denvergov.org](mailto:dfdwildland@denvergov.org). **No status changes will be made if requests are sent by text or phone including phone messages.**
  - Members may only status themselves in ROSS or change their status weekly from Monday through Thursday.
  - Requests for weekend ROSS status changes must be received no later than 1700 on each Thursday.
  - Any changes received after 1700 on Thursday will not be entered in ROSS until after 0700 the following Monday.
  - The above apply to those assigned to IMTs, those potentially assigned to crews or engines as well as single resources.

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**B. LENGTH OF DEPLOYMENTS AND EXTENSIONS**

- a. No initial deployment requests exceeding 14-days plus travel will be approved. Members anticipating receiving a “name request” of an extended assignment (i.e. 21 or 30 days) will notify the requesting unit of the Department’s 14-day limitation.
- b. All requests for any extension while on assignment will be approved on a case by case basis. Members anticipating or requested to extend by the incident, will fully complete an official Extension Request Form and send as an e-mail attachment to the Wildland Coordinator. The Coordinator will forward to the respective Division Chief or designee for review and the approval/non-approval forwarded back to the member.
- c. This extension policy will also apply to any position or incident re-assignments the member accepts.

**C. INCIDENT REASSIGNMENTS**

- a. Members receiving an official re-assignment from the initial assigned incident will immediately notify the Coordinator of the request and reassigned location. The member will not initiate travel to the new assignment until they have received an official resource order and it has been forwarded to the Wildland Coordinator.
- b. A re-assignment is a continuation of the member’s original 14-days and not the beginning of a new 14. Any request to extend on the new assignment will follow the guidelines in (C) above.

**D. Members who are available for wildland deployment are considered available for over-time (OT) in the City.** This is referenced in part within *DFD Department Directive 1003.00 Overtime Procedures, Additional Considerations:*

*“Prior to requiring mandatory recall, Shift Commanders will identify if any Wildland Team member is signed up and/or available to deploy. If available, those members will be offered the opportunity and if none accept, the member with the least seniority of the affected rank shall be required to report to duty.”*

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In the case of a refusal, inability to work, or a no-contact, the applicable hours will be logged into the member's overtime bucket. If the above happens for the second time, the member will be removed from the wildland team for the remainder of the year.

A daily overtime availability list will be provided to the Shift Commanders.

E. Members are only available for and allowed to deploy for those positions currently identified in the IQS and on their Red Card, including those shown as "Trainee". If an Order is received for a position the member is not qualified for, it will be declined. The steps for resource ordering and deployment are:

- A completed ROSS Resource Order form for an assignment will be sent from the Pueblo Dispatch Center directly to the member. Prior to contacting the Coordinator, the member will confirm that all information in Block 12 is completed including departure date and time. If information is missing, the member will contact Pueblo Dispatch and requested a fully completed copy of the Order.
- Personal notification of the assignment must then be conveyed to the Wildland Coordinator by phone; and the member must then forward the Coordinator an electronic copy of the Resource Order to [dfdwildland@denvergov.org](mailto:dfdwildland@denvergov.org). Phone pictures will not be accepted.
- Members should be ready to deploy **within two hours** of accepting an assignment. If the member that accepts an assignment is "*on duty*", that member must wait until they are relieved, prior to deploying or coordinate an early departure with their Company Officer with the approval of their respective Assistant Chief.
- A member **will not begin travel** until they have received a fully completed copy of their official resource order with an Order #; and a copy has been forwarded and received by the Wildland Coordinator or Designee.
- Members are expected to report to the accepted assignment destination in an efficient but safe manner. All official driving and work-rest requirements for driving will be adhered to.

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- Each deployed member should assure that they have a copy of their Resource Order, their current IQS card, and if a Trainee, their original Position Task Book (PTB) with them before departure.
- F. For every 14 days (exclusive of travel) members have been deployed and are scheduled to work on the following day, an additional administrative Work-Rest Day will be approved per the Interagency guidelines.
- G. The Interagency work/rest guidelines may require firefighters who are reassigned or extended while on deployment to take work/rest days before completing the deployment.
- H. In addition to those items in (C) above, upon deployment each member will have on their person and with them the following:
- Driver's license and proof of insurance
  - Copy of current CRRF agreement
  - Copy of EMT license
  - Appropriate PPE, equipment, and kits.
  - Credit card for deployment costs
- I. Certain situations may result in the Pueblo Dispatch Center contacting the Wildland Coordinator directly rather than the member to "*name request*" specific resources. Any members recommended by the Wildland Coordinator for these requests and subsequent deployment will meet the qualifications requirements of the position requested. Qualified members of the Wildland Team will be selected at the discretion of the Wildland Coordinator, with every attempt to avert any adverse impact that the deployment will have on the Operations Division.
- J. DEMOBILIZATION FROM THE INCIDENT
- When a member receives notification at the incident or assignment location that they are to be demobilized, they will immediately notify the Coordinator by e-mail of the demobilization date, time, method of travel, and estimated arrival back to their home unit. Typically, initial notification is 24-hours in advance of travel. Upon return members will notify the Coordinator of their arrival time who will then notify the Shift Commander.

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If a member is demobilized and returns on a Duty Day and has not completed a full assignment (14 days, not including travel), the member will report to their Station to complete their shift.

**K. WILDLAND TEAM UNIFORM & PPE REQUIREMENTS**

Team members will wear appropriate professional clothing all times while assigned and required by the position.

As an assignment may change during a deployment each member should additionally, travel with the following:

- Fire resistant shirts (yellow long-sleeve Nomex)
- Fire resistant pants (Nomex or equivalent)
- Boots meeting approved standards (8" leather, lug-sole)
- Helmet
- Fire Shelter (M-2002 or newer)
- Leather gloves
- Headlamp

Standard Fire Department uniforms are appropriate for support assignments such as those at Coordination or Dispatch Centers; and the Rocky Mountain Cache.

**V. DOCUMENTATION PROCEDURES**

- A. Documentation of the resource order, hours worked, equipment used, equipment lost/damaged, per diem costs, travel expenses, etc. is the responsibility of the deployed member.

Lack of proper documentation will prevent the City and the Department from receiving reimbursement for costs incurred by the member's deployment. The individual member will not receive overtime pay or per diem reimbursement until proper documentation has been signed and properly submitted. It is required that all paperwork be submitted **in person** to the **Wildland Processing Accountant** within 72 hours of return from deployment as all paperwork must be finalized and submitted to Finance within 15 days of return of deployment.

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- B. Members deployed on Wildland Team assignments will be compensated at overtime rates for actual hours worked beyond their normal work schedule as outlined in the Collective Bargaining Agreement.
- C. Deployment time must be documented on the Emergency Firefighter Time Report (OF288) and your return travel time will be documented on the Crew Time Report (SF261). This information will then be entered TeleStaff by the Wildland Coordinator. Time to be entered in TeleStaff should be clearly coded, described, and documented under “Notes” (i.e. wildland fire, incident name, and incident number).
- D. Due to the *2016-2017 Colorado Cooperator Incident Reimbursement Guidelines*, when a member travels home from an assignment that lasts less than 14 days on their normally assigned duty shift, **he/she shall return to duty to complete their normal assigned shift, regardless of the time of day.**
- E. Deployed Team members who work on a Department-recognized holiday will receive holiday pay for the actual hours they worked.
- F. *Meals not provided at the incident:* To simplify the reimbursement process, per diem expenses for any deployment location will be calculated using the “standard” CONUS (U.S. General Services Administration for the Continental United States) destination rate for meals for the State of Colorado. However, for extenuating circumstances whereby the member paid a significant amount for meals and incidental expenses above the standard rates (as determined by the Operations Division Chief or designee), such expenditures shall be justified with supporting original receipts.

*Meals provided at incident:* There are no reimbursements when meals are provided at an incident. However, when meals were provided at the incident and it was impossible to receive meals provided, the member may be reimbursed with a signed general message from the incident and original receipts.

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Meals on travel days will be paid at 75% per diem rate for the first and last days of travel utilizing the following times:

**Breakfast: 0630 to 0900**  
**Lunch 1100 to 1400**  
**Dinner 1600 to 1900**

- G All reconciliation/checklists, travel, and other required forms and receipts must be submitted through the Wildland Processing Accountant prior to processing of reimbursement paperwork by the Fire Department Finance team.
- H. Personal damage/loss claims must be submitted to the Incident Finance Section **while still deployed at the incident** to receive reimbursement. A copy of a paid invoice for replacement or repair must be submitted with reimbursement documentation
- I. Copies of supply orders for re-supply or replacement of consumables, lost, or damaged items may be required to complete incident documentation.
- J. If requesting reimbursement for personal cell phone charges, an “S-number” authorizing cell phone use must be obtained from the Incident or host agency. The S-number and copies of an itemized personal cell phone bill must be submitted with the reimbursement request. Receipts for any additional expenses must also be included in the reimbursement request.
- K. The Denver Fire Department will provide workers compensation for a line-of-duty injury per the Collective Bargaining Agreement for Wildland Team members while deployed to a Wildland fire assignment.
- L. Wildland Team members will be paid by the Denver Fire Department for time worked on their normal bi-weekly paycheck. Reimbursements for other items (per diem, lodging, and mileage) will be paid by separate check through the City’s voucher system and deposited to the member’s designated account.

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**VI. REIMBURSEMENT**

The following original documents shall be submitted to the Wildland Processing Accountant when requesting reimbursement and/or personnel pay:

A. Personnel Costs

1. Wildland Reconciliation/Checklist Form
2. Copies of Daily Crew Time Reports (CTR-SF261)
3. Incident Time Reports (OF288) documenting time periods on shift
4. Resource Order for the incident
5. Travel request reimbursement for per diem, mileage, lodging, airport parking, rental vehicles, etc., including original receipts
6. Damage/loss documentation for repair/replacement of lost/damaged items

B. Equipment

1. Copy of CRRF with reimbursable resource highlighted
2. Original Emergency Equipment Use invoice if no other expenses are claimed
3. Original Emergency Equipment Shift Tickets documenting time periods on shift
4. Resource Order for first incident
5. Fuel receipts, if fuel not supplied at incident
6. Emergency Firefighter Time Sheets, if firefighters are paid separate from equipment
7. Per diem and lodging receipts for crew, if applicable
8. Supply Order numbers for supply/replacement, if necessary
9. Damage/loss documentation for repair/replacement, if necessary
10. Additional reimbursement expenses (airport parking (long-term only), rental vehicles, shuttle, taxi, etc.) Note: The use of Uber or Lyft for transportation is not authorized.

The Wildland Processing Accountant will submit reimbursement requests to the City Controller's office upon finalization and submittal of the wildland reimbursement packet to the CDPS office or within 45 days from submittal from the member.



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**VII. OTHER MEMBERSHIP RESPONSIBILITIES**

**A. WILDLAND PROGRAM COMMUNICATIONS**

Many if not all aspects of the wildland program are 24/7 in nature related to Wildland Coordinator information requests for Headquarters, deployments, training opportunities, and other requests from outside the Department for DFD personnel and equipment.

Per Department Directive 1006.00, **all DFD members (not just wildland) are required to check their City/Department email (name@denvergov.org) as a part of their daily job duties.** It is also strongly recommended that wildland team members check their City E-mail several times daily on their days off throughout the wildland fire season. For documentation purposes official communication for the wildland program will be by City E-mail only and not by personal e-mail or text. The lack of timely responses to wildland requests may result in a discontinued participation.

**B. WILDLAND EQUIPMENT ACCOUNTABILITY**

All equipment purchased for the wildland program including hand-held radios are considered accountable property. When issued to personnel or included in the inventory for each of the wildland engines, all equipment will be accounted for always. Radios if issued to a member will be returned to the Coordinator when requested, when no longer needed or after each season. All damaged, broken or lost wildland equipment will be reported to the Coordinator immediately so that repairs and/or replacement can be made.

**C. TRADES**

It is the member's responsibility to make sure that the Department does not incur any costs for trades when they have been deployed. Members cannot have trades in TeleStaff while on deployment assignment. During any period, a member has made themselves available for deployments, that member is responsible for making arrangements to clear trades, both owed and owing, that fall with the deployment period prior to leaving on deployment.

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**B. TRAINING**

1. A variety of training opportunities become available throughout the year and will be distributed to all members via e-mail by the Wildland Coordinator. In-house training sponsored by the Department will be arranged so that on duty personnel may attend. In situations where classes cover several consecutive days, members will be expected to attend on their off-duty days without compensation or pay. These training opportunities include the annual Work Capacity Test and Refresher Courses as well as other Interagency wildland and prescribed fire classes.
2. Every certificate received for class completion will be recorded in the member's individual IQS. record. It is the member's responsibility to deliver a copy (electronic or hard copy) to the Wildland Coordinator for updating of the member's permanent record.
3. Additional specific information regarding training, taskbooks and certification can be found in the Department's Wildland Training and Qualifications SOG.

**C. PRESCRIBED BURNING**

1. Prior to participating in prescribed burning with other departments, members must first deliver the Denver Fire Department's Wildland Training form to the Special Operations Assistant Chief and/or Operations Captain for approval. Once participation is approved by the Operations Division Chief and training form is signed, the member will be covered by the Denver Fire Department for potential injury as in all other Department training exercises.
2. If any member does not first receive approval from the Operations Division Chief, any injury incurred while training with other departments will be the responsibility of the individual.

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D. ILLINESS/INJURY

1. A traumatic injury, as defined in the *PMS-902 Interagency Incident Business Management Handbook* (IIBMH, 3/2016) is a wound or other condition to the body caused by external force, including stress or strain, and which occurs during one work shift or one calendar day. If this situation occurs, the injured party shall fill out the front side of a CA-1 Notice of Traumatic Injury report and their on-scene supervisor shall complete the reverse side.
2. The IIBMH also recognizes the classification of occupational disease. This is defined as a disease that is produced by systemic infections, continued or repeated stress or strain, exposure to toxins, poisons, or fumes, or other continued or repeated exposure to conditions of work environment over a period of at least two days. In this situation, the injured party shall fill out the front side of a CA-2 and their supervisor shall fill out the reverse side.
3. Denver Fire Department Dispatch shall be contacted in the case of any serious injuries at 720-913-2400. Dispatch will make the call list, so all the appropriate individuals will be notified.
4. As soon as reasonably possible, the injured member must call the OUCH Line (303) 436-OUCH (6824) and inform the call taker that you are reporting a Wildland related injury.
5. Workers Compensation requires notification of the member's direct supervisor within 48 hours of the incident. Copies of the CA-1 or CA-2 must be filled out on scene.

D. CONDUCT

Possession of alcoholic beverages while traveling, at the incident or in other government facilities is prohibited. Possessing, selling, distributing, transporting, or personally using controlled substances (unless prescribed by a physician) is illegal.

While on deployment, all Denver Fire Department Directives, rules and regulations, and discipline guidelines shall apply.

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Members who are sent home from an incident for conduct unbecoming **shall** be subject to discipline by the Denver Fire Department Administration.

E. USE OF DEPARTMENT VEHICLES

When needed, Department vehicles are approved for official use in traveling to and from wildland deployments; as well for official travel while assigned.

When a Department vehicle is used, members are responsible for completing a daily OF-297 Emergency Equipment Shift Ticket; and obtaining a final OF-286 Emergency Equipment-Use Invoice form from the incident before demobilization. Copies should be submitted with a member's wildland package.

Department issued fuel card is allowed for fuel purchase only.

Upon return from any assignment where a Department vehicle is used, the Team member will be immediately responsible for assuring the following:

1. All trash and personal equipment/items is removed from the vehicle
2. The vehicle's exterior is washed.
3. The vehicle's interior will be thoroughly vacuumed including the trunk.
4. The vehicle will be fully gassed.
5. Any damage, mechanical or safety needs (headlights, tire wear, etc.) are documented and reported.
6. Requirements specific to the engines and crew vehicles are specified in the Department's Wildland Apparatus SOG, 2117.03.

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Section: OPERATIONS: USAR  
Topic: USAR Task Force Mobilization Manual

Topic No:	2118.01
Date:	08-31-17
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**PURPOSE:** To identify the duties and responsibilities of members on the Department involved with Colorado Task Force 1 (CO-TF1) in the event of Federal activation or alert.

**SCOPE:** Applies to all members of the Denver Fire Department who are team members of CO-TF1.

**I. RESPONSIBILITIES**

- A. Members shall verify their deployment status on the pre-roster via monthly e-mails sent by CO-TF1. Members that are on the pre-roster who cannot deploy are to immediately notify their Task Force supervisor. Operations shall be provided copies of the Red, White, and Blue pre-rosters in January every year. The senior DFD Task Force member (the agency lead) is responsible for providing all information regarding the Task Force to the Operations Division. This member will also serve as the Point of Contact (POC) for the Task Force.
- B. Members shall ensure that their personal equipment is always ready for deployment. They shall also have their family affairs in order in preparation for immediate deployment. Follow the Family Readiness Checklist.
- C. West Metro Fire and Rescue, the Sponsoring Organization, shall receive all information from FEMA. West Metro Fire shall notify Task Force members, the Division Chief, and the Special Operations Chief of Operations via the INTRADO and the FEMA Communicator notification system or Task Force Chain of Command by phone. The INTRADO and the FEMA Communicator systems will notify members by sending a pre-recorded message to member's home, cell phone and e-mail.

**II. DEPLOYMENT STATUS LEVELS**

**ADVISORY**

Informational updates to all Task Forces about disasters that have occurred or are imminent. No action is required at this time. Standby for further updates.

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**ALERT**

Formal notification by FEMA to selected Task Forces that a disaster is imminent or has occurred. Task Force is directed to prepare for possible activation. Selected Task Force members may be put on paid status to make preparations. Off duty personnel may be requested to assist with preparations in a non-paid status. All members shall place their personal equipment in their cars. Members shall report their status for deployment to their Task Force supervisor. Activation date and time may be identified in the alert notification. Alert may not lead to activation of the Task Force. The Operations Division and the Department will be kept informed by the senior DFD member present or the Task Force and/or the Agency Lead.

**ACTIVATION**

- A. Activation is a formal request from FEMA to a Task Force that an event has occurred or is projected to occur which requires deployment for a mission. Date and time to report to the Mobilization Center shall be identified. There may or may not be an Advisory or Alert prior to activation. Activation orders will state date and time Task Force personnel and equipment shall be at the Point of Departure. Time of departure may be as short as four hours.
  
- B. Immediately after notification of Activation, the Agency lead for the Task Force shall ensure that the Special Operations Chief and/or Division Chief of Operations (see attached phone list) are notified of the activation. The agency lead will also confirm with the Operations Division which DFD personnel are on the updated pre-roster and thus eligible for deployment. Operations will also be kept apprised of DFD members involved in substitutions and/or additions made to fill out the deployment roster. On duty members identified as eligible to deploy on the pre-roster shall be released ASAP. If necessary, rigs will be temporarily closed and/or consolidated (no more than four rigs) to facilitate the release of the designated members. If necessary, the "Hold Order" may be put into effect. If the Task Force is activated and overtime/backfill is authorized, Operations will have the on duty assigned Shift Commander start the backfill hiring process. The hiring process will not delay releasing eligible Task Force members.

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- C. Operations shall immediately contact Dispatch and have an “All Stations” message sent stating that: “Members of Colorado Task Force 1 have been activated for deployment; you are to follow procedures as outline in the DFD Mobilization Manual.”
- D. Members listed on the pre-roster as eligible to deploy shall notify their DFD Task Force supervisor and/or Task Force Group Leader, who in turn will notify the DFD Agency Lead that they intend to deploy. They will respond to the point of assembly (3535 South Kipling) with their equipment immediately, or as directed.
- E. Once the Agency Lead has confirmed with Operations, he/she shall e-mail or call CO-TF1 Program Manager or Training Manager that DFD has received the message and DFD members are in the process of responding to the PoD (Point of Departure). This notification response shall be accomplished as soon as possible. The reply to the receipt of the order is critical for West Metro Fire and FEMA to determine if the Task Force can accept the mission.
- F. Off duty personnel that are not deploying are requested to respond with their equipment to the point of assembly and assist with the deployment. Members should be prepared to fill a vacancy in the deployment roster. Immediately notify the DFD Agency Lead if you are placed on the deploying roster. The Agency Lead is then responsible for notifying Operations. If you are not pre-rostered or specifically requested through the Agency Lead, you are required to fulfill your scheduled DFD duty assignment obligation.
- G. On duty personnel that are not deploying are requested to follow the above procedures at the end of their tour of duty. Contact your DFD Task Force supervisor before going out to the Task Force headquarters. Your assistance may be needed at the point of assembly or elsewhere.
- H. Shift Commander shall ensure that the Telestaff code used to backfill vacancies will be the appropriate “FEMA backfill” code and that the notes section includes the name of the deploying/deployed member being replaced by the overtime

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STANDARD OPERATING GUIDELINE

**Section:** OPERATIONS: USAR  
**Topic:** USAR Task Force Mobilization Manual

<b>Topic No:</b>	<b>2118.01</b>
<b>Date:</b>	<b>08-31-17</b>
<b>Approved:</b>	<b>CDIII</b>
<b>Review Date:</b>	<b>08-31-19</b>
<b>Replaces:</b>	<b>Same, dated 06-22-11</b>

member. These procedures will facilitate reimbursement from FEMA.

- I. The Administrative Division will designate a member to function as the Department's liaison to the Task Force Family Support Network. The network can be contacted through the Home Base TFL at Task Force headquarters. This communication link will assist in keeping both the deployed member families and the Department informed. Family emergencies can also be addressed and relayed to the deployed member through this liaison. (The DFD Agency Lead may be assigned to these duties if not deployed.)
- J. The Chief of West Metro Fire and Rescue District will also maintain contact with the Chief of Denver Fire Department.
- K. The senior DFD Task Force member that deployed shall keep the Department liaison officer (and/or the DFD Agency Lead if he/she is not deployed) informed during the deployment on a daily basis if there is a phone or e-mail capability on location.

Attachment: Phone List, Activation CO-TF1



**DENVER FIRE DEPARTMENT**

**STANDARD OPERATING GUIDELINE**

**Section:** OPERATIONS: USAR  
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**Phone List, Activation CO-TF1**

<b>L. NAME</b>	<b>F. NAME</b>	<b>ASSIGNMENT</b>	<b>PHONE #s</b>	<b>E-MAIL</b>
Drennan	Charles	Division Chief, Operations DFD POC	720-913-3421 303-944-3969	<a href="mailto:Charles.Drennan@denvergov.org">Charles.Drennan@denvergov.org</a>
		DFD Dispatch	720-913-2400	
		Task Force Ldr USAR		
		Rescue Tm Mgr		
Wells	Randy	Assistant Chief Operations DFD Back up POC	720-913-3416 303-944-4104	<a href="mailto:Randall.Wells@denvergov.org">Randall.Wells@denvergov.org</a>
Fulton	Desmond	Liaison to Task Force	Administrative Division Chief 720-913-3455	<a href="mailto:Desmond.fulton@denvergov.org">Desmond.fulton@denvergov.org</a>
Tyus	Rodney	<b>CO-TF1 Program Manager</b>	(303) 274-0814 ext 11 (720) 641-6029	<a href="mailto:RTyus@WestMetroFire.org">RTyus@WestMetroFire.org</a>
<b>Good</b>	<b>Mike</b>	<b>CO-TF1 Training Manager</b>	<b>303 274-0814 ext 12 720-641-6044</b>	<a href="mailto:mgood@westmetrofire.org">mgood@westmetrofire.org</a>
West Metro Dispatch			303-969-0298 Fax 303-969-0286	<a href="mailto:dispatch@westmetrofire.org">dispatch@westmetrofire.org</a>

# Section D

## Executive Orders

# FISCAL ACCOUNTABILITY RULES

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## RULE 10.5 – CITY BUSINESS VEHICLE USE

### Purpose

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City and County of Denver (City) officers and employees engage in many activities which may require them to use a City-owned or leased vehicle, or their personal vehicle, to conduct City business. A top priority of the City is the safety of its officers and employees. Therefore, the City is committed to safeguarding the individuals who operate City-owned or leased vehicles or use their personal vehicle while conducting City business. **This rule applies to any officer or employee who operates a City-owned or leased vehicle or uses his/her personal vehicle while conducting City business.**

This rule shall be read in conjunction with the associated [City Business Vehicle Use Procedure](#) to ensure compliance and understanding.

Each officer and employee driving a City-owned or leased vehicle or using his/her personal vehicle while conducting City business shall also comply with all applicable provisions of:

- [Fiscal Accountability Rule 10.6 – Take-Home Vehicles and Carpooling](#);
- [Fiscal Accountability Rule 10.7 – Use of Personal Vehicles for City Business](#);
- [Executive Order 3 – Motor Vehicle Program](#);
- [Executive Order 65 – Operational Safety and Health Program](#);
- [Executive Order 74 – Parking by City Employees While on Official Business \(OCB\)](#);

and

- [Executive Order 94 – Alcohol and Other Drugs Policy for City and County of Denver Employees](#);

### Definitions

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#### **City Vehicle – Owned or Leased:**

- **Motor Center Vehicle** – Vehicles available for officers and employees to use to conduct City business on an infrequent or irregular basis. Officers and employees should request motor center vehicles whenever practical before using their personal vehicles to conduct City business.

# FISCAL ACCOUNTABILITY RULES

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## RULE 10.5 – CITY BUSINESS VEHICLE USE, CONTINUED

- **Regularly Assigned Vehicles** – Vehicles that are assigned on a regular basis to an employee for an entire work day or shift. Written approval of the employee’s immediate supervisor and Expending Authority is required before a vehicle may be assigned to an employee. One or more of the following conditions shall exist to qualify for a regularly assigned vehicle:
  - ✓ The employee frequently delivers or carries special equipment or materials during daily work assignments; or
  - ✓ The employee drives other City personnel on City business during the normal workday; or
  - ✓ The employee’s Expending Authority has requested that the employee be assigned a City vehicle for daily work tasks due to special work requirements, safety requirements, or other work circumstances.

**Employee** – For the purpose of this rule an employee is an individual who performs work for the City and is paid through the PeopleSoft Human Resource Management, which is the City’s System of Record (SOR). (See [Fiscal Accountability Rule 1.2 – System of Record.](#))

**Infrequent or irregular basis** – Not more than once per month.

**Take-Home Vehicles and Carpooling** – City vehicle assigned to an officer or employee for both commuting and City-business use, and the use of a vehicle for carpooling. The employee must meet requirements established in [Fiscal Accountability Rule 10.6 – Take-Home Vehicles and Carpooling.](#)

**Taxable** – Taxable means the benefit is included in an employee’s wages and reported on Form W-2, Wage and Tax Statement, and generally is subject to withholding for Federal income tax, social security, and Medicare.

**Use of Personal Vehicle for City Business** – An employee’s use of his/her personal vehicle to travel on a daily or regular basis to conduct City business.

## Rules

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1. City vehicles are to be used only for City business and shall not be used for personal use, except for vehicles authorized as take-home vehicles. Personal use is limited to commuting as set forth in [Fiscal Accountability Rule 10.6 – Take-Home Vehicles and Carpooling.](#)
2. Only authorized officers and employees of the City with a valid operator’s license of the appropriate class for the type vehicle being driven shall operate a City vehicle in accordance with [Executive Order \(XO\) 3, Motor Vehicle Program – Chapter V – Employee License Review.](#)

# FISCAL ACCOUNTABILITY RULES

## RULE 10.5 – CITY BUSINESS VEHICLE USE, CONTINUED

3. Every officer and employee shall operate a City vehicle, or his/her personal vehicle, while conducting City business in a safe and responsible manner. This includes, but is not limited to:
  - A. carrying a valid driver's license;
  - B. ensuring that passengers are only sitting in seats with a safety belt, and that the passengers are using the safety belt when the vehicle is moving except in a vehicle that is not required by law to have safety belts;
  - C. checking the vehicle for safety;
  - D. reporting a problem immediately if a City vehicle needs repair;
  - E. operating a City vehicle, or a personal vehicle when conducting City business, at or below posted public speed limits and at a speed appropriate for road conditions; and
  - F. not eating, smoking, or driving under the influence of alcohol or drugs, or any other practice which would constitute a distraction.
4. An employee shall immediately notify his/her supervisor of any change in his/her license status.
5. Every officer and employee shall attend a defensive driving training program prior to operating a City vehicle or his/her personal vehicle to conduct City business, and shall repeat such training every three years. The defensive driving training program required by this rule shall be conducted by Risk Management or by the Expending Authority's designated safety or training officer. Alternatively, an officer or employee may attend an equivalent outside training program. The defensive driving training program requirements are established in [Executive Order 3 – Motor Vehicle Program – Chapter VII – Defensive Driving Training](#).
6. Every officer and employee shall complete, and have authorized, a [City Business Vehicle Request and Status Change Form](#) before operating a City vehicle or using his/her personal vehicle for City business.

On or before June 15<sup>th</sup> of each year, the Expending Authority shall review all approved authorizations for use of a City vehicle or for using a personal vehicle for City business and shall confirm whether each authorized employee continues to meet the requirements of this Rule. If the authorization will be renewed, the Expending Authority shall submit a new [City Business Vehicle Request and Status Change Form](#) to the Controller's Office Payroll Division for each authorized employee whether newly approved or subject to a renewed approval.

# FISCAL ACCOUNTABILITY RULES

## RULE 10.5 – CITY BUSINESS VEHICLE USE, CONTINUED

Employees who hold a Colorado Commercial Drivers License (CDL) as a condition of employment, and who will be operating a City vehicle requiring a CDL, are exempt from completing a [City Business Vehicle Request and Status Change Form](#), unless they are assigned a take-home vehicle as well. Expending Authorities are responsible for compliance with this rule.

7. Officers and employees may use a City vehicle to transport others who are:
  - A. engaged in the same City business;
  - B. attending the same City or public activity or function;
  - C. in the care or custody of the officer or employee in the course of official business; or
  - D. being transported as a part of a City sponsored or co-sponsored event or program.
8. Each City vehicle shall be assigned through a Motor Center, as a regularly assigned vehicle, or as a take-home or carpool vehicle.
  - A. Using motor center vehicles to travel to and from work to home is prohibited.
  - B. Motor center vehicles that have been checked out for business commuting purposes shall be returned to the Motor Center at the end of each business day. If an Expending Authority determines that it is necessary for an employee to take home a motor center vehicle on an infrequent basis, a written request shall be submitted to the **Manager of Public Works** for approval. The take-home usage of the motor center vehicle will be documented and placed in the employee's personnel record.
  - C. No employee shall be authorized to use any motor center vehicle as a take-home vehicle more than once per month. Take-home assignment of a different motor center vehicle to one employee during any one month to circumvent this Rule is prohibited. If an infrequent take-home use of a motor center vehicle is authorized by the **Manager of Public Works**, the employee's take-home use of the motor center vehicle will be considered taxable and subject to the rules of [Fiscal Accountability Rule 10.6 – Take-Home Vehicles and Carpooling](#).
9. Expending Authorities shall maintain a list of employees who have been delegated a regularly assigned vehicle.
10. Employees who have a regularly assigned vehicle shall park the City vehicle during non-work hours at the employee's main or regular place of work.
11. Take-home vehicles shall only be authorized in accordance with [Fiscal Accountability Rule 10.6 – Take-Home Vehicles and Carpooling](#).

# FISCAL ACCOUNTABILITY RULES

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## RULE 10.5 – CITY BUSINESS VEHICLE USE, CONTINUED

12. Employees shall comply with the procedures detailed in [Executive Order 3 – Motor Vehicle Program – Chapter VIII – City Vehicle Accidents](#) in the event an accident or damage occurs to a City vehicle, or to a personal vehicle, when used for conducting City business.
13. An employee who uses his/her personal vehicle while conducting City business shall have personal automobile insurance that does not exclude business use of the vehicle, maintain minimum limits of liability per Colorado law as listed below, and provide proof of insurance upon request:
  - \$25,000 per person for bodily injury;
  - \$50,000 per accident for bodily injury; and
  - \$15,000 per accident for property damage.

An employee shall notify his/her supervisor immediately if insurance coverage lapses or is terminated for any reason

Employees are advised to consult with their insurance agent or broker when purchasing insurance coverage for a personal vehicle which the employee uses, or is required to use as a condition of employment, for City business in order to confirm that the employee has sufficient and appropriate coverage for such usage. The City shall not be listed in the policy as a named insured. The Expending Authority shall ensure that these insurance requirements are verified and documented on the [City Business Vehicle Request and Status Change Form](#).

14. Possession of a firearm while operating a City vehicle, or when driving a personal vehicle while conducting City business, is not allowed except by authorized personnel.
15. Any fines for tickets issued to the driver, including parking tickets, are the responsibility of the driver.

### Authority and Accountability

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The Controller's Office is responsible for this fiscal accountability rule and any procedures, guides, forms, step-by-steps, and one-page summaries associated with this rule.

## EXECUTIVE ORDER NO. 16

**TO:** All Employees, Agencies, and Departments Under the Mayor

**FROM:** John W. Hickenlooper, Mayor

**DATE:** August 23, 2007

**SUBJECT:** Use of Electronic and Communication Devices and Services

**Purpose:** This Executive Order sets forth the City's policy with regard to the appropriate use of electronic and communication devices and services provided by the City and County of Denver to its employees. "Electronic and communication devices and services" includes computers; peripherals; cell phones; pagers; PDA's; desktop phones; access to the City network, City servers, the Internet, and email; and any other electronic or communication device or service provided by the City and County of Denver.

1.0 **Applicable Authority:** The applicable authority relevant to the provisions and requirements of this Executive Order No. 16 are found in the Charter of the City and County of Denver at Section 2.2.10. Executive Order No 16, dated, June 24, 1997, Use of Electronic Mail and all Memoranda are canceled and superseded by this Executive Order.

### 2.0 **Policy:**

#### 2.1 Ownership

- a. The City and County of Denver provides electronic and communication devices and services to its employees to aid in the performance of City business, based on business needs determined by each City Agency and Department.
- b. All electronic and communication devices and services provided by the City and County of Denver regardless of physical location or form, are considered property of the City and County of Denver and owned exclusively by the City and County of Denver.

#### 2.2 No Expectation of Privacy

City employees who utilize electronic and communication devices and services provided by the City and County of Denver should have NO EXPECTATION OF PRIVACY when using any City-owned device or service. Employees' supervisors, Agency and Department Executive Directors, designated City Attorney's Office staff, Technology Services personnel, and any other appropriately designated City and County of Denver employee or official has the right to monitor the use of any device or service provided by the City and County of Denver to the employee, and to seize any electronic or communication device provided by the City and County of Denver to the employee.



2.3 Permissible / Prohibited Use

- a. City employees shall sign the most current *Information Technology Acceptable Use Acknowledgement* prior to being given access to electronic or communication devices or services and upon any material change to the *Acknowledgement*. Users shall strictly adhere to all policies and procedures within the *Acknowledgement*, as well as any additional policies required by specific City Agencies or Departments.
- b. City employees shall use assigned electronic and communication devices and services in an appropriate manner. Employees shall not knowingly transmit, retrieve or store any communication, nor intentionally visit Internet sites, that are: discriminatory or harassing; derogatory to any individual or group; obscene or pornographic; vulgar or profane; defamatory or threatening; in violation of another employee's privacy; used in order to propagate any virus, or other damaging code; used to plagiarize or copy copyright-protected material; or used for personal profit or illegal purposes; unless the employee has a legitimate business need and authorization to do so.
- c. Limited, occasional, or incidental use of electronic and communication devices and services for personal, non-business purposes is permitted so long as it is of a reasonable duration and frequency, does not interfere with the employee's performance of job duties, and is not in support of a personal business.
- d. All personal calls (both incoming and outgoing) made or received on a city-provided cell phone, and long distance desk phone services must be reimbursed monthly to the City and County of Denver. It is the responsibility of the employee's supervisor to ensure that personal calls have been reimbursed.
- e. City employees shall not jeopardize City network security by attempting to download any music, games, pictures, video, freeware, or software from the Internet, from a received e-mail message, or from a transportable piece of media from outside the City and County of Denver.
- f. City employees shall not include personally identifiable information, especially Social Security Numbers, within any unencrypted e-mail being sent outside the City's network.

2.4 Loss, Damage or Theft of a Device

- a. If an electronic device provided by the City is stolen, lost or damaged, the employee must immediately notify his / her supervisor as well as the their agency Information Technology Help/Service Desk or internal IT support staff. Technology Services or the individual agency IT support staff will notify the appropriate outside vendor to suspend any existing service account.
- b. In the event an electronic device provided by the City is stolen, lost or damaged, the employee will be provided one replacement electronic device at no cost to the employee. Thereafter, any damage to or loss of an electronic device must be reimbursed to the City and County of Denver. If an electronic device provided by the City is stolen, the employee must immediately notify his / her supervisor as well as their agency Information Technology Help/Service Desk or internal IT support staff. The employee must also report the theft to the appropriate police department and obtain a police report. If the device was stolen from someone's personal vehicle or home, the insurance provider should be notified and the device should be covered by that policy. Agencies and Departments may establish a different requirement or exceptions to this requirement, but must provide notice to the effected employees as such.

3.0 **Violations of the Executive Order and Discipline**


3.1 Employees may be disciplined by his/her Department for any conduct that is prohibited by or otherwise in violation of this Executive Order.

3.2 **Disciplinary Action/Penalties**


Violations of this Executive Order may result in suspension or termination of access to electronic and communication devices and services; disciplinary action pursuant to the City's Personnel Rules and Regulations; or legal action in the form of criminal or civil penalties.

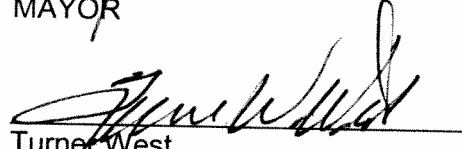
4.0 **Memorandum Attachments:** The procedure(s) for implementing this Executive Order, may be defined by Memorandum Attachments to the Executive Order which shall become a part of the Executive Order. Further the Office of Technology Services which is responsible for the content of this Executive Order shall have the authority to issue procedural Memorandum attachments relative to this Executive Order.

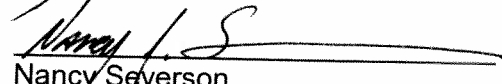
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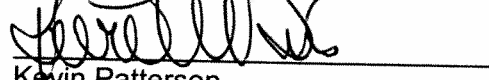
  
Arlene V. Dykstra  
City Attorney for the City and  
County of Denver

Approved:

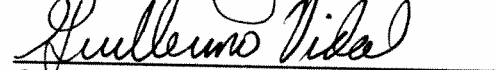
  
John W. Hickenlooper  
MAYOR

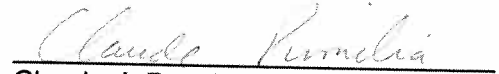
  
Turner West  
Manager of Aviation

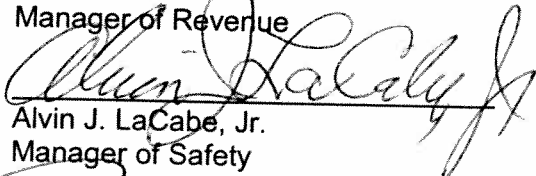
  
Nancy Severson  
Manager of Environmental Health


  
Kevin Patterson  
Manager of General Services

  
Kim Bailey  
Manager of Parks & Recreation

  
Guillermo "Bill" Vidal  
Manager of Public Works

  
Claude J. Pumilia  
Manager of Revenue

  
Alvin J. LaCabe, Jr.  
Manager of Safety

  
Roxane White  
Manager of Human Services

  
Peter Park  
Director of Planning & Development

**MEMORANDUM NO. 16A**

**TO: All Departments and Agencies Under the Mayor**  
**FROM: Michael Hancock, Mayor**  
**DATE: July 2, 2018**  
**SUBJECT: Use of Electronic and Communication Devices and Services**

This Memorandum shall be attached to and become a part of Executive Order 16 Dated August 23, 2007 subject "Use of Electronic and Communication Devices and Services," and mandates the use of the attached Technology Services Acceptable Use Agreement that all employees must sign before permission is granted to use Electronic and Communication devices provided by the City.

Policy Control Information	
Department/Agency	Technology Services
Team	Information Security
Effective Date	7/2/2018
Related Policies	Executive Order 143 – Protected Data Privacy Policy Executive Order 18 – Establishment of Technology Services Executive Order 16 – Use of Electronic Communication Devices and Services Executive Order 64 – Records Management CSA Rule 16 – Code of Conduct and Discipline Policy - IT Asset Management Policy – Mobile Device Management Policy – Password Management

### Purpose

This Acceptable Use Agreement supersedes all previous Acceptable Use Agreements.

The purpose of this policy is to outline the acceptable use of computer equipment at the City and County of Denver (the City), ensuring that the information created, acquired, or maintained by the City and its authorized users is used in accordance with its intended purpose and protects the employee and the City from external and internal threats; and to protect the City from inappropriate use which may expose the City to legal liability and technical risks such as virus attacks or compromise of network systems and services. This policy shall be reviewed and acknowledged on an annual basis by all City users.

### Regulatory Guidance:

Regulations and Industry Standards	
CJIS	Criminal Justice Information Services
CSA CCM	Cloud Security Alliance - Cloud Controls Matrix
CSC	Critical Security Controls from Center for Internet Security
HIPAA	Health Insurance Portability and Accountability Act
NIST SP 800-53	National Institute of Standards and Technology Special Publication 800-53 – Security and Privacy Controls for Federal Information Systems and Organizations
PCI - DSS	Payment Card Industry Data Security Standard

### Scope

This policy applies to the following:

- All City agencies and departments, including auxiliary units and external businesses or organizations that provide information technology services to the City and County of Denver.

- All employees, civil servants, appointees, and elected officials or any other persons having access to the City's information and technology resources.
- All City technology or information resources, facility and equipment owned or leased by the City regardless of it being centralized, de-centralized, agency or department-managed.

## Executive Sponsorship

Executive sponsorship for this document comes from the CIO, City and County of Denver. The CIO shall review this policy periodically with senior management to determine if changes to this policy are required.

## Policy

### 1. General Use and Ownership

- 1.1. The City's protected data stored on electronic and computing devices remains the sole property of the City, whether owned or leased by the City, the employee or a third party. You must ensure through legal or technical means that protected data is secured in accordance with Technology Services Policies and Standards.
- 1.2. You have a responsibility to promptly report the theft, loss or unauthorized disclosure of protected data including Personally Identifiable Information (PII), proprietary/confidential data, and regulated data.
- 1.3. You may access, use or share protected data only to the extent it is authorized and necessary to fulfill your assigned job duties.
- 1.4. Employees are responsible for exercising good judgment regarding the reasonableness of personal use. If there is any uncertainty, employees should consult their supervisor or manager.
- 1.5. As stated in Executive Order 16, there shall be no expectation of privacy when using any City-owned device or service. In addition, all communications conducted on the City's network are subject to the Colorado Open Records Act (CORA).
- 1.6. For security and network maintenance purposes, authorized individuals within the City may monitor equipment, systems and network traffic at any time, per the City's Information Security Policy.
- 1.7. The City reserves the right to designate authorized personnel to audit networks and systems on a periodic basis to ensure compliance with this policy.

### 2. Security and Protected Data

- 2.1. System level and user level passwords must comply with the Password Policy. Providing access to another individual, either deliberately or through failure to secure its access, is prohibited.
- 2.2. All personnel must lock the screen or log off when the device is unattended.
- 2.3. Postings by employees from a CCD email address to newsgroups should contain a disclaimer stating that the opinions expressed are strictly their own and not necessarily those of CCD, unless posting is in the course of business duties.

- 2.4. Employees must use extreme caution when opening e-mail attachments received from unknown senders, which may contain malware.

### 3. Unacceptable Use

The following activities are, in general, prohibited. Employees may be exempted from these restrictions during the course of their legitimate job responsibilities (e.g., systems administration staff may have a need to disable the network access of a host if that host is disrupting production services).

The lists below are by no means exhaustive, but attempt to provide a framework for activities which fall into the category of unacceptable use.

- 3.1. Illegal, fraudulent or workplace inappropriate use is strictly prohibited.

Any use of the City's information and technology resources for an illegal, fraudulent or workplace inappropriate purpose or in support of such activities is prohibited. Illegal and fraudulent activities shall be defined by any violation of federal, state, or local law. Workplace inappropriate use is the use of a City information or technology resource to violate any of the rules and regulations that govern your employment or appointment to the City (e.g., Municipal Code, Executive Order, Career Service Rules, Civil Service Rules and Regulations or contract).

- 3.2. Security and data integrity violations are strictly prohibited.

Use of the City's information and technology resources to violate security protocols, circumventing or disabling security controls, or otherwise use of the resource in an unethical manner is prohibited. Such activities include, but are not limited to: accessing accounts regardless of system for which you are not authorized or do not have a business need; copy, disclose, transfer, examine, rename, or change information, configurations, or programs not under your purview unless you are given express permission to do so by the responsible user or administrative authority; unauthorized access of another user's email or files; representing yourself as someone else, fictional or real; or using proxies or other systems to circumvent website classification or restriction; installation of any unapproved hardware devices or software; executing intentionally malicious programs or unauthorized reconnaissance/security tools.

- 3.3. Improper use of information is strictly prohibited.

Use of data or information created, acquired, or maintained by the City and its authorized users, in any manner other than in accordance with its intended purpose is strictly prohibited. Improper use, includes, but is not limited to: transmitting data to unauthorized endpoints; transmitting sensitive or confidential data in an un-encrypted manner, unauthorized encryption of data and failure to register the method and tokens for decryption or cipher keys with Technology Services Information Security, storing data regardless of classification on unauthorized devices or systems.

- 3.4. Inefficient, unnecessary or wasteful use is strictly prohibited.

Wasteful use of the City's information and technology resources includes, but is not limited to: placing programs in an endless loop; sending bulk/spam/junk mail; use of an inefficient program when efficient alternatives are available; malicious disruption of the use or performance of a computer system or network; streaming media or downloading data for

personal use that is disruptive to official business; or other use of excessive network or computational bandwidth for unofficial purposes.

3.5. Unauthorized network protocols or connections are strictly prohibited.

No personal devices are allowed on the City network unless authorized by Information Security. See the Policy and Rules of Behavior – Bring Your Own Device Usage. Only officially assigned IP addresses may be used on City managed networks. Official IP addresses may be assigned dynamically. Systems must not disguise or modify the MAC address of the network interface. Network protocols used in any manner other than in accordance with their intended purpose is strictly prohibited. Unauthorized network protocols are strictly prohibited. Technology Services Information Security must approve of all network protocols; and, any and all devices or non-City networks connected to City managed networks.

3.6. The use of unapproved executable programs is prohibited.

#### 4. Policy Compliance

Policy Compliance will be monitored as described below. In addition to this policy, users are fully responsible for their actions and are subject to federal, state, and local laws.

4.1. Compliance Measurement

The Information Security team will verify compliance to this policy through various methods, including but not limited to, business tool reports, internal and external audits, and feedback to the policy owner.

4.2. Exceptions

Any exception to the policy must be approved by the Information Security team in advance.

4.3. Non-Compliance

An employee found to have violated this policy may be subject to disciplinary action, up to and including termination of employment.

### Definitions

1. **CCM:** Cloud Controls Matrix. A baseline set of security controls created by the Cloud Security Alliance to help enterprises assess the risk associated with a cloud computing provider.  
CJIS: Criminal Justice Information Systems
2. **COPPA:** The Children's Online Privacy Protection Act. The Children's Online Privacy Protection Act (COPPA) is a law created to protect the privacy of children under 13. The Act was passed by the U.S. Congress in 1998 and took effect in April 2000. COPPA is managed by the Federal Trade Commission (FTC).
3. **CSC:** Critical Security Controls. The Center for Internet Security (CIS) Critical Security Controls (CIS Controls) are a concise, prioritized set of cyber practices created to stop today's most pervasive and dangerous cyber attacks.
4. **HIPAA:** Health Insurance Portability and Accountability Act of 1996. The primary goal of the law is to make it easier for people to keep health insurance, protect the confidentiality and security of healthcare information and help the healthcare industry control administrative costs.



5. **NIST:** National Institute of Standards and Technology. More specifically, The City's Technology Services follows NIST Special Publication 800-53 (SP 800-53), Security and Privacy Controls for Federal Information Systems and Organizations.
6. **PCI DSS:** The Payment Card Industry Data Security Standard. A set of security standards designed to ensure that ALL companies that accept, process, store or transmit credit card information maintain a secure environment.
7. **Protected Data:** Per Executive Order 143, Protected Data consists of Personally Identifiable Information (PII), Regulated Data, and Proprietary and/or Confidential Information. See Executive Order 143 for the definitions of these types of protected data.

### Acceptable Use Acknowledgement

By signing this acknowledgement, the user named below consents and agrees to comply with the Acceptable Use Policy. The user understands that failure to adhere to the Acceptable Use Policy may subject them to corrective or disciplinary action based on the rules and regulations that govern the user’s employment or appointment to the City (e.g., Municipal Code, Executive Order, Career Service Rules, Civil Service Rules and Regulations or contract), device revocation, technology resource suspension or legal action.

The user must sign this acknowledgement prior to being granted access to any City and County of Denver information or technology resource. The user must re-acknowledge any future material change to the policy. Refusal to sign this acknowledgement will result denial of access to the City and County of Denver’s information and technology resources. Denial of access may hinder the user’s ability to adequately perform their official duties and is not an affirmative defense for the performance issues or resulting corrective or disciplinary actions arising from the rules and regulations that govern the user’s employment or appointment to the City (e.g., Municipal Code, Executive Order, Career Service Rules, Civil Service Rules and Regulations or contract).

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User’s Complete Legal Name (Printed)

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User’s Signature

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City Department and Agency

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Date of Signature

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Employee ID Number (if known)

**EXECUTIVE ORDER NO. 94**

**TO:** All Departments and Agencies Under the Mayor  
**FROM:** Michael B. Hancock, Mayor  
**DATE:** June 1, 2020  
**SUBJECT:** City and County of Denver Employees' Alcohol and Drug Policy

**PURPOSE:** As an employer, the City and County of Denver (City) is required to adhere to various federal, state, local laws and regulations regarding alcohol and drug use. The City also has a vital interest in maintaining a safe, healthy and efficient environment for its employees and the public. Being under the influence of, subject to the effects of, or impaired by alcohol or drugs on the job may pose serious safety and health risks to the employee, his or her co-workers and the public. Additionally, the possession, use, or sale of an illegal drug in the workplace poses an unacceptable risk to the safe, healthy and efficient operation of the City.

The City provides employee assistance through outside providers and Department of Safety psychologists (for uniformed personnel), all of whom offer help to employees who seek assistance for alcohol and/or drug use and other personal or emotional issues.

**POLICY:** It is the policy of the City to maintain a safe and healthy work environment by prohibiting the use of alcohol and illegal drugs in the workplace. Employees who consume alcohol or illegal drugs on City property, or who work while under the influence of, subject to the effects of, or impaired by drugs or alcohol, pose a serious safety risk to themselves and those around them. The City has both the right and the obligation to maintain a safe and healthy working environment for its employees by adhering to applicable federal, state and local law, and by enforcing the rules set forth in this Executive Order.

It is also the policy of the City to take a strong stand against driving under the influence of alcohol or drugs. Traffic-related deaths and injuries have risen to unacceptable levels across the country and many of those deaths and injuries are attributable to drunk and drug-impaired driving. The City is constantly striving to make its roads safer by various means, which include promoting a culture of traffic safety. It is antithetical to those efforts for the City to tolerate drunk and drug-impaired driving by any of its employees at any time.

City employees who violate this Executive Order may be subject to disciplinary action, up to and including dismissal. Moreover, the failure of a managerial or supervisory employee to enforce this Executive Order may result in disciplinary action against the manager or supervisor, up to and including dismissal.

**RESPONSIBLE AUTHORITY(S):** City Attorney

This executive order, effective on the above date, establishes and confirms the policy of the City concerning the problem of drug and alcohol use in the workplace, as well as unlawful off-duty alcohol and drug driving offenses. On the date it becomes effective, this executive order supersedes all previous enacted alcohol and drug executive orders.

**I. PROHIBITIONS FOR ALL CITY EMPLOYEES INCLUDING CLASSIFIED MEMBERS OF THE POLICE AND FIRE DEPARTMENTS.**

**A. Alcohol**

Employees are prohibited from consuming, being under the influence of, or impaired by alcohol while performing City business, driving a City vehicle or on City property.

**There are seven circumstances under which these prohibitions do not apply.**

1. An employee is not on duty **and** attending an officially sanctioned private function, e.g., an invitation-only library reception.
2. An employee is attending an officially sanctioned public function on City property at which alcohol is served (e.g., a reception hosted by the Mayor to honor a departing appointee) and is not impaired by or under the influence of alcohol.
3. An employee is not on duty and at a City location as a customer, e.g., playing golf on a City course.
4. An employee is a member of the Police Department and as a part of the employee's official duties, consumes alcohol in accordance with Police Department procedures.
5. The Mayor and any accompanying employee, while hosting dignitaries on City property during or outside of regular business hours, consumes alcohol in honor of the dignitaries' tradition or culture of ceremoniously sharing alcohol with their host, and is not impaired by or under the influence of alcohol.
6. An employee is performing City business outside of the employee's regular business hours while attending a business-related event, and the employee is not driving a City vehicle to or from the event and is not impaired by or under the influence of alcohol during the event.
7. An employee is performing airport related business during or outside of regular business hours:
  - a. while attending an event hosted or officially sanctioned by the Department of Aviation at which alcohol is served **and** is not impaired by or under the influence of alcohol; **or**
  - b. while on international or interstate airport related business travel; **and** the employee is not impaired by or under the influence of alcohol **and** the employee is an appointed or elected Charter officer or an appointee thereof, a department or agency head, or has the permission of his or her appointing authority.

The alcohol levels defined by the state legislature that may be amended from time to time for defining "under the influence of alcohol" and "impaired by alcohol" are adopted here for purposes of this executive order.

Employees holding Commercial Driver's licenses (CDL) are **also** subject to the alcohol levels defined by the Department of Transportation (DOT) regulations that may be amended from time to time for "under the influence" which are adopted here for purposes of this executive order.

Current alcohol level definitions are contained in the Addendum of this Order. If the alcohol level definitions contained in the Addendum to this Order conflict with the definitions provided by state law and the DOT regulations, the state law and DOT regulations will control.

**B. Legal Drugs**

1. Employees who operate vehicles or dangerous equipment or perform safety-sensitive functions as part of their essential duties and who are taking or intend to take prescription medication that is identified as a controlled substance in the schedules of controlled substances (Title 21 C.F.R. § 1308.12-15), or that may otherwise affect their performance, are prohibited from performing their safety-related duties unless and until they have completed the disclosure and clearance process set forth below. The types of drugs identified in the schedules of controlled substances include, but are not limited to, opiates, depressants, narcotic drugs, anabolic steroids, stimulants and hallucinogenic substances.
2. The disclosure and clearance process requires that all such employees do the following:
  - a. Notify their supervisor, the Agency's Human Resource professional, or the Agency's Safety Officer in advance of performing their duties that they intend to take or are currently taking (on or off duty) prescription medication that is a controlled substance or may otherwise affect their job performance, and that medical clearance is needed. No additional medical information needs to be disclosed at this time, nor should it be requested.
  - b. Schedule and participate in an interview with the Medical Director of the Occupational Health and Safety Clinic (OHSC), or their delegee, the purpose of which is to enable the Medical Director or delegee to confirm the validity and limitations of the prescription medication and determine whether the use of the controlled substance as prescribed will adversely affect their ability to safely perform their job duties.
  - c. Obtain clearance from the Medical Director or delegee to perform their regular duties while taking the prescription medication, and report their clearance to their supervisor, Agency Human Resources professional or Agency Safety Officer.
3. It shall be the employee's responsibility to initiate and comply with this disclosure and clearance process and to cooperate with the supervisor, Agency Human Resource professional or Agency Safety Officer, and the Medical Director or delegee, to allow for a prompt determination to be made. Employees who fail to comply with the disclosure and clearance process may be subject to disciplinary action, up to and including dismissal.
4. If appropriate, the Medical Director or delegee may request a medical release from employees seeking prescription medication clearance for the purpose of contacting the prescribing physician.
5. Employees who operate vehicles or dangerous equipment or perform safety-sensitive functions as part of their essential duties and who regularly take prescription medications described in paragraph B(1), above, are required to comply with the disclosure and clearance process on an annual basis, and any such earlier

time as a change is made to their prescription that may affect or further affect their ability to perform their safety-related duties.

6. Employees who are currently taking prescription medications described in paragraph B (1), above, may be required to use paid leave, or if no such leave is available, authorized unpaid leave, pending completion of the disclosure and clearance process.
7. The OHSC and/or the Agency's Human Resources personnel shall keep the medical records that disclose the identity of the legal drug confidential in accordance with state and federal laws.
8. Marijuana is **not** considered a legal drug for purposes of this Executive Order No. 94, even if a physician has recommended marijuana for medical reasons. Please refer to Section I (C)(3), below.

**C. Illegal Drugs**

1. Employees are prohibited from consuming, being under the influence of, subject to the effects of, or impaired by illegal drugs while performing City business, while driving a City vehicle or while on City property.
2. Employees are also prohibited from selling, purchasing, offering, transferring or possessing an illegal drug while performing City business, while driving a City vehicle or while on City property. There is one exception to this prohibition. An employee of the Classified Service of the Police and Fire Departments or the Denver Sheriff's Department may, as a part of his or her official duties, sell, purchase, transfer or possess illegal drugs in accordance with the employee's department procedures.
3. Although Colorado state law has de-criminalized the use, possession, sale and cultivation of recreational and medical marijuana by certain individuals subject to various limitations and restrictions, those laws do not require employers to accommodate or permit such use, possession, sale, etc., of marijuana in the workplace. In addition, marijuana currently remains an illegal drug under federal law. As such, for the purposes of this Executive Order, marijuana is still considered an "illegal drug," even when used for medical purposes.
4. Prescription drugs obtained or used illegally constitute an "illegal drug" for the purposes of this Executive Order.
5. The illegal drug cut-off levels established by the DOT regulations, that may be amended from time to time, are adopted here for purposes of this executive order. Current illegal drug levels are contained in the Addendum to this Order. If there is a conflict between the illegal drug levels established by the DOT regulations, and those contained in the Addendum to this Order, the DOT regulations will control.

## II. DRUG AND ALCOHOL TESTING

### A. Pre-Employment/Pre-Placement Testing

1. The City may implement, with the City Attorney's approval, pre-employment screening practices designed to prevent hiring or promoting individuals into job positions whose:
  - a. use of illegal drugs may affect the public health or safety; and
  - b. use of alcohol or legal drugs indicates a potential for impaired or unsafe job performance where the public health or safety may be affected.

The Civil Service Commission, Office of Human Resources, OHSC or interviewing agency shall inform a job applicant of these pre-employment screening practices prior to such screening.

2. At a minimum, testing for illegal drugs and controlled substances shall be conducted before any person hired for a position defined as safety-sensitive or requiring a CDL shall be allowed to perform the duties of such position. In addition, candidates or employees for such positions may be tested for alcohol.
3. Refusal by an applicant to submit to a pre-employment test shall result in denial of employment.
4. Pre-employment/Pre-placement test results:

- a. **Alcohol**

Where alcohol use is detected, employment may be denied.

- b. **Legal Drugs**

- i. Where use of a prescription drug is detected, applicants may be required to provide documentation confirming the drug has been prescribed by a physician for the applicant, and the amount detected is within the prescribed dosage. If the applicant is unable to provide such proof, employment may be denied.
- ii. Where the applicant's future or continued use of the drug poses a potential safety risk or would impair job performance, employment may be denied in accordance with the applicable state and federal laws.

- c. **Illegal Drugs**

- i. Employment shall be denied when the presence of an illegal drug is detected.
- ii. Employment shall be denied when the presence of a known masking agent is detected.

- iii. A second direct observation urinalysis test may be required prior to offering employment to an applicant whose drug test evidences the urine sample has been diluted or is outside normal temperature ranges.

**B. Reasonable Suspicion Testing**

1. When a supervisor has reasonable suspicion that an employee is under the influence of, impaired by, or subject to the effects of alcohol, legal drugs or illegal drugs in violation of this Executive Order, after taking appropriate safety measures (e.g., removing the employee from any situation which may pose a safety risk to the employee, co-workers or the public), the supervisor shall immediately consult with the Agency's Human Resources representative, Safety Officer or the Employment and Labor Law Section of the City Attorney's Office to determine further actions. However, if immediate consultation is not possible, it is the responsibility of the supervisor to promptly initiate alcohol and/or drug testing. The supervisor shall initiate testing as follows:
  - a. Document in writing the specific reasons for the decision to initiate testing based on specific, contemporaneous, articulable observations of the employee's appearance, behavior, speech or body odors that support a reasonable suspicion of alcohol and/or drug use.
  - b. When possible, have a second supervisor confirm the specific, contemporaneous, articulable observations of the employee's appearance, behavior, speech or body odors, and document those observations in writing.
  - c. Advise the employee that the supervisor is ordering the employee to go to the testing site for testing.
  - d. Escort the employee to the testing site as soon as possible. If the supervisor is unable to escort the employee personally, the supervisor should have another individual escort the employee for testing. The individual selected to escort the employee shall be of a higher grade/rank than the employee being tested. Under no circumstances should the employee be allowed to drive themselves to the testing site.
  - e. Require the employee to bring a picture identification card and proof of the employee's Social Security or employee number to the testing site.
  - f. If the employee refuses to go to the testing site, or refuses to participate in the testing process, the supervisor or the escort should tell the employee that the testing request is a direct order and that refusal to comply with the direct order constitutes grounds for mandatory dismissal. If the employee continues to refuse to go to the testing site or to participate in the testing process, the supervisor should immediately place the employee on investigatory leave and make all reasonable efforts to ensure that the employee is transported home safely.





5. If a supervisor has reasonable suspicion that an employee is in possession of, selling or transferring illegal drugs in violation of this executive order, the supervisor shall contact the police prior to initiating any drug testing.
6. Supervisors who fail to perform their responsibilities under this Section II (B) may be subject to discipline, up to and including dismissal.

**C. Post-Accident Testing**

1. As soon as practicable following a driving or other workplace accident, the supervisor shall ensure that the involved employee is tested for alcohol and drugs when the accident:
  - a. may have been the fault of the employee **and** involves a fatality;
  - b. may have been the fault of the employee **and** any individual was injured seriously enough to require immediate medical treatment away from the scene of the accident;
  - c. may have been the fault of the employee **and** the accident resulted in disabling damage to any vehicle or any equipment; or
  - d. there is reasonable suspicion to test the employee.
2. "Disabling damage" for a vehicle accident is defined as damage that prevents the departure of the vehicle from the scene of an accident in its usual manner, or damage that renders the vehicle illegal to operate. Vehicle damage that can be remedied temporarily at the scene without special tools or parts, i.e., replacing a tire with the spare, taping over an otherwise operable headlight or taillight, or tying down the hood of a car, are not considered disabling. Nonetheless, towing of a vehicle is not required before a supervisor can deem a vehicle "disabled" for purposes of testing.
3. "Disabling damage" for a workplace accident is defined as precluding the use of the equipment from its usual operation. Equipment that can be remedied temporarily at the scene without special tools or parts is not considered disabling.
4. The issuance of a traffic citation is not required before a supervisor can determine an employee "may have been at fault" in a vehicle accident. If a supervisor determines the employee's actions may have contributed to the accident, or the employee **may** have been at fault, the "fault" requirement will have been met for purposes of testing.
5. During regular OHSC hours, the testing shall be conducted at one of the OHSC testing sites. After regular hours, the supervisor shall page the OHSC alcohol and drug testing personnel to arrange for immediate testing.
6. Post-accident alcohol and drug testing shall be initiated in accordance with the procedures set forth in Section II (B)(1)(c)-(i) of this Order. Post-accident alcohol and drug testing based solely on reasonable suspicion shall also comply with Section II (B)(1)(a)-(b).

7. Post-accident testing for alcohol should be administered within two (2) hours following the accident. If this two (2) hour time frame is exceeded, the supervisor should document the reasons the test was not promptly administered. Post-accident testing for unauthorized legal drugs and illegal drugs should be administered within eight (8) hours following the accident. Testing outside of these time frames may only be conducted in consultation with the Employment and Labor Law Section of the City Attorney's Office.
8. Supervisors who fail to perform their responsibilities under this Section II (C), may be subject to discipline, up to and including dismissal.

**D. Return to Duty Testing**

Employees who have violated the prohibited conduct listed in Sections I (A) or I (C) of this Order shall not return to work unless they have been tested for alcohol and drugs at the OHSC and both tests have been verified as negative.

**E. Unannounced Testing**

If an employee has been placed on a Stipulation and Agreement in accordance with this executive order, as a part of that Stipulation and Agreement, the employee may be tested for alcohol and/or drugs by the agency without prior notice of the testing date or time for at least 36 months from the last date in time that the stipulation and agreement is signed by the parties.

**F. Random Testing**

The City may implement, with the City Attorney's approval, random alcohol and drug testing for employees deemed to perform safety-sensitive functions for the City or any of its agencies.

**G. Commercial Driver's License (CDL) Testing**

For those positions requiring a CDL, the City is required to implement alcohol and drug testing in accordance with applicable DOT regulations, as may be amended from time to time. Such testing is **in addition to** the testing described in Sections II (B) and (D) of this Order.

**1. Pre-Employment Testing**

Prior to the first time a driver performs safety-sensitive functions for the City or any of its agencies, the driver shall be tested for illegal drug usage in compliance with the DOT and state regulations, as may be amended from time to time.

**2. Reasonable Suspicion Testing**

The procedures described in Section II (B) of this Order shall be followed.

3. **Post-Accident Testing**

- a. As soon as practicable following an accident, the supervisor shall ensure that the vehicle driver is tested for alcohol when:
  - i. the accident involved the loss of human life;
  - ii. the vehicle driver was cited for a moving violation arising from the accident within 8 hours of its occurrence **and** an individual was injured seriously enough to receive immediate medical treatment away from the scene of the accident;
  - iii. the vehicle driver was cited for a moving violation arising from the accident within 8 hours of its occurrence **and** one or more of the vehicles involved in the accident sustained “disabling damage” as defined in Section II (C)(2) and (3) in this Order; **or**
  - iv. there is reasonable suspicion to test the employee.
- b. As soon as practicable following an accident, the supervisor shall ensure that the vehicle driver is tested for drugs when:
  - i. the accident involved the loss of human life;
  - ii. the vehicle driver was cited for a moving violation arising from the accident within 32 hours of its occurrence **and** an individual was injured seriously enough to receive immediate medical treatment away from the scene of the accident;
  - iii. the vehicle driver was cited for a moving violation arising from the accident within 32 hours of its occurrence **and** one or more of the vehicles involved in the accident sustained “disabling damage” as defined in Section II (C)(2) and (3) in this Order; **or**
  - iv. there is reasonable suspicion to test the employee.
- c. Post-accident testing for alcohol should be administered within two (2) hours following the accident. If a required alcohol test is not administered within two (2) hours following the accident, the supervisor shall prepare and maintain on file a record stating the reasons the test was not promptly administered.
- d. If the supervisor does not initiate alcohol testing within eight (8) hours of the accident or drug testing within thirty-two (32) hours of the accident, the supervisor shall cease attempts to administer the tests and shall prepare and maintain on file a record stating the reasons the test was not administered within these established time frames. Supervisors who do not perform their responsibilities under this Section II (G) (3) may be subject to discipline, up to and including dismissal.

4. **Random Testing**

a. **Alcohol**

Pursuant to the DOT regulations, random alcohol testing shall be conducted annually on 25% of the average number of City commercial driver's license positions in existence. This percentage may be amended from time to time by the DOT. Alcohol testing shall be conducted on a random, unannounced basis just before, during or just after the employee performed safety-sensitive functions.

b. **Illegal Drugs**

Pursuant to the DOT regulations, random drug testing shall be conducted annually on 50% of the average number of City commercial driver's license positions in existence. This percentage may be amended from time to time by the DOT. Drug testing shall be conducted on a random, unannounced basis. There is no requirement that this testing be conducted in immediate time proximity to performing safety-sensitive functions.

5. **Return to Duty Testing**

a. **Alcohol**

If an employee has violated the prohibited conduct listed in Section I (A) of this Order, the employee shall not return to perform safety-sensitive duties unless the employee has completed a successful return to duty alcohol test.

b. **Illegal Drugs**

If an employee has violated the prohibited conduct listed in Section I (C) of this Order, the employee shall not return to perform safety-sensitive duties unless the employee has been cleared by a Substance Abuse Professional and has completed a successful return to duty drug test.

6. **Follow-Up Testing**

a. **Alcohol**

i. The number and frequency of the follow-up alcohol tests shall be directed by the Substance Abuse Professional and shall consist of at least six (6) tests in the first twelve (12) months following the employee's return to work.

ii. Follow-up testing shall be unannounced and shall be conducted just before, during or just after the employee performed safety-sensitive functions.

**b. Illegal Drugs**

- i. The number and frequency of the follow-up drug tests shall be directed by the Substance Abuse Professional and shall consist of at least six (6) tests in the first (12) twelve months following the employee's return to work.
- ii. Follow-up testing shall be unannounced. There is no requirement that this testing be conducted in immediate time proximity to performing safety-sensitive functions.

**H. Members of the Classified Service of the Police and Fire Departments and Deputy Sheriffs Testing**

For those employees who are members of the Classified Service of the Police and Fire Departments or Deputy Sheriffs, the City may implement drug testing pursuant to their respective department procedures, as may be amended from time to time, in addition to the testing described in Sections II (A) through (G) of this Order.

**III. EXECUTIVE ORDER 94 TRAINING**

**A. All City Employees**

All new City employees (including fellows, interns, and on-call employees) should be trained on this executive order during their first year of employment. Training, at a minimum, should include study of the prohibitions contained in this executive order and instruction on the recognition of drug and alcohol impairment and use. Additionally, a copy of this executive order should be given to each employee with each employee acknowledging, in writing, receipt of the executive order and the training.

**B. All Employees with Supervisory Duties**

1. All employees with supervisory duties should be trained on this executive order during the first six (6) months following their hire or promotion. This training, at a minimum, should include instruction on the recognition of drug and alcohol impairment and use, the proper documentation of the supervisor's reasonable suspicion, and the supervisor's responsibility for escorting employees to the testing sites and through the testing process.
2. Supervisors shall ensure that all drug and alcohol tests are accomplished immediately after the justification for testing is established. Timeliness for testing is outlined in this executive order and its addendum. Further, once a supervisor has reasonable suspicion that an employee appears to be under the influence of alcohol or drugs, or is informed that the employee has initially tested positive for drugs and/or alcohol, the agency cannot condone the employee's driving of a motor vehicle. If the employee drives off in his/her own or a City vehicle, the Police Department must be notified immediately by a supervisor on duty, or a designee. Supervisors may designate another employee to escort an employee to testing or evaluation sites. The supervisor shall educate the individual on the duties of the escort as provided herein prior to allowing that individual to escort the employee.

3. Supervisors are subject to discipline for failing to fulfill the responsibilities set forth for supervisors in this Order, up to and including dismissal. Such failure by the supervisor does not, in any way, excuse the employee's violation of this executive order or mitigate the agency's disciplinary action against the employee.

**CAUTION:** No physical force may be used against an employee to enforce any direct order or requirement under this executive order. The employee must be advised that noncompliance with a supervisor's order will be viewed as refusal to obey the order of a supervisor and constitute grounds for mandatory dismissal.

**CAUTION:** Supervisors are to restrict communications concerning possible violations of this executive order to those persons who are participating in the evaluation, investigation or disciplinary action and who have a "need to know" about the details of the drug/alcohol evaluation, investigation and disciplinary action. This expectation of confidentiality includes not mentioning the names of employees who are suspected of, or disciplined for, violating this executive order.

#### IV. DISCIPLINARY ACTIONS

- A. If it is determined after the appropriate pre-disciplinary meeting that any of the following situations apply, the employee shall be dismissed even for a first-time violation of this executive order:
  1. Members of the Classified Service of the Police and Fire Departments or Deputy Sheriffs that violate their respective departments' prohibitions regarding illegal drugs and alcohol, except as follows:
    - a. Employees of the Classified Service, and Deputy Sheriffs who disclose prior on-duty alcohol use, or off-duty illegal drug use, as a means for seeking treatment may, at the discretion of the Executive Director of Safety or his/her designee, be suspended in lieu of termination and placed on a Stipulation and Agreement.
  2. Safety-sensitive members of the Department of Aviation that violate their department's prohibitions regarding alcohol or drug use;
  3. The employee has endangered the lives of others, or foreseeably could have endangered the lives of others;
  4. The employee refuses to submit to any testing under this executive order including, but not limited to, pre-placement, reasonable suspicion, random, post-accident, return to duty, follow-up or unannounced testing;
  5. The employee uses, or attempts to use, a masking agent to alter the sample and/or drug and/or alcohol test results, or uses or attempts to use any other deceptive means to alter the sample and/or drug and/or alcohol test results, including but not limited to, use or attempted use of another person's urine;

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6. The employee is required to have a CDL license and either drove/operated a City vehicle or equipment or was only prevented from driving/operating a City vehicle or equipment by the agency's instruction to submit to testing under this executive order;
  7. The employee's disciplinary history compels dismissal as a matter of progressive discipline;
  8. The employee has refused to enter into a Stipulation and Agreement;
  9. The employee has violated the Stipulation and Agreement;
  10. The employee violates this executive order for the second time in the employee's career with the City and County of Denver and/or its agencies.
  11. The employee possesses and/or uses illegal drugs while on duty.
- B.** A first-time violation of the alcohol and drug prohibitions contained in Sections I (A) and I (C) of this executive order, which does not result in a dismissal pursuant to Section IV (A), shall result in a lesser disciplinary action in conjunction with a Stipulation and Agreement for treatment.
1. The presumptive disciplinary action shall be a suspension of 30 days in conjunction with a Stipulation and Agreement. No lesser or greater disciplinary action shall be imposed without the approval of the City Attorney's Office.
- C.** The level of discipline to be imposed on an employee for driving under the influence of or impaired by alcohol or drugs (DUI/DWAI) offenses not otherwise prohibited by this Executive Order shall be within the discretion of the appointing authority or designee, except that the minimum discipline imposed shall be above the level of a written reprimand. Factors to be considered in determining the level of discipline should include whether the employee has prior DUI/DWAI offenses; the circumstances surrounding the offense; any harm caused by the employee's actions; whether the employee's actions violated other rules, regulations, policies or laws; the nature of the employee's position; and the employee's work and disciplinary history. The appointing authority or designee may offer the employee lesser disciplinary action (above the level of written reprimand) in conjunction with a Stipulation and Agreement.
- D.** The level of discipline to be imposed for any other violation of this executive order shall be within the discretion of the appointing authority or designee.
- E.** Stipulation and Agreements
1. Employee assistance counselors provided by the City and County of Denver, or such other substance abuse professional(s) as may be designated, shall conduct an evaluation of the employee and create a treatment plan.
  2. Each such agreement shall be in writing and approved by the City Attorney's Office. The City shall offer no employee more than one such agreement during his or her employment with the City.



3. Employees who participate in an inpatient treatment plan may be eligible for FMLA leave.
4. Employees who participate in an inpatient treatment plan shall be allowed to use one (1) day per month of accrued paid leave, if any, to assure continued health coverage.

**V. MISCELLANEOUS PROVISIONS**

**A. Driver's License**

It is the responsibility of employees required to drive as part of their assigned duties or job specifications to report to their appointing authority any loss of a driver's license or the restriction of driving privileges, no later than the beginning of the employee's next scheduled shift. Every employee who is required to drive, as part of their assigned duties or job specifications, shall certify that they have a current valid driver's license in accordance with Executive Order 25 as may be amended from time to time.

**B. Searches**

1. Before any search is conducted, supervisors should contact the City Attorney's Office, Employment and Labor Law Section, for guidance.
2. Management has the right to search City-owned property utilized by employees, e.g., a desk, storage cabinet or City vehicle, when necessary for a non-investigatory work-related purpose such as retrieving a needed file. Additionally, management may search City-owned property utilized by employees, e.g., a desk, file cabinet, locker, or City vehicle, for investigatory purposes based on reasonable suspicion that evidence of misconduct will be found. Management may not search an employee's personal property, e.g., their personal vehicle parked on City property, lunch boxes, briefcases, purses, and backpacks, unless the employee voluntarily consents to such a search.

**C. Contracts**

1. The prohibitions and responsibilities contained in this Executive Order are applicable to contract personnel. Violation of these provisions or refusal to cooperate with implementation of the executive order can result in the City's barring contract personnel from City facilities or from participating in City operations.
2. All City contracts shall contain language informing contractors doing work for the City about this Executive Order.

**D. Employee Assistance and Department of Safety Psychologists**

The City maintains an Employee Assistance Program (EAP) and provides Department of Safety psychologists who offer help to employees who are coping with alcohol, or drug use, or other personal or emotional issues. It is the responsibility of each employee to seek help

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from the EAP, Department of Safety psychologist or other appropriate health care professionals before alcohol and drug use leads to disciplinary actions.

**E.** Memorandum to this Order


The City Attorney shall have the authority to amend definitions and drug testing cut-off levels contained in this executive order's Memorandum, from time to time, not to be inconsistent with Colorado statutes and/or the DOT regulations, without obtaining signatures of the Mayor or City Council. For purposes of this executive order, all references to Agency head, Department head or appointing authority will also include the designee of the Agency head, Department head or appointing authority.


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Executive Order No. 94 is:


Approved for Legality:


DocuSigned by:  
  
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Kristin M. Bronson  
City Attorney


DocuSigned by:  
  
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Michael B. Hancock  
MAYOR

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Kim Day  
Executive Director of Aviation

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Robert M. McDonald  
Executive Director of Public Health and Environment

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Brandon Gainey  
Executive Director of General Services


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Allegra "Happy" Haynes  
Executive Director of Parks & Recreation

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Eulois Cleckley  
Executive Director of Department of Transportation and Infrastructure

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Brendan J. Hanlon  
Chief Financial Officer

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Murphy Robinson  
Executive Director of Safety

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Don Mares  
Executive Director of Human Services

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Laura E. Aldrete  
Executive Director of Community Planning and Development

Executive Order No. 94

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**MEMORANDUM NO. 94A**

**TO: All Agencies Under the Mayor**

**FROM: Mayor Michael B. Hancock**

**DATE: June 1, 2020**

**SUBJECT: STAUTORY PROVISIONS**

This memorandum to Executive Order 94 was originally referred to as an addendum, effective April 10, 1989, amended April 13, 1999, January 10, 2000, March 1, 2000, March 15, 2001 and is hereby continued in effect as amended and retitled as a memorandum this June 1, 2020. This Memorandum No. 94A shall be attached to and become a part of Executive Order 94, dated, June 1, 2020, subject "City and County of Denver Employees' Alcohol and Drug Policy."

**I. ALCOHOL PROVISIONS**

- A. Under the Colorado statutes, as may be amended from time to time, "impaired by alcohol" is defined as having 0.05 grams of alcohol (per two hundred ten liters of breath or per one hundred milliliters of blood), but less than 0.08 grams of alcohol. Under the "influence of alcohol" is defined as having 0.08 or more grams of alcohol (per two hundred ten liters of breath or per one hundred milliliters of blood).
- B. Under the DOT regulations, as may be amended from time to time, "under the influence of alcohol" is defined as having 0.04 percent alcohol concentration, or more; as prescribed by state law; or in the event of refusal to undergo such testing as is required by the state or jurisdiction.

DOT regulations, as may be amended from time to time, state that post-accident alcohol testing should be administered within two (2) hours following the accident, but must be administered within eight (8) hours following the accident. *These DOT time frames shall also apply to testing under the Executive Order unless otherwise specified within this Order.*

**II. ILLEGAL DRUG PROVISIONS**

- A. Illegal drugs, include controlled substances, as defined in Colorado Revised Statutes, and under federal law.
- B. "Subject to the effects of an illegal drug" is to be determined consistent with the confirmation test levels established by the DOT regulations, 49 CFR Part 40 § 40.87, as may be amended from time to time:

Marijuana metabolites -----	15 ng/ml
Cocaine metabolite -----	100 ng/ml
Opiates:	
Morphine -----	2,000 ng/ml
Codeine -----	2,000 ng/ml
6-Acetylmorphine -----	10 ng/ml
Hydrocodone/Hydromorphone -----	100 ng/ml
Oxycodone/Oxymorphone -----	100 ng/ml
Phencyclidine -----	25 ng/ml

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Amphetamines:

Amphetamine-----	250 ng/ml
Methamphetamine-----	250 ng/ml
MDMA/MDA-----	250mg/nl

DOT regulations, as may be amended from time to time, state that post-accident drug testing should be administered within eight (8) hours following the accident, but must be administered no later than thirty-two (32) hours after the accident. **These DOT time frames shall also apply to testing under this Executive Order unless otherwise specified within this Order.**

## EXECUTIVE ORDER NO. 112

**TO:** All Departments and Agencies Under the Mayor

**FROM:** Michael B. Hancock, Mayor

**DATE:** July 23, 2018

**SUBJECT:** Violence in the City Workplace

**Purpose:** This Executive Order establishes the policy and procedures to be followed by departments and agencies regarding violence involving employees of the City and County of Denver. The purpose of this Executive Order is to reduce the risk of all forms of violence that impact the workplace. Former Executive Order 112, "Violence in the Workplace," dated October 30, 2006, is hereby cancelled and superseded by this Executive Order No. 112, Violence in the City Workplace, dated, July 23, 2018.

- 1.0 **Applicable Authority:** The applicable authority relevant to the provisions and requirements of this Executive Order No. 112, are found in Section 2.2.10 (A) & (C) of the Charter of the City and County of Denver, 2013 revised.
- 2.0 **Policy:** Violence has no place in any of the City and County of Denver's work locations or at any City-sponsored event, and is strictly prohibited. Moreover, violence committed by employees of the City and County of Denver, whether on-duty or off-duty, reflects poorly on the City and County of Denver and is strictly prohibited. A common form of violence is domestic or family violence, which also is strictly prohibited when the City's employees are the perpetrators of such violence.

Domestic and Family Violence: The City shall endeavor to prevent and reduce the effects of domestic and family violence in the workplace. There are at least four ways domestic and family violence can impact the workplace: (1) a perpetrator of domestic or family violence is employed by the City; (2) a victim of domestic or family violence is employed by the City; (3) an act of domestic or family violence occurs in a City work location or at a City-sponsored event, or (4) an act of domestic or family violence is committed through use of City equipment or property (e.g., phone, computer, car) to harass, threaten, disturb, or intimidate another individual. The City is committed to providing support to victims of domestic and family violence as appropriate, and not tolerating perpetrators of domestic and family violence.

Bringing any kind of weapon to a City work location or a City-sponsored event is strictly prohibited, unless an employee is required to carry a weapon as part of his/her City position. This prohibition includes the possession of weapons in violation of federal, state, or local law.

City employees who perpetrate violence, whether on-duty or off-duty, or who bring a weapon to a City work location or a City-sponsored event, or otherwise violate this Executive Order may be subject to disciplinary action, up to and including dismissal, and possible criminal action. The failure of a managerial or supervisory employee to comply with or enforce this Executive Order may result in disciplinary action against the manager or supervisor, up to and including dismissal.

City employees who violate a valid court order issued by any court of record within the United States of America that prohibits conduct, limits physical movement, or regulates child custody, or who otherwise violate this Executive Order may be subject to disciplinary action, up to and including dismissal, as well as possible criminal action. For an employee to be found in violation of this Executive Order for violating a court order, the agency must possess information that the employee was personally served with such order or otherwise acquired from the court actual knowledge of the contents of any such order.

Examples of unacceptable behavior prohibited by this Executive Order include, but are not limited to, the following:

- a. Intimidating, threatening or hostile behaviors, physical assault, vandalism, arson, sabotage, unauthorized use of weapons, bringing weapons onto City property (unless authorized as part of one's job, *e.g.*, a police officer or deputy sheriff) or other acts of this type which are clearly inappropriate in the workplace or which reflect poorly on the City when committed off-duty or outside of the workplace.
- b. Jokes or comments regarding violent acts, which are reasonably perceived to be a threat of harm.
- c. Encouraging others to engage in behaviors prohibited by this policy.
- d. Use of any city property (*e.g.*, phone, computer, agency letterhead, etc.) at any time to harass, threaten, disturb, or abuse someone including a person with whom there is an "intimate relationship" as defined below, or who is a family member.
- e. Intimidating, threatening, assaulting, harassing, disturbing, or abusing any

City employee or person, including any such person with whom there is an "intimate relationship" as defined below, or who is a family member.

- f. Any retaliation against a person who reports, initiates a complaint or makes an inquiry about behaviors that may violate this Executive Order.
- g. Any act of domestic violence or family violence that results in the issuance of a permanent Protection Order or a criminal charge or conviction under federal, state, or local law.

### 3.0 **Definitions:**

**Violence** is defined as, but not limited to:

- (a) the actual or attempted: physical assault, beating, improper touching, striking, shoving, kicking, grabbing, stabbing, shooting, punching, pushing, rape, use of a deadly weapon; or
- (b) the actual or attempted: threatening or abusive behavior (physical or verbal), intimidation, harassment, obscene or harassing telephone calls or electronic communications, (including, but not limited to, text messages, emails, or social media posts), shouting at, restricting one's physical movement, stalking.

**Domestic violence** is defined as an act or threatened act of violence upon a person with whom the perpetrator is or has been involved in an intimate relationship, meaning a relationship between current or former spouses; unmarried couples who: live together or previously lived together, are or were engaged to be married, or are dating or previously dated; or who are parents of the same child, regardless of whether they have been married or lived together at any time.

**Family violence** is defined as an act or threatened act of violence upon a person with whom the perpetrator is or has been related to by blood or marriage, including but not limited to the perpetrator's parents, grandparents, siblings, in-laws, children, and grandchildren.


**Weapon** is defined as a device, instrument, material or substance used for, or which can cause death or bodily injury, or damage to property. Weapons include, but are not limited to: an explosive or an explosive weapon, a device principally designed, made or adapted for delivering or shooting an explosive weapon, a machine gun, a rifle or shotgun, a handgun, a firearm silencer, stun gun (commonly known as a Taser), a switchblade knife or any other type of knife, brass knuckles, or any other implement for infliction of bodily injury or damage to




property, which has no common lawful purpose. Pocket knives or knives used solely for eating, food preparation or food distribution, are not considered "weapons" for purposes of this Executive Order unless used to inflict bodily injury or damage to property.

- 4.0 **Disciplinary Action:** Any violation of this policy by employees, including a first offense, may result in disciplinary action, up to and including dismissal. Failure of a supervising employee to comply with or enforce a violation of this policy may result in disciplinary action against the supervisor, up to and including dismissal. Any deliberate, unwarranted allegations of a violation of this policy may be viewed as an attempt to disrupt city operations and may result in disciplinary action.
- 5.0 **Limitation on Liability:** The provisions contained in this Executive Order do not create or constitute any contractual rights between or among the City and County of Denver, its employees and any third party. This Executive Order is intended to set forth the policy of the City and County of Denver, without creating additional liability against the City.
- 6.0 **Memorandum Attachments:** The procedure(s) for implementing this Executive Order shall be defined by Memorandum Attachments to the Executive Order, which shall become a part of the Executive Order. Further, the City Attorney's Office is responsible for the content of this Executive Order and shall have the authority to issue policy and procedure Memorandum Attachments relative to this Executive Order through the Executive Order Committee.


Approved for Legality:

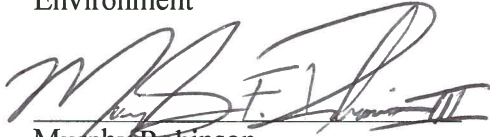
  
\_\_\_\_\_  
Kristin M. Bronson  
City Attorney for the City and  
County of Denver


Approved:

  
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Michael B. Hancock  
Mayor

  
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Kim Day  
Chief Executive Officer of Aviation

  
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Robert McDonald  
Executive Director of Public Health and  
Environment

  
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Murphy Robinson  
Executive Director of General Services

  
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Allegra "Happy" Haynes  
Executive Director of Parks and  
Recreation

  
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Eulois Cleckley  
Executive Director of Public Works

  
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Brendan Hanlon  
Chief Financial Officer

  
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Troy Riggs  
Executive Director of Safety



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Donald Mares  
Executive Director of Human  
Services



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Brad Buchanan  
Executive Director of Community  
Planning and Development

**MEMORANDUM NO. 112A**

**TO: All Departments and Agencies Under the Mayor**

**FROM: Michael B. Hancock, Mayor**

**DATE: July 23, 2018**

**SUBJECT: Agency/Management Responsibilities Under the Executive Order:**

This Memorandum shall be attached to and become a part of Executive Order No. 112 dated, July 23, 2018 subject "Violence in the City Workplace."

Purpose: The impact of violence on the work environment can occur in numerous ways. For example, if the employee is a perpetrator of domestic or family violence s/he may use work time on the job to harass or stalk the victim. This employee may also require work coverage due to court appearances or incarceration. If the employee is a victim of domestic or family violence, the employee may be harassed at work through unwanted telephone calls, emails, texts, and/or visits from the perpetrator. Extensive absenteeism (from abuse or court appearances) and/or tardiness (abusers will often make victims late for work as a part of his/her control) can also occur. The abuser may call and harass co-workers or the victim's supervisor, in an attempt to locate the victim or have the victim terminated. If both the victim and abuser work for the City, the perpetrator may have easier access to the victim and use that ability to harass, abuse, embarrass, and/or retaliate against the victim.

**1.0 Management Responsibility – When an Incident of Workplace Violence Occurs or is Imminent - Emergency Situation:**

Every manager and supervisor is responsible for the following upon becoming aware or receiving notice that an act of violence or other violation of this Executive Order is occurring or about to occur in the workplace which is reasonably believed to present an emergency situation:

- a) Call 9-1-1 if immediate intervention is or may be necessary to prevent death or bodily injury, or damage to property. Do not try to physically intervene unless reasonably necessary to protect someone from imminent death or bodily injury.
- b) Notify building security and follow any necessary safety measures.
- c) Inform any personnel who may be in direct or indirect danger of the situation and direct them to leave their work area if there is pending danger.

- d) Unless the victim refuses or the perpetrator has been arrested, have the police or security escort the victim to his/her vehicle or other mode of transportation when the victim leaves work.
- e) Seek medical assistance for any victim (or perpetrator) who is injured or ill.
- f) When the situation is no longer an emergency, follow the steps listed in Section 2.0 below as appropriate to the circumstances.

**2.0 Management Responsibility - When Violence or Other Violation of this Executive Order in the Workplace Occurs or is Threatened in a Non-Emergency Situation:**

Every manager or supervisor who is aware of or notified that an act of violence or violation of this Executive Order has occurred or has been threatened that is not reasonably believed to present an emergency situation should take the following steps:

- a) Inquire if the alleged victim is injured or in any perceived danger or in fear of any sort of retaliation by the abuser. If appropriate, seek medical assistance for the victim, contact law enforcement, and/or take reasonable steps to ensure the victim's safety until other measures can be taken.
- b) Notify higher level supervisors or managers and a human resources representative of the incident.
- c) Refer the matter to law enforcement or human resources personnel for an investigation as appropriate. Do not question or interview the alleged perpetrator or the alleged victim about the incident without first contacting the agency's human resources representative or the Employment Law Section of the City Attorney's Office for guidance.
- d) Consider whether a protection order should be obtained by the agency pursuant to C.R.S. §13-14-101, et. seq. Contact the City Attorney's Employment Law Section for guidance and assistance regarding a protection order.
- e) If appropriate, suggest that the victim contact the City's employee assistance provider (currently Guidance Resources), the City Attorney's Victim Resource Program, the Rose Aodom Center (a facility dedicated to assisting victims of domestic violence), or the Victim's Assistance Unit of the Denver Police Department (or other appropriate local law enforcement agency) for appropriate referrals, safety planning, counseling, information on domestic or family violence, information

regarding criminal charges resulting from the violence, and support services. Below is the current contact information for the providers/resources identified above:

Guidance Resources: **877-327-3854**

City Attorney's Victim Resource Program: **720-913-8020**

Rose Andom Center: **720-337-4400**

DPD's Victim's Assistance Unit: **720-913-6035**

City Attorney's Employment Law Section: **720-913-3125**

- f) If the victim employee has met with a victim's assistance program and a safety plan is created for the workplace, the supervisor should review the safety plan and institute any necessary and appropriate changes that are practicable within the workplace.
- g) Maintain confidentiality regarding the incident unless there is concern about the welfare and safety of others, or unless the agency is legally required to disclose the information. Share information about a workplace violence incident only on a need to know basis. Contact the City Attorney's Office's Employment Law Section or the City Attorney's Victim Resource Program for guidance.
- h) If appropriate to the circumstances, offer flexibility in the employee's work schedule, change in telephone extension (unless it is the agency's main phone line), and/or screening of phone calls, and if possible a change in work station location.
- i) Notify security if the perpetrator is harassing the victim while at work or causing problems for the agency. If possible, provide a picture of the perpetrator to security or local law enforcement notifying them of the current situation. Be sure to also provide security or local law enforcement with copies of any protective orders.
- j) Honor all protective orders issued by a court. If the perpetrator violates the victim's protective order, encourage the victim to call the police. If the perpetrator violates the agency's protective order notify the police immediately, and contact the Employment Law Section of the City Attorney's Office.
- k) If the victim is in need of time off to take care of issues that may arise due to the abusive situation, and has accrued leave, all accommodations should be made to allow the victim to take the necessary time off. By law, the supervisor is required in some circumstances to authorize up to three days leave even if the victim has no accrued leave (C.R.S. §24-34-402.7). If no

leave is available to the victim, the agency shall authorize leave without pay pursuant to Career Service Rule 11. The law also prohibits an employer from penalizing certain victims of domestic violence from taking up to three days leave, paid or unpaid, to get a restraining order, obtain medical care or counseling, locate safe housing, or prepare for or attend legal proceedings. In addition, the City encourages supervisors and managers to support employees who are victims of domestic violence by allowing them to adjust their work schedules and/or providing them with paid or unpaid leave beyond the three days as needed so that they can obtain necessary medical care, counseling, or legal assistance.

- l) Continue to check in with the employee as appropriate and ask that s/he keep you informed of any developments that may impact his/her work or the workplace.
- m) Treat alleged victims with respect and compassion. Treat alleged perpetrators fairly.
- n) Follow any internal agency procedures enacted to address workplace violence issues.
- o) Document what actions were taken by the agency in response to the incident.

**3.0 Management Responsibilities: If a Supervisor Learns or Suspects that an Employee is Being Abused Outside of the Workplace.**

Every manager or supervisor who learns or suspects that an employee is being abused at home or otherwise outside of the workplace is responsible for the following:

- a) Do not ignore the situation. Talk to the employee about your concerns following the guidelines below or contact a human resources representative for guidance and assistance.
- b) When talking to an employee who you suspect may be a victim of domestic abuse, ask simple and direct questions such as “is someone hurting you at home?” or “how did you get those bruises?” Do not exert pressure on the employee to disclose the possible abuse or the identity of the abuser. Be sure to express concern and support for the employee, and let him or her know that you are one of many resources available if needed. Consider calling the City's employee assistance provider (currently Guidance Resources), the City Attorney's Victim Resource Program, the Rose Arom Center (a facility dedicated to assisting victims of domestic violence) or the Denver Police Department's Victim's Assistance Unit (or other appropriate local law enforcement agency) for guidance on what to ask or say under these sensitive

circumstances. Contact information for these providers is listed above in Section 2.0.

- c) Do not give the employee advice about the abusive relationship or steps the employee should take to address the abuse, and do not express or demonstrate frustration with the employee's actions or inactions. Do not make critical comments about the perpetrator or impose requirements on the employee or the perpetrator that may put the employee at greater risk.
- d) Document your concerns and what actions were taken.
- e) If you have questions about related court proceedings or the process for obtaining a restraining order on behalf of the agency, call the Employment Law Section of the City Attorney's Office or the City Attorney's Victim Resource Program for assistance.
- f) Follow other applicable guidelines set forth in Section 2.0 of this Section.

**4.0 Management Responsibilities: If a Supervisor Learns or Suspects that an Employee is the Perpetrator of Abuse:**

Every manager or supervisor who learns or suspects that an employee has engaged in an act of violence or otherwise violated this Executive Order, or is the subject of a restraining order or been arrested, charged or convicted of a crime of violence, including domestic or family violence, is responsible for the following:

- a) Contact law enforcement if a crime may have been committed that has not been reported.
- b) Consider placing the employee on investigatory leave pending the outcome of any criminal proceedings and/or the investigation of a violation of this Executive Order. Contact the agency's human resources representative or the Employment Law Section of the City Attorney's Office for advice on appropriate steps.
- c) Do not question or interview the alleged perpetrator or the alleged victim about the incident without first contacting the agency's human resources representative or the Employment Law Section of the City Attorney's Office for guidance regarding any investigative steps that may need to be conducted.
- d) Impose discipline for any violations of the Executive Order, the Career Service Rules, or other City or agency policies, up to and including dismissal.



- e) If an employee is the subject of a restraining order, or is arrested or charged with a crime of violence, including domestic or family violence, the supervisor should notify the employee of his/her responsibility to keep the agency informed of the outcome of his/her case. If the employee is charged or convicted of the crime, disciplinary action should be considered, and taken, if appropriate.
- f) If domestic violence counseling is required as a part of any disciplinary actions, the treatment provider must be state approved to provide domestic violence counseling. The Domestic Violence Offender Management Board website provides an up-to-date list of state-approved domestic violence treatment providers.
- g) Always maintain that there is no excuse for violence.
- h) Document all instructions given to the employee and all actions taken with regard to the potential violation of this Executive Order.

**MEMORANDUM NO. 112B**

**TO:** All Departments and Agencies Under the Mayor  
**FROM:** Michael B. Hancock, Mayor  
**DATE:** July 23, 2018  
**SUBJECT:** Employee Responsibilities Under the Executive Order:

This Memorandum shall be attached to and become a part of Executive Order No. 112 dated, July 23, 2018 subject "Violence in the City Workplace."

**1.0 Employee Responsibility – When an Incident of Workplace Violence Occurs or is Imminent - Emergency Situation:**

Every employee who is aware of or learns that an act of violence or violation of this Executive Order is occurring or about to occur in the workplace is responsible for the following immediate steps:

- a) Call 9-1-1 if there is an immediate emergency. Do not try to physically intervene unless reasonably necessary to protect someone from imminent death or bodily injury. Make every attempt to remove yourself from the dangerous situation as quickly as possible.
- b) If possible, immediately call 9-1-1 and notify a supervisor and/or building security.
- c) If possible, notify other personnel who may be in direct or indirect danger.

**2.0 Employee Responsibility – When Violence or Other Violation of this Executive Order in the Workplace Occurs or is Threatened in a Non-Emergency Situation:**

Every employee who is aware of or learns that an act of violence or violation of this Executive Order has occurred or been threatened that is not reasonably believed to present an emergency situation is responsible for the following:

- a) Promptly notify his/her supervisor or other agency manager, the agency's safety coordinator or a human resources representative.
- b) Cooperate in any investigation that may be undertaken.
- c) Respect the privacy of co-workers and others involved in a violence incident.

- d) Promptly report to his/her immediate supervisor if the employee learns or suspects that a co-worker is the subject of a restraining order or has been charged with a crime, or otherwise has any pending criminal charges against him or her.

**3.0 Employee Responsibility - If an Employee Learns or Suspects that a Co-Worker is being Abused Outside of the Workplace:**

Every employee who learns or suspects that another employee is being abused outside of the workplace is responsible for the following:

- a) Notify a supervisor or a human resources representative of your concerns or talk to the co-worker directly and, if appropriate, suggest s/he speak to a supervisor or manager, a human resources representative, the City's employee assistance provider (currently Guidance Resources), the City Attorney's Victim Resource Program, the Rose Adom Center (a facility dedicated to assisting victims of domestic violence), or the Denver Police Department's Victim's Assistance Unit (or other appropriate local law enforcement agency) for assistance and guidance. Below is the current contact information for the resources identified above:

Guidance Resources: **877-327-3854**

City Attorney's Victim Resource Program: **720-913-8020**

Rose Adom Center: **720-337-4400**

DPD's Victim's Assistance Unit: **720-913-6035**

- b) If the co-worker denies being abused, or acknowledges being abused but declines to report the abuse or speak with the resources identified above, consider reporting your concerns and the co-worker's response to a supervisor or a human resources representative. Do not exert pressure on the co-worker to acknowledge the abuse or identify the perpetrator.
- c) If the co-worker reports that the perpetrator may try to harm him or her at work or may harm other employees, family members, or other individuals, report this information immediately to a supervisor or human resources representative.

**4.0 Employee Responsibility – If the Employee is a Victim or Alleged Perpetrator of Violence or Abuse, or is the Subject of a Protective Order or is Charged with a Crime of Violence.**

- a) An employee who is a victim of violence in the workplace or of domestic or family violence is encouraged to report the incident or abuse to his/her supervisor or a human resources representative. An employee who obtains a protective order against another employee is required to report such information to his/her supervisor or a human resources representative. An employee who obtains a

protective order against a person who is not a City employee is encouraged to report such information to his/her supervisor, the agency's safety officer, or a human resources representative.

- b) An employee who is the subject of a Protective Order must report such information to his/her immediate supervisor as soon as possible, but no later than three (3) calendar days after the employee is first notified of the Protective Order. The employee must also keep his/her immediate supervisor apprised of the status of the Protective Order and all related court proceedings. An employee who is the subject of a Protective Order issued on behalf of another City employee must abide by all restrictions that may be put in place to prevent any intentional or unintentional violations of the Protective Order from occurring in the workplace
- c) An employee who is charged with a crime of violence, including a crime of domestic or family violence, must report such information to his/her immediate supervisor as soon as possible, but no later than three (3) calendar days after the date of arrest. The employee must also keep his/her immediate supervisor apprised of the status of the criminal case, including advanced notice of court proceedings that the employee is required to or may attend.

**SECTION E**

**MAYOR'S  
DECLARATIONS**

## **MAYOR'S OFFICE DISCRIMINATION, HARASSMENT AND RETALIATION POLICY<sup>1</sup>**

The Mayor's Office is committed to maintaining a work environment free of discrimination, harassment and retaliation. Behavior may violate this policy even if it would not constitute a violation of federal, state and/or local law. This policy applies to all City employees as well as the Mayor, the Mayor's staff, and Mayoral appointees. For purposes of this policy, "Mayoral appointees" are those persons appointed by the Mayor who hold full-time paid positions with the City and County of Denver.

### A. Protected Characteristics

All City employees, as well as Mayoral staff and appointees, have the right to work in an environment free of discrimination and harassment based on their race, color, religion, creed, national origin/ancestry, sex, sexual orientation, transgender status, gender identity and expression, disability, genetic information, military status, age, marital status, political affiliation, pregnancy or related condition, or any other status protected under federal, state and/or local law. These characteristics are referred to as "Protected Characteristics."

### B. Discrimination

Discrimination occurs when an employee or appointee experiences an adverse employment action based on one or more Protected Characteristics of the employee or appointee. Adverse employment actions include, but are not limited to, termination, suspension, involuntary demotion, and failure to promote.

### C. Harassment

Harassment based on one or more Protected Characteristics of an employee or appointee is a form of prohibited discrimination. There are two types of harassment:

1. Hostile Work Environment: This type of harassment exists when an employee or appointee is subjected to unwelcome and offensive conduct by someone with whom the employee or appointee interacts at work, at work-related functions, and/or when representing the City, when such conduct is based on a Protected Characteristic and is sufficiently severe or pervasive as to create an intimidating, hostile, or offensive work atmosphere. In order to constitute a hostile work environment, the conduct must meet all four of the following criteria:
  - based on one or more Protected Characteristics; and
  - subjectively offensive to the employee or appointee; and
  - objectively offensive to a reasonable person; and
  - severe or pervasive.

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<sup>1</sup> This policy supersedes the Mayoral Staff/Appointee Sexual Harassment Policy adopted in 2015.

Offensive conduct may be verbal, visual, or physical in nature, and may include derogatory comments, mocking, imitating, slurs, jokes, photographs, posters, cartoon drawings, social media content, gestures, unwanted touching and blocking normal movement, among other forms of conduct.

2. Quid Pro Quo (“This for that”): This type of harassment exists when a supervisor takes or threatens to take an adverse employment action or withholds or threatens to withhold an employment benefit based upon a subordinate engaging or refusing to engage in certain behaviors (typically sexual favors). The behavior must be based on, or related to, a Protected Characteristic.

### **Reporting Discrimination and Harassment**

An employee or appointee who experiences or witnesses discrimination or harassment by a career service employee or non-City employee/third party with whom the employee or appointee comes into contact as part of his or her job, is urged to promptly follow the steps outlined in Career Service Rule 16.

An employee or appointee who experiences or witnesses harassment in violation of this policy by an appointee or the Mayor is encouraged to make it clear to that person that such behavior is offensive or uncomfortable and request that it stop. If the behavior does not stop, or if the employee or appointee is not comfortable speaking with the appointee or the Mayor about their behavior, the employee or appointee is urged to promptly report the behavior as follows:

- A. For harassment by Mayoral appointees: An employee or appointee should report such conduct promptly to his or her supervisor, the Deputy Chief of Staff, the Chief of Staff, the Director of Administration, or the Office of Human Resources.
- B. For harassment by the Mayor: An employee or appointee should report such conduct to the Mayor’s Chief of Staff, the City Attorney, or the Executive Director of Human Resources.

An employee or appointee who experiences discrimination by an appointee or the Mayor should follow the procedure for reporting harassment set forth in paragraphs A and B above.

### **Investigation of Discrimination and Harassment**

Complaints against career service employees and non-City employees will be promptly investigated pursuant to Career Service Rule 18.

Complaints against Mayoral appointees will be promptly investigated, as appropriate, by the Office of Human Resources or a third-party investigator retained by the City Attorney’s Office. The City Attorney’s Office will coordinate the investigation. The outcome of the investigation will be communicated to the complaining employee or appointee as soon as practicable.

Complaints against the Mayor will be promptly investigated, as appropriate, by a third-party

investigator retained by the City Attorney's Office. The City Attorney's Office will coordinate the investigation and make recommendations based on the results of the investigation.

**Retaliation is Prohibited**

No employee or appointee will be retaliated against for making a good-faith complaint or for participating in an investigation of an alleged act of discrimination or harassment. However, any employee or appointee making knowingly false accusations may be subject to appropriate disciplinary action. Retaliation should be reported according to the procedures set forth above.

**Effective Date**

This policy takes effect July 30, 2018.



## MAYOR'S OFFICE ANTI-FRATERNIZATION POLICY<sup>1</sup>

The Mayor's Office of the City and County of Denver desires to foster a working environment marked by mutual respect and trust among co-workers. To this end, the Mayor's Office seeks to avoid favoritism and the perception of favoritism, actual or potential conflicts of interest, claims of sexual harassment, and other problems that can result from romantic relationships between co-workers. **As a result, the Mayor's Office discourages, and in some instances prohibits, inter-office dating, romantic relationships and flirtatious behavior in the workplace.** If employees and appointees of the Mayor's Office develop dating and/or romantic relationships with work colleagues, they are strongly cautioned not to let such relationships affect their job performance or the workplace environment in any manner.

To ensure that romantic relationships do not adversely affect the workplace, employees and/or appointees who enter into such relationships must:

- Review the Mayor's Office Discrimination, Harassment and Retaliation Policy;
- Behave professionally and avoid indiscreet behavior at all times in the workplace and while performing the functions of their jobs; and
- Refrain from public displays of affection, flirtation, sexual innuendo, sexually-oriented banter and joking, and suggestive comments, in the workplace and during the course of their job duties. This pertains to all forms of communication including, but not limited to, phone calls, emails, text messages, and social media.

**Prohibited Relationships:** No employee/appointee shall have a romantic relationship with an intern. No employee/appointee shall have a romantic relationship with a co-worker whom he or she directly supervises or whose terms or conditions of employment he or she may influence (examples of terms or conditions of employment include promotion, termination, discipline, and compensation). If a prohibited relationship develops, the Mayor's Office must be notified immediately. This notification will enable the Mayor's Office to consider potential options for resolving the conflict of interest.

Employees and appointees found to be in violation of this policy may be subject to disciplinary action, up to and including termination. Failure to cooperate with the Mayor's Office in resolving a conflict or problem caused by an inter-office romantic relationship may result in disciplinary action, up to and including termination. The Mayor's Office reserves the right to make personnel decisions in the best interests of the Office, including termination, where a conflict of interest or the appearance of a conflict of interest exists by virtue of an inter-office relationship.

Effective Date: This policy takes effect July 30, 2018.

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<sup>1</sup> This policy supersedes the Anti-Fraternization Policy adopted in 2015.

## **MAYOR'S OFFICE DISCRIMINATION, HARASSMENT AND RETALIATION POLICY<sup>1</sup>**

The Mayor's Office is committed to maintaining a work environment free of discrimination, harassment and retaliation. Behavior may violate this policy even if it would not constitute a violation of federal, state and/or local law. This policy applies to all City employees as well as the Mayor, the Mayor's staff, and Mayoral appointees. For purposes of this policy, "Mayoral appointees" are those persons appointed by the Mayor who hold full-time paid positions with the City and County of Denver.

### A. Protected Characteristics

All City employees, as well as Mayoral staff and appointees, have the right to work in an environment free of discrimination and harassment based on their race, color, religion, creed, national origin/ancestry, sex, sexual orientation, transgender status, gender identity and expression, disability, genetic information, military status, age, marital status, political affiliation, pregnancy or related condition, or any other status protected under federal, state and/or local law. These characteristics are referred to as "Protected Characteristics."

### B. Discrimination

Discrimination occurs when an employee or appointee experiences an adverse employment action based on one or more Protected Characteristics of the employee or appointee. Adverse employment actions include, but are not limited to, termination, suspension, involuntary demotion, and failure to promote.

### C. Harassment

Harassment based on one or more Protected Characteristics of an employee or appointee is a form of prohibited discrimination. There are two types of harassment:

1. Hostile Work Environment: This type of harassment exists when an employee or appointee is subjected to unwelcome and offensive conduct by someone with whom the employee or appointee interacts at work, at work-related functions, and/or when representing the City, when such conduct is based on a Protected Characteristic and is sufficiently severe or pervasive as to create an intimidating, hostile, or offensive work atmosphere. In order to constitute a hostile work environment, the conduct must meet all four of the following criteria:
  - based on one or more Protected Characteristics; and
  - subjectively offensive to the employee or appointee; and
  - objectively offensive to a reasonable person; and
  - severe or pervasive.

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<sup>1</sup> This policy supersedes the Mayoral Staff/Appointee Sexual Harassment Policy adopted in 2015.

Offensive conduct may be verbal, visual, or physical in nature, and may include derogatory comments, mocking, imitating, slurs, jokes, photographs, posters, cartoon drawings, social media content, gestures, unwanted touching and blocking normal movement, among other forms of conduct.

2. Quid Pro Quo (“This for that”): This type of harassment exists when a supervisor takes or threatens to take an adverse employment action or withholds or threatens to withhold an employment benefit based upon a subordinate engaging or refusing to engage in certain behaviors (typically sexual favors). The behavior must be based on, or related to, a Protected Characteristic.

### **Reporting Discrimination and Harassment**

An employee or appointee who experiences or witnesses discrimination or harassment by a career service employee or non-City employee/third party with whom the employee or appointee comes into contact as part of his or her job, is urged to promptly follow the steps outlined in Career Service Rule 16.

An employee or appointee who experiences or witnesses harassment in violation of this policy by an appointee or the Mayor is encouraged to make it clear to that person that such behavior is offensive or uncomfortable and request that it stop. If the behavior does not stop, or if the employee or appointee is not comfortable speaking with the appointee or the Mayor about their behavior, the employee or appointee is urged to promptly report the behavior as follows:

- A. For harassment by Mayoral appointees: An employee or appointee should report such conduct promptly to his or her supervisor, the Deputy Chief of Staff, the Chief of Staff, the Director of Administration, or the Office of Human Resources.
- B. For harassment by the Mayor: An employee or appointee should report such conduct to the Mayor’s Chief of Staff, the City Attorney, or the Executive Director of Human Resources.

An employee or appointee who experiences discrimination by an appointee or the Mayor should follow the procedure for reporting harassment set forth in paragraphs A and B above.

### **Investigation of Discrimination and Harassment**

Complaints against career service employees and non-City employees will be promptly investigated pursuant to Career Service Rule 18.

Complaints against Mayoral appointees will be promptly investigated, as appropriate, by the Office of Human Resources or a third-party investigator retained by the City Attorney’s Office. The City Attorney’s Office will coordinate the investigation. The outcome of the investigation will be communicated to the complaining employee or appointee as soon as practicable.

Complaints against the Mayor will be promptly investigated, as appropriate, by a third-party

investigator retained by the City Attorney's Office. The City Attorney's Office will coordinate the investigation and make recommendations based on the results of the investigation.

**Retaliation is Prohibited**

No employee or appointee will be retaliated against for making a good-faith complaint or for participating in an investigation of an alleged act of discrimination or harassment. However, any employee or appointee making knowingly false accusations may be subject to appropriate disciplinary action. Retaliation should be reported according to the procedures set forth above.

**Effective Date**

This policy takes effect July 30, 2018.

## MAYOR'S OFFICE ANTI-FRATERNIZATION POLICY<sup>1</sup>

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To ensure that romantic relationships do not adversely affect the workplace, employees and/or appointees who enter into such relationships must:

- Review the Mayor's Office Discrimination, Harassment and Retaliation Policy;
- Behave professionally and avoid indiscreet behavior at all times in the workplace and while performing the functions of their jobs; and
- Refrain from public displays of affection, flirtation, sexual innuendo, sexually-oriented banter and joking, and suggestive comments, in the workplace and during the course of their job duties. This pertains to all forms of communication including, but not limited to, phone calls, emails, text messages, and social media.

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