

Running Head: EVALUATING THE EFFECTIVENESS OF THE TFD WORK  
IMPROVEMENT PROGRAM

Evaluating the Effectiveness of the Tucson Fire Department Work Improvement Program

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**Certification Statement**

I hereby certify that this paper constitutes my own product, that where the language of others is set forth, quotation marks so indicate, and that appropriate credit is given where I have used the language, ideas, expressions, or the writings of another.

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### **Abstract**

A reassignment of duties and subsequent review of existing Standard Operating Guidelines (SOG) identified the problem that the Tucson Fire Department has a fragmented approach to providing a work improvement process for employees who are performing below the established job requirements. The purpose of this research is to identify and describe recommendations for a model of work improvement process for the TFD, after which the Joint Labor/Management Committee will meet to finalize an SOG. Descriptive research methodology was used to answer the following research questions: (a) What work improvement models are available that would meet the needs of TFD (b) What are the work improvement processes used by departments similar in size and demographics to TFD? (c) What are the work improvement processes that administration considers important in a work improvement program? (d) What are the work improvement processes that labor considers important in a work improvement program? (e) What are the work improvement processes that rank and file consider important? A literature search, internal and external questionnaires revealed that TFD is currently in need of a more defined process for Work Improvement Programs and although its discipline matrix is a solid document, better documentation regarding work and performance will ultimately assist the personnel and the department in achieving its mission. It is recommended that a joint Labor/Management Committee should be formed to write the SOGs based in part on this research.

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## Evaluating the Effectiveness of the Tucson Fire Department Work Improvement Program

In the public service, the personnel employed not only represent the most costly portion of delivery, but also the most important. Each employee who is hired, completes probation, and becomes commissioned is an investment to the hiring authority. This investment in training, payroll, and employee related expenses, not to mention the emotional attachment over a 20-30 year career makes the fire service employee a complete investment for any community. Although the community may see these individuals as modern day heroes, they are not without the potentials of being human, which can cause needed correction in either performance or behavior.

The United States Fire Service (USFA, 2013) responds to nearly 2.5 million calls for service annually. Of these, 1,000,000 are fire orientated (USFA, 2013, p.1). These numbers are low per USFA as only 37 fire departments that serve populations over 500,000 participate in NFIRS (USFA, 2013, p1). In 2012, the City of Tucson Fire Department responded to nearly 80,000 calls for service, with just over 71,000 being EMS related (Moser, 2013, p.1) and serves a population of over 550, 000 (Arizona Daily Star, 2006, p. A1). This represents a 4% increase over two years. Also added have been hazardous materials, technical rescue, chemical, biological, radiation, explosive and weapons of mass destruction. Recent murders of firefighters, attempts on other firefighter lives, and the mental health component can impact a firefighter's performance or behavior.

A review of existing Standard Operating Guidelines (Appendix J) identified the problem that the Tucson Fire Department (TFD) has a fragmented approach to providing a work improvement process for employees who are performing below the established job requirements. The purpose of this research was to identify and describe recommendations for a model of work

improvement process for the TFD, after which the joint Labor/Management Committee will meet to work out final Standard Operating Guidelines.

Descriptive research methodology was used to answer the following research questions:

(a) What work improvement models are available that would meet the needs of TFD (b) What are the work improvement processes used by departments similar in size and demographics to TFD? (c) What are the work improvement processes that labor considers important in a work improvement program (WIP)? (d) What are the work improvement processes that administration considers important in a work improvement program? (e) What are the work improvement processes that rank and file consider important in a work improvement program?

### **Background and Significance**

The City of Tucson Fire Department began in the early 1880's as an all-volunteer service and today protects some 550,000 residents in an area of 228 square miles from 21 fire stations with a daily firefighting force of 186 (TFD Telestaff, 2013). The Tucson Fire Department responds to over 69,000 EMS calls, and over 83,000 total calls for 911 services each year (Moser, 2013, p.1).

This problem was important to the City of Tucson Fire Department and the Deputy Chief of Operations and Safety within the Operations/Labor Relations/Training/Safety/Emergency Management Division for the Tucson Fire Department who oversees two battalions, six battalion chiefs, and over 300 personnel. This position is also very involved in personnel policy, issues and works very closely with the local IAFF labor organization on personnel issues and discipline.

This paper will assist the Tucson Fire Department in obtaining information through descriptive means as a precursor to a resulting creation of a Standard Operating Guidelines (SOGs) for a more consistent use of Work Improvement Programs. It also serves to assist in the United States Fire Administrations [USFA] five operational objectives by specifically addressing

the fifth, which states “To respond appropriately in a timely manner to emerging issues” (USFA, 2005, p.3). A major goal of the *Executive Leadership* course is to focus the attention of Executive Fire Officers (EFOs) as leaders on transforming fire and emergency services to stay abreast of new issues that can pose a threat to firefighters.

### **Literature Review**

The purpose of this literature review was to set the foundation for this study. It is valuable because it illustrates the findings others have made on this same research topic. National Fire Academy research topics, national and local literature were used to develop basic understanding on the history and topic of employee improvement programs. The information in this research project came from current research and articles on the above topics. The research was done through sources including the Internet, books, journals, and the library at the National Fire Academy. When researching from the Internet, the Google search engine was used, using the keywords: work improvement, performance improvement, fire department, military, discipline and standard operating guidelines.

In November 2007, the Tucson Fire Department (TFD) began to move forward with the process to improve the consistency of discipline within the department. A Chief from Tucson Fire Department attended a class where a Minnesota Chief spoke regarding their issues with continually having to go through the grievance and/or appeals process. Upon return, a phone conference for the purposes of discussing the “discipline matrix” the Minnesota department had created to provide a more consistent approach toward discipline and/or employee improvement. The four Assistant Fire Chiefs, along with the Human Resource Manager for the TFD were present. That phone conversation led to a pursuance of other information. This included what the SOGs for this were for the Tucson Police Department. From this initial research and findings, it was agreed that a TFD committee be formed to explore the creation of a discipline matrix to



provide supervisors with a standardized approach, while still allowing movement within a particular area due to exacerbating or mitigating circumstances (Appendix J). However, as the department entered into this, the subject matter of Work Improvement Programs (WIP) has come up. Where do they fit? Are they formal discipline? Do they stay in an employees file permanently? Are they always necessary? Can they be considered even before informal or formal discipline? These questions, along with the creation of two WIPs within the department recently that were handled in two different methods, began the process for asking the above questions. After consultation with Assistant Chief Mike Fischback, and labor representative Pat Bunker (April 2, 2013), it was decided this topic would be one needing research prior to moving forward with regard to the creation of SOGs for the department.

Heifetz and Linsky (2002) introduced the issue of technical versus adaptive issues and problems. Here is where the supervisor must separate the two. If it is a technical performance or knowledge problem, then training, drilling, and instructing may be the answer. Heifetz and Linsky (2002) state on p.10 of *Leadership on the Line* that “technical problems are not “trivial”, but rather it is that the solution already exists within the organization. If a work or personal improvement program is going to be helpful to the employee and ultimately the department, it is important to know the difference. The adaptive issues are more difficult as they are often issues of the heart, mind and belief” (p.11).

Once a supervisor determines a Personal Improvement and or Work Improvement Program is necessary, how do they go about it? Xpert HR in *How to Prepare a PIP* (Lexis/Nexis Xpert HR. June, 2013) (Personal Improvement Program) speaks to a six step process including speaking to employee before the PIP is created; stating what the specifics are that need improvement; and what will need to be done to correct the issue; give the person receiving the

PIP any persons or other sources that can be used by the employee to help them; time frames are created; and finally the meeting where the PIP is gone over by the supervisor and the subordinate.

The International Association of Fire Chiefs (IAFC) and the National Fire Protection Association (NFPA) in their training manual *Fire Officer Principles and Practices* (2010 2<sup>nd</sup> ed.), speak to the fact that an employee should never be surprised by substandard evaluation. It is incumbent upon the Fire Officer to recognize poor performance or behavior and take corrective action. They show an example of the steps a Work Improvement Plan should include:

- The work improvement plan shall be in writing, stating the performance deficiencies and listing the improvements in performance or changes in behavior required to obtain a “satisfactory evaluation”
- During the special evaluation period, the employee shall receive monthly progress reports
- If, at the end of the special evaluation period, the employee’s performance rating is “satisfactory” or better, the time-in-grade pay increase will start at the first pay period after the Work Improvement period.
- If, at the end of the special evaluation period, the employee rating remains unsatisfactory, then no time-in-grade pay increase will be issued. In addition, the supervisor will determine whether additional corrective action is appropriate (IAFC & NFA, 2010).

They also suggest the paperwork becomes a permanent record in the employee’s official file.

In their book *Predictable Surprises*, Bazerman and Watkins (2004), discuss the definition of a predictable surprise. They state “One of the main responsibilities of leadership must be to identify and avoid predictable surprises” (p.1). They allude to the fact that supervisors should not

overlook the smaller items that lead to larger issues. According to Bazerman and Watkins (p. 5), a shared trait of predictable surprises is that leaders knew a problem existed and that the problem would not solve itself. Predictable surprises also have the characteristic that the problem is recognized to be getting worse over time. Also, fixing the issue can incur cost in the near future, but often, the fix is delayed and the benefits of immediate action are delayed (p. 6). Often, the cost can be personal for the supervisor as relationships can be affected. Maintaining a good relationship or the “status quo” (p.7) can cause decision makers to lose the opportunity to attack the problem with immediate action. Predicting that an employee may be having issues which are affecting performance may very well save a larger issue. Playing out the scenario of the employees’ potential negative track, may allow intervention with a Work/Performance Improvement Program to address issues at a lower level, thus potentially avoiding more serious consequences for both employee and employer.

The first line supervisor’s job is to take care of the employee (Fischback, April 2, 2013). The firefighter takes care of the community and the supervisor takes care of those who serve the community. Generally speaking, you can break down the job of first line supervisors into two distinct areas: (1) emergency operations and (2) non-emergency operations. Most supervisors spend more time on the second area as emergency operations take less of an average day than emergency operations. Mike Fischback, Assistant Chief (personal communication, April 2, 2013) of Operations for Tucson Fire Department, “Although we spend most of our time training for high-risk, low-frequency emergency operations, however, it is necessary, in today’s world, that the high-risk, low-frequency non-emergency “station” issues are given equal time and training (M. Fischback, personal communication, April 2, 2013).

In the book *In Extremis Leadership*, Colonel Thomas Kolditz (2007), a professor of leadership at West Point, wrote that “performance coaches focus on developing team skills and

winning spirits (p.181). The fire service is a team based organization. No one person can do it alone. Therefore, it is critical “to develop leaders through teams...by blending team performance with individual development” (p.181). This gives credence that there is a place for individual work improvement with regard to the team’s overall performance. A fire service supervisor is a coach, mentor and leader. “They must push for a commitment to excellence, working with peers and subordinates to maximize potential (p. 183).

In the article *6 SIMPLE steps to create a work environment that holds employees accountable*, Lorber, (2013) uses the below acronym to explain how to set employees up for success as sometimes those that work for us don’t understand the expectations. “Fingers and pointed and blame is placed (most often misplaced)” (p.1).

- Set expectations- this is where leaders assure everyone is on same page and working toward same purpose.
- Invite commitment. Leaders need to gain commitment and show subordinates how their part and commitment is part of the overall goals.
- Measure progress- Goals must be quantified to be measured. This is where a Work/Performance Improvement Programs can assist.
- Provide feedback. This will allow employees to engage in meaningful conversation and allow them to give feedback toward solutions. This can increase commitment, but “to be effective, the feedback you offer must come from a sincere desire on your part to help or support your employee, not merely *fix* him or her.” (p.2)
- Link to consequences- Occasionally, employees need a form of motivation with consequences.

However, Lorber (2013) suggests that there is a difference between consequences and punishments. “Punishments are those things imposed on employees that make them pay for their shortcomings. Punishment does not contribute to the solution. Consequences, however, will guide and focus employees’ behavior and encourage them to take their commitments seriously” (p.2).

In the June 17, 2013 article in “Training Daily Advisor”, Do You Train Leaders to Avoid These 3 Scary Offenders?, the unknown author speaks to the fact that leaders and supervisors can place their employees into the “critter state” where every decision is driven by fear. Most of the time we spend our training on the high-risk, low-frequency events of the fire ground or like scenarios. However, it may be true that we can relate this to non-emergent times. The article states “most leaders know that management by “command and control” is dead and that fear does not motivate employees (p.1). Management in this way can cause the employee to only be concerned with staying alive or as the author states in the “critter state”.

There are three ways to avoid this according to the author (Training Daily Advisor, 2013).

1. Help them by giving them solutions. Advocate and ask them to be part of solution
2. Your meetings are heavy on sharing and point-proving, and light on promises and requests. This can create confusion, uncertainty and create fear as can rambling and unfocused objectives.
3. You give feedback to employees without first establishing rapport. You need to get employees to see you as “another antelope”, instead as the lion. This will assist you in influencing them. In other words, you are part of the herd where possible, not the person “out to get them.” (p.2)

Logan, King and Fischer-Wright (2008) in their book *Tribal Leadership* , speak to a man named Ray who is not sure he believes the goals that his leader has set are achievable (p. 209). The supervisor responds “you just have to believe” (p. 209). Having employees believe in a goal as well as themselves can go a long way in overcoming any shortcomings identified by the supervisor. The authors also give the coaching tip that “if the strategy fails, see what, if anything, the tribe wants to do” (p. 210).

The City of Tucson Fire Department has a civil service based rank system where everyone, regardless of previous experience begins as a Firefighter. After two years as a firefighter, personnel can promote to Inspector, Engineer, or Paramedic. After a total of five years on the department with two of those being consecutive within one of the previously mentioned ranks, personnel can apply to take the captain’s certification process. The Tucson Fire Department Captain’s certification process is internal to TFD, although many other agencies take part and is a very comprehensive system, meeting all Fire Officer I levels and includes IS-200 (R. Lopez, personal communication, June 27, 2013) (Appendix -K) . The courses within the Captain’s certification cover leadership, communication, strategy and tactics as well as a discipline, the current matrix and employee improvement.

The next step in the promotional hierarchy is Battalion Chief. It too requires an internal certification process that includes courses with upper level leadership, strategy and tactics as well as safety officer. The average company runs eight calls per day. This equates to an average of 45 minutes per call if Basic Life Support and 60 minutes if Advanced Life Support are implemented. Other duties include preplans, physical training, station work, cooking meals and others. This accounts for approximately 50% of a crews’ overall day in minutes. This leaves approximately 25% percent of the time, where the company officer is focused on command and control of non-emergent issues, some of which are personnel related.

A questionnaire was used to poll departments within same size as Tucson Fire Department. The USFA Tradenet tool was used to attempt to gain more input and perspective, regardless of the size of department to be sure information was complete. (Horton, 2010. pp. 3-4) found that lack of specific written criterion used to improve employee performance is a detriment to effectiveness.

In a personal communication (July 31, 2013) (Appendix - K), Deputy Chief Jim Frye from the Mesa, Arizona fire department stated “Currently we do not have an SOG dealing with the different types of discipline here. When infractions occur, the Ops/Personnel AC, Ops/Personnel DC, and the Sr. HR Analyst for the City discuss past practice and other relevant findings, checking for any other discipline in the Personnel File, before rendering a decision. Labor is involved in the meeting to discuss discipline with the employee, but no work improvement program SOG exists”. Mesa Fire is very close in size to the City Of Tucson Fire Department. The Newton Fire Department in Kansas breaks their evaluation processes into blocks with section B being the “adaptive” issues such as motivation, dependability, initiative, and safety-orientated work (Metzler, 2010. p.10). Falcon and Sachs (2007), agree that when evaluating performance, it should be done in a manner that includes both the supervisor and the employee being evaluated. This would include work improvement issues as both are aware prior to the final document being signed. Metzler (2012, p. 21) found that just under half of employees were satisfied with the employee evaluation process in the Newton Fire Department. Fire Chief James Ball of Danville, KY Fire Department, (2012, p. 21) found that a cumulative process can show a progression of achievement during an employee’s employment and career. He also found in his survey that those who failed to meet the departmental expectations outlined in performance evaluation should have personal improvement plan in place and that administration was responsible for this.(2012, p.49).

The City of Tucson operates under Administrative Directives. In Administrative Directive (A.D.) 2.02.13 IV.A.3-5 it states:

Purpose of Performance Appraisals - The performance appraisal provided for periodic assessment of employee performance. The objectives of the performance appraisal system are as follows:

1. Identify employee skills and deficiencies;
2. Assist employees and supervisors in developing plans for improved performance; and
3. Clarify the supervisor's and employee's job expectation.

Under A.D. 2.02.13.IV.D.3.a-c it states:

4. Special Evaluations: Supervisors have the discretion to prepare performance appraisal reports at times other than at the end of a stipulated appraisal period.

For example, special appraisal reports may be prepared to:

- a) reflect and formally record employee performance of exceptionally high quality,
- b) record unusual job performance problems, or
- c) monitor progress of work improvement plans (p. 2)

The City of Tucson Police Department (General Orders, 2013) operates under General Orders. General Order 4500 deals with performance management. G.O. 4523 states 4523 Special Evaluations:

Special Evaluations may be prepared at any time by an employee's supervisor.

Special evaluations may, for example, document and formally record exceptionally high performance, unusual job performance problems, or to monitor progress of work improvement plans. These evaluations use the same forms and



otherwise follow the same process as any other evaluation. The Human Resources Division shall provide all necessary forms.

G.O. 4537 deals with Work Improvement Plans and states:

#### 4537 Work Improvement Plans

In some cases, an employee may be served with a Work Improvement Plan designed to alert the employee to performance deficiencies and to set forth specific objectives for improvement. Plans should specifically advise an employee of expectations and consequences for failure to meet the Plan's expectations.

Work Improvement Plans may be referenced in, and served in conjunction with, an evaluation but are not generally included with the actual performance review. These may be filed in the employee's permanent record by forwarding a copy to Human Resources Division (HRD). HRD may also be contacted by supervisors and commanders for assistance in formatting and developing a Work Improvement Plan. (p. 1)

Chief Master Sergeant Shane Clark in a personal communication dated June 20, 2013, (Appendix - K) was asked if the National Guard has a WIP or PIP. His response was that "there are three different classification of guardsman here. The AGR (basically active duty) that requires an Enlisted Performance Report (EPR), a drill-status guardsman (the one weekend a month/two week annual - stereo-typical guardsman) that we are about to start an EPR on (wasn't required before this year and will have a two year eval period), and a Civilian Technician which are federal civil servants that require an annual technician appraisal. For our Technician force a performance improvement plan is an option. It is required for those not meeting the standard (level 1). A PIP is mandatory for those struggling and may be introduced any time, not just at the end of the appraisal

period (on word document under TPR 430). The EPR is a military evaluation tool only and not used on what we discussed in regards to starting a "performance feedback" based on behavior we want to modify (using as part of a performance improvement plan or PIP). We do use this tool as a means to communicate when they didn't meet the standard (i.e. didn't follow expectations of a rater and know you get this score).

It appears from the literature review that most entities have or believe in some form of WIP or PIP. The Tucson Fire Department has an SOG in place with regard to discipline, however, there is little said regarding the WIP. There are other like-sized fire departments as well as smaller departments, other public service agencies and military sectors who have solid WIP SOGs.

### **Procedures**

The methodology used in this research project included collection of TFD data, personal interviews with the TFD staff, other personnel within the fire and emergency services, and a questionnaire was sent to 27 national fire departments (Appendix A) similar in size (personnel) as Tucson and an internal Tucson Fire questionnaire sent to TFD Chief Officers, Senior Staff, Labor and Line Personnel. The data were collected with coordinated effort from the TFD information technology section, the Assistant Chief of Operations, the second Deputy Chief of Operations and Deputy Chief of Training, Labor Leadership and Field Personnel.

Some of the information was derived from a questionnaire sent to 27 departments similar in size to TFD. Several departments, not necessarily the size of TFD sent via email copies of their SOGs regarding the subject matter.

A questionnaire (Appendix -C) and personal interviews (Appendix K) with regard to WIPs with administration including senior staff and other chief officers, labor leadership, and

field personnel were conducted to assist in retrieving information to answer the research questions.

The questionnaires (Appendix C-E) were created using yes/no, check box, radio buttons, and comment entries by the respondents to ascertain data that would assist in answering two of the three research questions.

The United States Fire Administration (USFA, 2013) website was used to retrieve statistics on fire department sizes across the nation. The Tucson Fire Department is authorized 619 commissioned personnel. On the USFA spreadsheet, a filter mechanism used to refine out departments according to number of personnel. This was done so accuracy of response to the national questionnaire (Appendix B) was maintained. This resulted in only seven departments with very similar numbers of personnel to TFD. Departments with two hundred more personnel and two hundred less personnel were used, so enough data could be retrieved. A list was created of departments who had personnel numbers between five hundred and nine hundred. Out of the 27 departments on the list, phone calls to each one were attempted and asked to speak to the person that could answer questions regarding that department's Discipline and Work Improvement policies and procedures. Twenty-five departments answered or returned phone calls after a minimum of two attempts, resulting in a total of 27 departments being sent the questionnaire (Appendix A). Two subsequent requests were sent to these twenty-seven departments and a total of 21 questionnaires were returned for a 78% rate, considered good by Babbie (2008).

The data were collated using the Survey Monkey Tool (Appendix C-E) and placed into the tables referenced throughout this research. These tables can be found in the Results section.

Unscheduled personal interviews (Appendix K) and communications (Appendix K) were conducted with certain Tucson Fire Department Senior Staff Members, Senior Labor Leadership

of Local 479 of International Association of Fire Fighters (IAFF), select Tucson Fire Department Chief Officers, and field personnel through questionnaires (Appendix C-E)

Limitations of the project were based on a low level of national departments similar in size sending SOGs. One explanation is so many did not have guidelines for this, another potential explanation is the downturn of the national economy, resulting in personnel responding to severe budget issues as well as departments downsizing and personnel being required to engage in multiple duties. The use of USFA's TradeNet did elicit responses, however they were mostly from smaller departments, and the topic of WIP is general in nature.

A delimitation of this paper was on evaluating where TFD was with regard to the subject of WIP. It was not designed to create a policy, but only to offer potential recommendations to the joint labor/management committee for vetting and creation of a department SOG with regard to use of WIPs.

### **Results**

Research question number one asked: What work improvement models are available that would meet the needs of TFD? The results of question one were gleaned mainly from the literature review and the questionnaire sent to 27 fire departments, military and police agencies.

**Table 1:****Questionnaire Answers National Departments**


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<u>Have a formal plan?</u>	<u>Yes</u>		<u>No</u>		
<u>National</u>	60%		40%		
<u>TFD</u>	100%		0%		
<u>Use Discipline Matrix?</u>					
<u>Yes</u>	<u>No</u>	<u>Don't Know</u>	<u>Yes, but Informal/Unwritten</u>		
48%	38%	4%	10%		
<u>Department Use Progressive Discipline?</u>			<u>Use WIP as part of Formal Discipline?</u>		
<u>Yes</u>	<u>No</u>		<u>Yes</u>	<u>No</u>	
95%	5%		33%	66%	
<u>Use WIP/PIP in Lieu of Formal Discipline?</u>			<u>Stay in Employee's File?</u>		
<u>Yes</u>	<u>No</u>		<u>Yes</u>	<u>No</u>	<u>Don't Know</u>
45%	55%		33%	52%	14%
<u>If Kept, How Long?</u>					
<u>Less than 1 year</u>	<u>1-5 years</u>	<u>Greater than 5 years</u>	<u>Until Complete</u>	<u>Skipped</u>	
1	2	4	1	13	

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Of those that answered the questions in Table 1, comments included:

- Only used at verbal level
- Put into file up to 6 months; 1 year
- Only above Battalion Chief level. This may have been misinterpreted as pay for performance which is common in ranks above Captain in the fire service for pay adjustments.

Research question number two asked: What are the work improvement processes used by departments similar in size and demographics to TFD? This question was answered mainly through the questionnaire (Appendix – B) sent out to fire departments across nation similar in personnel size, but also through the literature review.

The Aberdeen South Dakota Fire and Rescue Department Chief Kevin Van Meeter (personal communication March 30, 2013) uses a variety of forms ranging from coaching and counseling form, to violation of rules and regulations to finally a written letter involving a WIP signed by upper management of the City. Chief Van Meeter, provided the following approach:

We use this when it is not really a reprimand but an area we see a weakness or something that we feel may become a problem. The second being a violation form, we use this one for anything that we see as a violation of our SOG or Protocols on ambulances. These vary in discipline depending on the severity and the number of times they have been written up. The third is a work improvement form, we use these when they have gone beyond the coaching and made no improvements and these will specifically note all areas in need of improvement.

In his Executive Fire Officer (EFO) paper (2012), Fire Chief James Ball, Fire Chief of the Danville Fire Department in Danville, KY, states that “the purpose of his paper was to define an evaluation/review program that utilizes criteria that focuses on firefighter improvement...” (p.3). He mentions how developing core values as well as using the 15 best practices as the motivation for this adaptive change. Number one on the list is “there must be a process of improvement for firefighters/officers” (p. 37). Although not the subject of his paper specifically, he also writes on page 40 that personnel not meeting standards should have already had a WIP in place and at no time should someone be surprised.

Fairfax County, VA (2007) has an entire manual devoted to the subject of performance measurement called *Fairfax County Measures Up*. Although this is formulated toward organizational performance, corollaries can be made toward personal performance because it is the performance of the employee in the street or workplace that makes the organization successful. One area Fairfax touches on is the fact that the citizenry is demanding at an increasing rate, proof of performance (p.4). One area they mention on why performance is measured is summarized as:

#### WHY MEASURE PERFORMANCE?

If you don't measure results, you can't tell success from failure.

If you can't see success, you can't reward it.

If you can't reward success, you're probably rewarding failure.

If you can't see success, you can't learn from it.

If you can't recognize failure, you can't correct it.

If you can demonstrate results, you can win public support. (p. 4)

This can be directly related to employee performance and if you recognize issues early on and correct, they can often stay small issues and be resolved at a lower level, rather than escalating to a larger issue or incident (p.7).

In a personal communication through TradeNet (Appendix K) on April 29, 2013, Chief Robert Chegan from North Royal Fire Department in Ohio shared how he has instituted a program that utilizes a personal performance improvement document. Although leaned toward skill based performance, it could be used for when personnel fall short of non-emergent standards.

The West Yorkshire Fire and Rescue Services (personal communication through TradeNet on April 29, 2013 (Appendix H), have a SOG that spells out the steps taken

toward employee improvement. On page one it spells out the stages of procedures for improvement, which includes a Personal Improvement Action Plan (PIAP). This is stage one, with stage two is used when performance does not improve and the PIAP continues. There is also as stage three within the PIAP prior to engaging the discipline policy.

In a personal communication (Appendix K) on April 9, 2013, Deputy Chief of EMS Administration from the City of Ankeney, IA Fire Department shared his department's SOG with regard to WIP/PIPs. It spells out very clearly in just two pages the step by step program that is geared toward using a PIP to assist the employee in achieving success, however, if this is unsuccessful, termination is an option (Appendix I).

In her EFO paper *Comparative analysis of Estero Fire and Rescue Company officer and Firefighter performance evaluations relative to reward, promotion, corrective and disciplinary action* (p.12), Horton (2012) states that the Employee Performance Appraisal Committee (EPAC) recommended a form of performance improvement plans, guidance and coaching where corrective action may be needed, rather than appraisals being punitive. In her results section (p. 31), it states that 83% felt that having a PIP in place would be beneficial and meaningful to performance.

Fire Chief Jay Riley of the Marysville, OH Fire Department shared with the through personal communication April 23, 2013 a redacted example of a PIP he did for a Lieutenant. Within the document (Appendix J), it lists the areas of marginal performance and then in the next section, what is expected. It also shows the next time they will meet to discuss progress. It focuses on non-emergent issues regarding this particular Lieutenant's performance and references the manual sections of job performance indicators that must be met.



Val Ozols from the SOP Center, through TradeNet (Personal communication, April 1, 2013) sent an example of a PIP (Appendix G) form based on FEMA F-197 guidelines, but is similar to Appendix J from Marysville, OH.

Research question number three, asked: What are the work improvement processes that labor considers important in a work improvement program? This question was answered through a questionnaire (Appendix D). (Table 2) provides an overview of the data. This table is important in that it give a sense of what Senior Staff officers of TFD think in relation to Tables 3 and 4, which include labor and field personnel viewpoints.

Table 2 Work/Performance Improvement Plans Senior Staff

<u>WIP Added to Discipline Matrix?</u>	<u>WIP Mandatory if Marked Below Standard?</u>
Yes 80%	Yes 40%
No 20%	No 30%
<u>Should WIP be Included in:</u>	Depends on Situation 30%
Formal Discipline 35%	
Informal Discipline 20%	
Both 45%	

Question one comments:

- Depending on situation; if training, yes; if ethical, no
- Can be tremendous tool; create objectives to change; thought we had WIP?
- Should be first try to correct behavior; is measurable and positive
- Allows method of measuring progress or lack of
- Willful disobedience or corrective training?
- Anytime below standard, have WIP

### Question 2 comments

- Both
- Give employees every opportunity to correct deficiencies; but if not successful, has less of chance to successfully grieve/appeal
- Optional depending on infraction; handle with least;
- Left up to supervisor; different people need different motivation
- Neither, PIP and discipline should not be related

### Question 3 comments

- Don't like mandatory, by situation
- Might make supervisors not mark below if mandatory; makes supervisor have plan
- Just letting employee know may be enough
- TFD "meets standards" is a high standard already
- Measurable, attainable, timeliness and fair
- Should never get there. Should work with employee so always meets standards on evaluation
- Just use evaluation as tool

### Question 4 comments

- Punishment should be the least to correct problem
- Used in either situation; tool in toolbox
- In lieu when possible, then discipline if does not work
- Can be used as documentation leading up to discipline, but only then

Research question four asked: What are the work improvement processes that rank and file consider important? This question was answered through questionnaires (Appendix E) and communications (Appendix K). This table is important in that it give a sense of what field

personnel officers of TFD think in relation to Tables 2 and 3, which include field personnel and Senior Staff viewpoints.

Table 3 Work/Performance Improvement Plans-Labor

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<u>WIP Added to Discipline Matrix?</u>	<u>WIP Mandatory if Marked Below Standard?</u>
Yes 80%	Yes 20%
No 20%	No 60%
<u>Should WIP be Included in:</u>	Depends on Situation 20%
Formal Discipline 20%	
Informal Discipline 0%	
Both 60%	

---

Question one comments:

- Depending on situation both WIP and discipline may be needed
- Depending on situation
- Should be first try to correct behavior
- WIP and discipline are two different things. PIP should be leadership tool to motivate
- Already in use

Question 2 comments

- Give employees every opportunity to correct deficiencies
- Optional depending on infraction
- Left up to supervisor
- Neither, PIP and discipline should not be related

Question 3 comments

- Don't like mandatory, by situation

- Might make supervisors not mark below if mandatory
- Just letting employee know may be enough

#### Question 4 comments

- Punishment should be the least to correct problem
- Used in either situation
- In lieu when possible, then discipline if does not work
- Can be used as documentation leading up to discipline, but only then

Research question five Asked: What are the work improvement processes that field personnel considers important in a work improvement program? This question was answered through questionnaires (Appendix E) and communications (Appendix K). This table is important in that it give a sense of what field personnel officers of TFD think in relation to Tables 2 and 3, which include labor and Senior Staff viewpoints.

Table 4 Work/Performance Improvement Plans Field Personnel

<u>WIP Added to Discipline Matrix?</u>	<u>WIP Mandatory if Marked Below Standard?</u>
Yes 45%	Yes 40%
No 55%	No 15%
<u>Should WIP be Included in:</u>	Depends on Situation 55%
Formal Discipline 15%	
Informal Discipline 20%	
Both 40%	

---

#### Question 1 Comments

- Should not be used as discipline; should be formal; use special evaluation

- Not be tied to matrix; communication tool
- Making part of matrix would tie everything together
- Same as current education/verbal counseling?; no current algorithm to follow
- Gives employee knowledge of what to do
- No current place in matrix for WIP
- Stand alone based on issue
- Active contract between employee/supervisor; could become grievable, reducing effect
- Should accompany discipline, especially in more grievous issues
- Discipline occurs after WIP does not work

#### Question 2 Comments

- Neither
- Not part of discipline at all
- Both
- Depends on circumstances; certain times will be needed in discipline
- Distinguish between performance issues and work performance issues
- Should lead to further discipline if not successful
- It is documentation of either improvement or not which can then lead to discipline

#### Question 3 Comments

- Depends on situation; a plan to help
- Not fair to tell employee not meeting standards and then not giving plan to correct
- Needs to be done early in process

#### Question 4 Comments

- Start small with WIP wherever possible
- Use early on; should be engaged with employee

- Some must be handled with discipline; WIP is used in other situations
- Precursor to discipline
- Goal should be to mentor and coach
- Can document for both employee and supervisor attempts to improve made.

### **Discussion**

It appears from the literature review and subsequent appendices H-I, interviews (Appendix K) and questionnaires, and (Appendix-B, D) that Tucson Fire Department has a good start towards the makings of a more standardized work improvement program.

TFD has a solid matrix for discipline. It is progressive in that it is consistently reviewed and updated to reflect best practices for TFD. Since its inception, there have been no grievances and only one appeal that was won by the plaintiff. One must at least at some level recognize the fact that what is in place had at least some part in the overturning of the discipline brought forth by the city. It is clear that pro-active steps are preferred. Heifetz and Linsky (2002) stated in *Leadership on the Line* that one must determine if the problem is technical or adaptive. If the problem is technical, the fix is already in place with regard to current SOGs or policies. However, when dealing with adaptive issues, they are ones of heart and mind and overall are more difficult. It appears from literature review and other departments that early detection and intervention is critical. Bazeman and Watkins (2004) reiterate this in that identifying predictable surprises is one of the primary jobs of the supervisor. To see the issue up front early can prevent the disciplinary route and as Heifetz and Linsky relate, the issue can be dealt with little cost to employee and department, if actions are delayed, the benefits of immediate action can affect outcome (p. 6). This is supported with what the IAFC and NFPA recommend in *Fire Officer Principles and Practices* that an employee should never be surprised by a substandard evaluation. In reviewing the different SOGs that were sent, it is clear there must be standards, but also some flexibility.

Xpert HR (2013), the IAFC/NFPA (2010), and Lorber (2013) all have steps to follow regarding how to set up a SOG for WIPs. Xpert HR (2013), the IAFC/NFPA (2010), and Lorber (2013) have in common the themes of identifying the problem, setting expectations, measuring progress, providing feedback and documenting what may happen if the WIP is not met, including the article in the "Training Daily Advisor" (2013), advocate for including the employee in the process of working out the expectations. Logan, Kind and Fischer-Wright (2008) echo this in *Tribal Leadership* (2008) in that the employee must believe the goals the leader has for them are achievable. If this does not work, then they suggest going to the tribe, which could include more upper management. Falcon and Sachs (2007) also agree that when evaluating performance, both supervisor and employee are involved and even evaluated. Ball (2012) agrees with this in that a cumulative process over the employee's career can show progression. This would lead one to surmise that WIPs would need to be part of the permanent record. His survey also indicated that a WIP/PIP should be in place for those having not met department expectations and documented in evaluations. Making the non-emergent portions of all levels of training can also prepare those for the high risk, low frequency issues that arise within the station and personnel. Assuring that all aspects of NFPA 1021 are covered (R. Lopez personal communication, July 30, 2013) is critical. The generic WIP (Appendix-G) received from Val Ozols from the SOP Center through TradeNet is based on FEMA F-197 guidelines and is used also by the Maryville, OH fire department (Appendix J). This appears to support most other SOGs received from various departments.

Surprisingly, it was discovered that several departments of like size did not have a formalized WIP or PIP in place. In the national survey (Appendix B) conducted, only 60% of departments had some form of WIP. Only 48% use any form of discipline matrix to assist, but nearly all (95%) used progressive discipline. Frye (Appendix K) from Mesa AZ, stated this in his

personal communication stated as well they don't have a formalized program, but use the discipline portion of their SOGs to formulate WIPs within their formal employee review process. This overall lack of information from similar sized departments, caused a need to utilize information from smaller departments as well, who shared their WIP SOGs they had in place. There is no detriment to this in that all departments will find themselves dealing with the non-emergent "adaptive" issues at some point. Horton (2010) found that there is a need for specific criterion to assist in determining effectiveness of employee performance. The Newton, KS (Metzler, 2012) fire department actually corresponds with Heifetz and Linsky (2002) in that they break their evaluation process and work improvement process into the technical and adaptive issues (2012). The City of Tucson (Appendix J) states in their Administrative directive 2.02.13.IV.4.3-5 that one portion is to identify employee skills and deficiencies and to assist them by developing plans for improved performance. Special evaluations are at the discretion of the supervisor and this will be an issue for labor/management to confront to determine if within the SOG, will there be need for a special evaluation to be done each time a WIP is placed. Tucson Police (General Order 4523) basically mirror City policy and their plans come into alignment with what Horton, (2013) Heifetz and Linsky (2002) Falcon and Sachs (2007), the City of Tucson (A.D. 2.02.13) and other departments sending in WIP SOGs. The Air National Guard (Appendix K) stationed in Tucson states a PIP is mandatory for those struggling and may be introduced at anytime. A WIP is an option to deal with any issue.

Questions (Appendix C, D & E) for administration, labor and the field personnel were identical so as to compare results on how WIPs are viewed. There were some inherent differences. Some of the answers were able to be analyzed against the national questionnaire (Appendix -B). One question was: If WIPs should be part of formal discipline. On a national level, 66% said no, administration said for sure 35%, but had the caveat of that it could go either



way depending on situation. Labor was at 20% yes it should be part of formal discipline, but 60% stated it should be determined by infraction. Field personnel said only 15% of the time it should be part of formal discipline, with 40% of the time it be based on situation. It appears all levels believe it needs to be flexible, which literature review agreed with. It would be difficult to place all into one neat package as each infraction can have so many nuances. All but field personnel felt WIPs should be placed into the formal discipline matrix for TFD. One comment (Appendix D) from labor was that a PIP or WIP should NEVER be related to discipline, that they are designed to do two different things. The national questionnaire (Appendix B) showed 55% felt WIP should not be used in lieu of formal discipline, or as a pre-cursor to discipline. This is an area TFD has experienced in the recent past within the department. An employee was not given a special evaluation, but an informal WIP plan was created. The employee met all aspect three months early and was released from WIP with no formal discipline being issued.

Administration (Appendix C) believed 40% that WIPs should be mandatory if employee is marked below standard, with 30% stating it depends on situation. Labor felt no at 60% of time. Field personnel (Appendix E) agreed with administration (40%) it should be, but also stated 55% of the time it is situational dependent. Nationally (Appendix B), departments felt WIPs should be part of permanent employee record, but felt it should be greater than five years. Only one responded that it should be until completed, then removed. Documentation regarding poor performance, attitude, etc is difficult for the fire service to do to each other, however, when something larger happens and there is no previous documentation, it can be difficult to use what most considered fair...the situational dependent issue.

All organizations who responded have one thing in common; there is a need for a WIP in the fire service. Xpert (2013) lists a six step model including improvement needed, what should be done about the issue and a timeframe? Lorber (2013) also has a six step model very similar to

Xpert and Bazerman (2004). Feedback through TradeNet (2013) also suggests no surprises, WIPs should be solution driven, and make employee part of the process. The IAFC/NFA document states employees should not be surprised by the WIP (2005), All references listed in this paper state the WIP should be in writing, stating changes required, follow up. The IAFC/NFA (2010), concurs as does the Senior Staff of Tucson Fire Department that WIPs should be part of the permanent record. These include TradeNet (2013), Logan, (2007), Metzler (2010), and Ball (2012), and TPD (2013). City of Tucson Administrative Directive 2.02.13 gives the fire department the basis for creating the WIP. Tucson Police have a very similar statement in their General Order 4523 that WIPs can be done anytime, not just when annual evaluations come around. Ball (2012) agrees with this in that a WIP should be in place for use anytime, (p. 22).

The employee should generally be part of the solution according to Metzler (2013), Falcon (2010) and Ball (2012) all state to ask the employee for input. Fairfax (2007), Bazerman (2004), and Horton (2012) all stated WIP/PIPs are a meaningful part to employee success.

### **Recommendations**

Based on the results of the study and the literature review, the following recommendations are presented. At minimum, annual education should be conducted on critical position assignment policies and practices. This education should be rank specific during certification education as well, to give officers the direction and knowledge necessary to be successful in implementing mitigation therapies. This education should be built around the results of this research to assure identified weak areas are corrected and include both commissioned and non-commissioned personnel. Using case histories to educate the firefighting corps will ultimately result in increased compliance as it is made 'real' to them.

It is recommended that a continued review of other agency formats will help personnel understand what is expected of them, but that regular training will align with the competencies

contained therein. Utilization of NFPA 1021, along with City and department expectations regarding both technical and adaptive concept should be undertaken when TFD as the AJH begins to engage in writing of what areas require WIP intervention.

Increase knowledge in not only emergency, but non-emergency supervision is needed. A program developed and implemented both through online and brick/mortar education should be combined to give supervisors the tools to best use WIPs to correct behavior or skill deficiencies. This education and training should be part of Captain and TFD Battalion Chief certifications, which are part of the promotional process, at an introductory level, then established within continuing education for all chief officers to assure retainment of knowledge, skills and abilities. These skills should be “tested” during exercises and the results used to positively enhance operational readiness. Continuing education for chief officers should begin to be incorporated along with position specific roles and responsibilities. Past experiences, redacted previous issues real to TFD should be used wherever possible. This along with the exercising of Standard Operating Guidelines (once created) should undoubtedly result in increased confidence and competence. Regular exercising of this should be done in conjunction with City of Tucson and Tucson Fire Department training, other emergency service agencies as well as the private sector.

Legislation should be monitored to assure the continued compliance of TFD within human resource standards and so the department, supervisor and employee are not placed into an area of confusion. This will ensure that proper procedures continue to be followed and as the SOG is written, there should be a date of re-visit and review.

TFD as an organization would benefit from these recommendations as they would ensure continued improvement in TFD’s ability to mitigate issues of performance at the lowest level. This could translate into increased confidence in roles filled and the meeting of public

expectations, as well as maintaining compliance with TFD, COT and national human resource practice.

The recommended changes should be driven by the TFD Operations/Labor division which houses the Training Division. This approach should assure a solid program is developed and tracked. A committee of members should be formed to assure all aspects of the department are considered when creating SOG's and training efforts.

Another study should be commissioned after the majority of these recommendations are implemented to see if progress has been made. Similar questioning should be used so data points can be compared to this study allowing for continued improvements in the area of WIP.

Future researchers interested in replicating this study should first gain permission from administration, be assured they have proper alliance with those professionals who can assist, and become familiar with the Joint Labor Management Standards from IAFC/IAFF, state and local standards and recommendations prior to conducting the study.

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**Appendix A**

Departments Sent Questionnaire to

Assist in Answering Question 1

(bold indicates did not respond to contacts)

Atlanta, Georgia

San Diego, California

Rockville, Maryland

Cincinnati, Ohio

Irvine, California

El Paso, Texas

**DeCature, Georgia**

Millersville, Maryland

Tampa, Florida

Indianapolis, Indiana

**Fort Worth, Texas**

**New Orleans, Louisiana**

San Jose, California

St. Louis, Missouri

Tucson, Arizona

Largo, Maryland

Tulsa, Oklahoma

Portland, Oregon

Birmingham, Alabama

Omaha, Nebraska

**Pittsburgh, Pennsylvania**

**Las Vegas, Nevada**

Miami, Florida

**Sacramento, California**

Shreveport, Louisiana

Marietta, Georgia

Baton Rouge, Louisiana

Fort Lauderdale, Florida

Raleigh, North Carolina

Rochester, New York

Lexington, Kentucky

Louisville, Kentucky

Orlando, Florida



## Appendix B

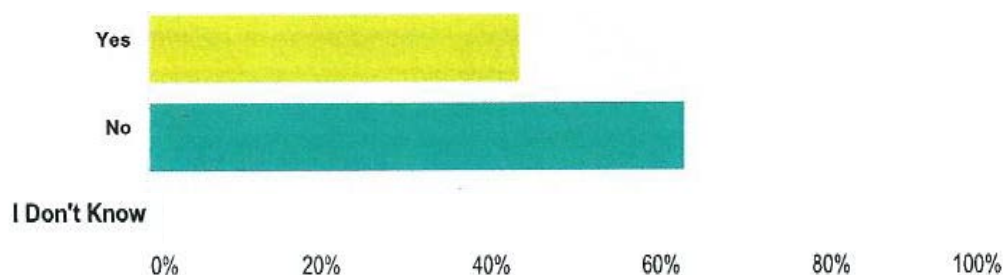
### Questionnaire Sent to National Departments to Answer Question Two

Question 2: What are the work improvement processes used by departments similar in size and demographics to TFD? Questionnaire

- Does your department have a formal Work Improvement Program for either technical skills or non-skill based issues?
- Does your department have a discipline matrix?
- Does your department use progressive discipline?
- Does your department use a Work Improvement Process as a part of formal discipline?
- Does your department allow supervisors to use WIP in lieu of discipline?
- Does the documentation of WIPs stay in the employee's personnel file?
- If so, how long? A)until WIP complete; b) 1 year c) up to 3 years; d) 3-5 years; e) longer than 5 yrs.

1) Does your department have a formal Work/Performance Improvement Program for either technical skills or non-skill based issues?

Answered : 21 Skipped: 0



Answer Choices

Responses

Yes

42.86%

9

No

61.90%

13

I Don't Know

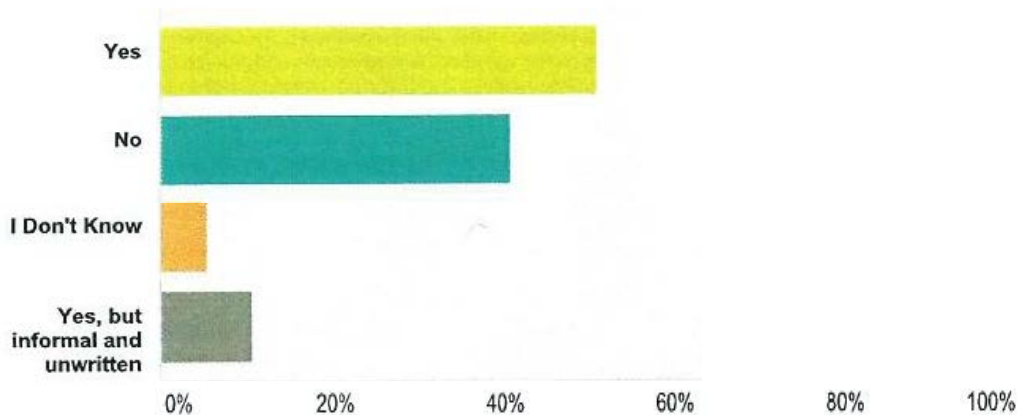
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0

Total Respondents: 21

2) Does your department use a discipline matrix?

Answered: 21 Skipped:0

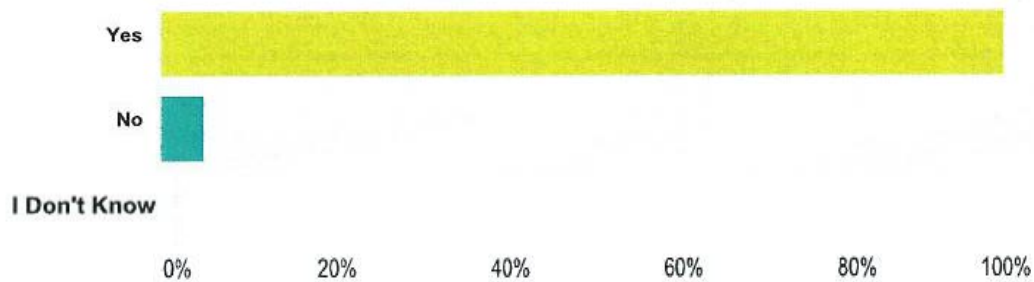


Answer Choices	Responses	
Yes	47.62%	10
No	38.10%	8
I Don't Know	4.76%	1
Yes, but informal and unwritten	9.52%	2
Total		21

Comments (2)

3) Does your department use progressive discipline?

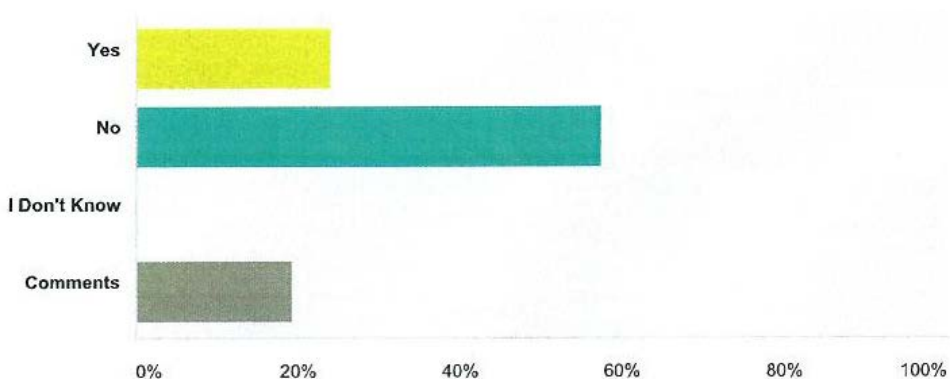
Answered: 21 Skipped:0



Answer Choices	Responses	
Yes	95.24%	20
No	4.76%	1
I Don't Know	0%	0
Total		21

4) Does your department use a Work/Performance Improvement Process as a part of Formal discipline?

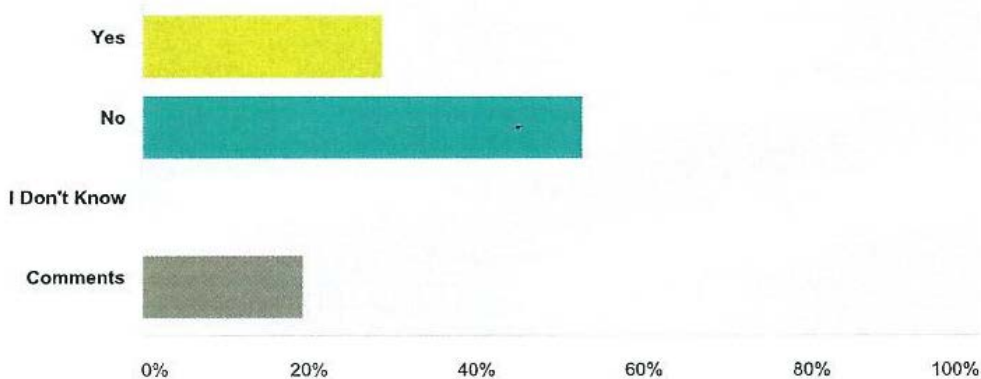
Answered: 21 Skipped: 0



Answer Choices	Responses	
Yes	23.81%	5
No	57.14%	12
I Don't Know	0%	0
Comments <a href="#">Responses</a>	19.05%	4
Total		21

5) Does your department allow supervisors to use Work/Performance Improvement Programs in lieu of discipline?

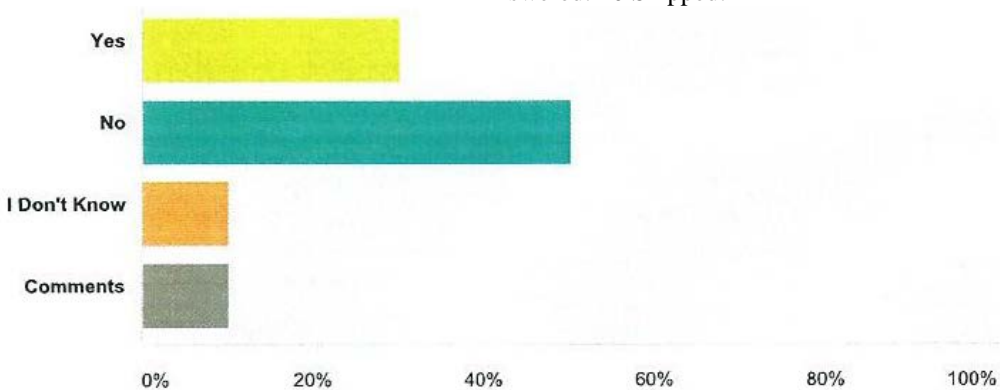
Answered: 21 Skipped: 0



Answer Choices	Responses	
Yes	28.57%	6
No	52.38%	11
I Don't Know	0%	0
Comments <a href="#">Responses</a>	19.05%	4
Total		21

6) Does the documentation of Work/Performance Improvement Program stay in the employee's personnel file

Answered: 20 Skipped: 1



Answer Choices	Responses	
<b>Yes</b>	<b>30%</b>	<b>6</b>
<b>No</b>	<b>50%</b>	<b>10</b>
<b>I Don't Know</b>	<b>10%</b>	<b>2</b>
<b>Comments Responses</b>	<b>10%</b>	<b>2</b>
<b>Total</b>		<b>20</b>

### Appendix C

#### Questionnaire Used in Personal Interviews With Senior Staff to Answer Research Question Three

Question 3: What are the work improvement processes that labor considers important in a work improvement program? Personal interviews

- Should a WIP portion be added to TFD discipline matrix?
- Should it be part of informal/formal or not discipline?
- Should it be mandatory if supervisor marks an employee needs improvement or does not meet standards on TFD evaluation?
- Should it be used in lieu of discipline or as a precursor to?
- If so, when?

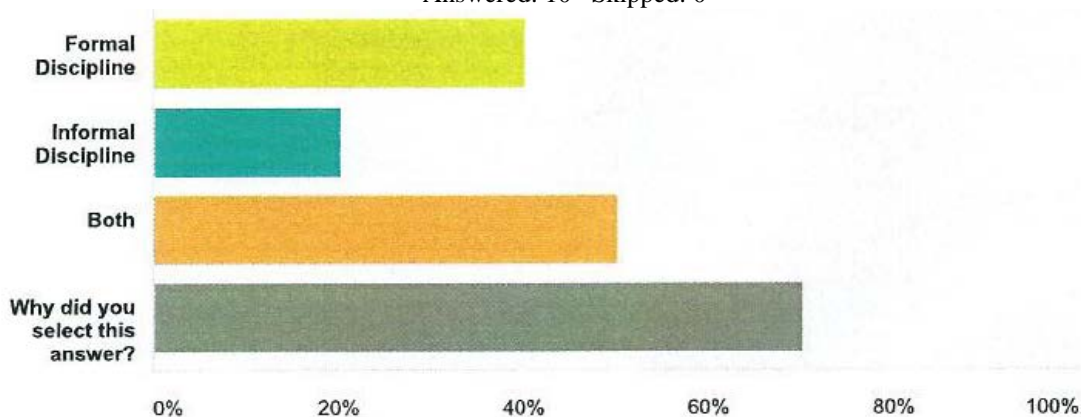
1) Should a work improvement program be added to the discipline matrix? (you must select why if you wish to type comments into box)

Answered: 10 Skipped: 0



2) Should a Work Improvement Program be part of: (you must also select "why" if you wish to enter text"

Answered: 10 Skipped: 0

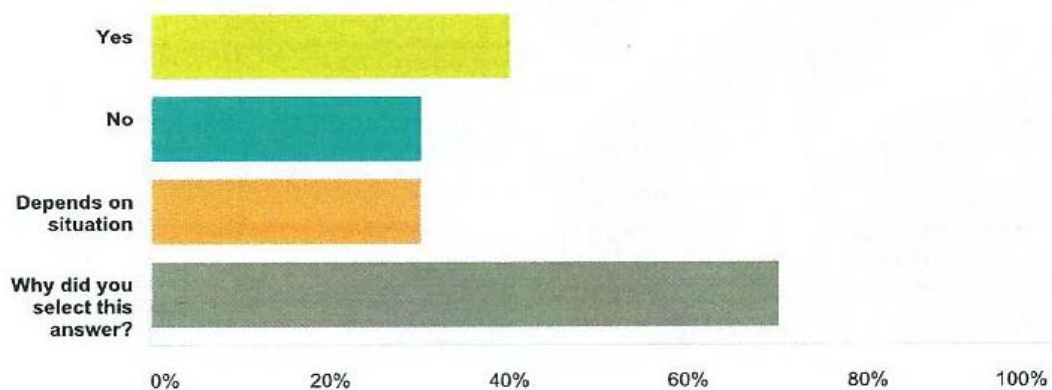


Answer Choices	Responses	
Formal Discipline	40%	4
Informal Discipline	20%	2
Both	50%	5
Why did you select this answer? Responses	70%	7

Total Respondents: 10

3) Should a Work Improvement Program be mandatory if the supervisor marks an employee below meets standards? (you must also select "why" to enter text in box).

Answered: 10 Skipped: 0



Answer Choices	Responses	
Yes	40%	4
No	30%	3
Depends on situation	30%	3
Why did you select this answer? <a href="#">Responses</a>	70%	7
Total Respondents: 10		

4) Should a Work Improvement Program be used: (you must also choose why to enter text in box)

Answered: 10 Skipped: 0



Answer Choices	Responses	
as a precursor to discipline	0%	0
in lieu of discipline	10%	1
either..please explain below	0%	0
Why did you select this answer? <a href="#">Responses</a>	90%	9
Total		10

## Appendix D

### Questionnaire Used in Interview With Labor Group to Assist in Research Question Four

Question 4: What are the work improvement processes that administration considers important in a work improvement program? Personal Interviews

- Should a WIP portion be added to TFD discipline matrix?
- Should it be part of informal/formal or not discipline?
- Should it be mandatory if supervisor marks an employee needs improvement or does not meet standards on TFD evaluation?
- Should it be used in lieu of discipline or as a precursor to?
- If so, when?

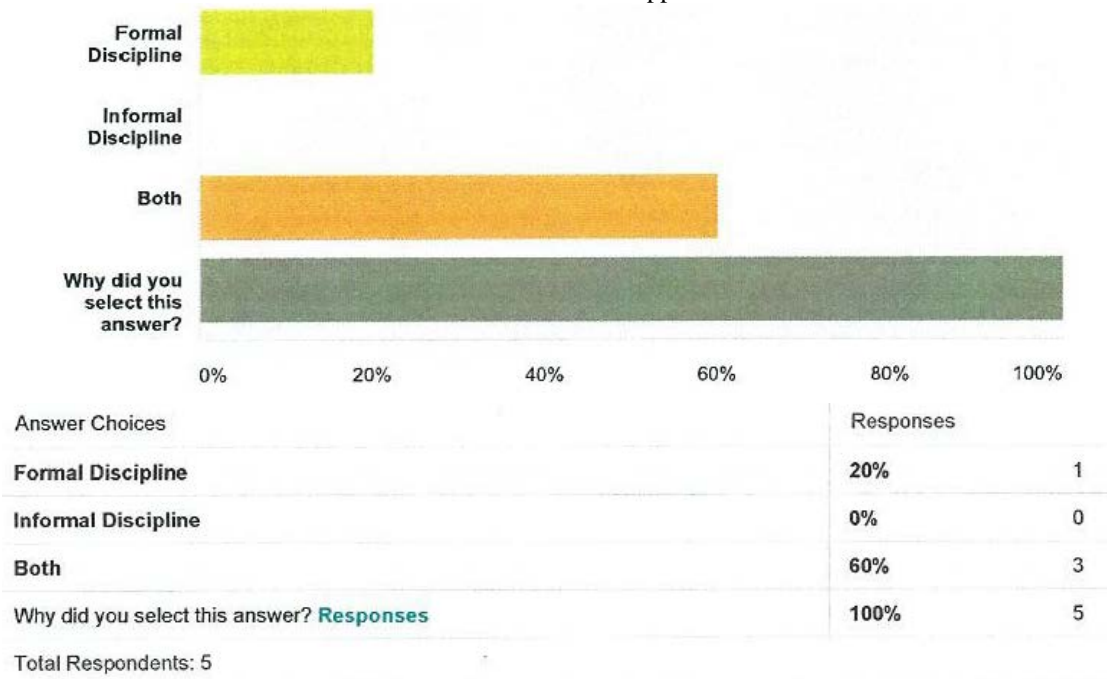
1) Should a work improvement program be added to the discipline matrix? (you must also select why to enter text in box).

Answered: 5 Skipped: 0



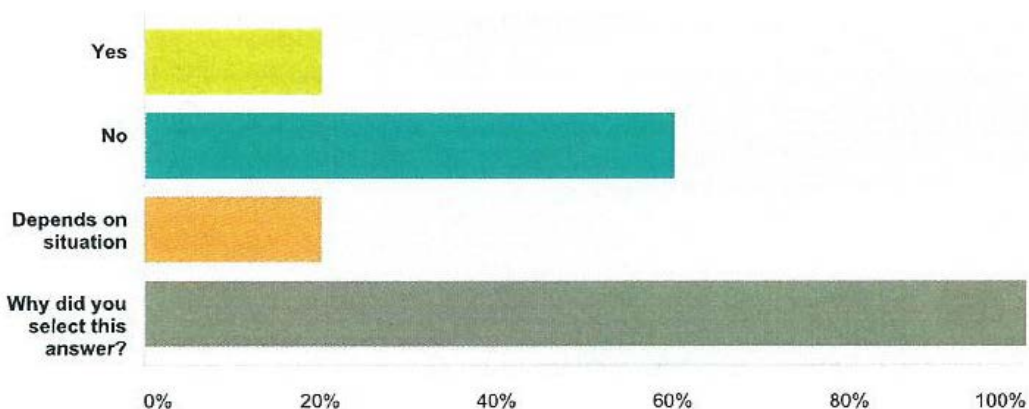
2) Should a Work Improvement Program be part of: (you must also click on why to enter text into box)

Answered: 5 Skipped: 0



3) Should a Work Improvement Program be mandatory if the supervisor marks an employee below meets standards? (you must also select why to enter text in box

Answered: 5 Skipped: 0

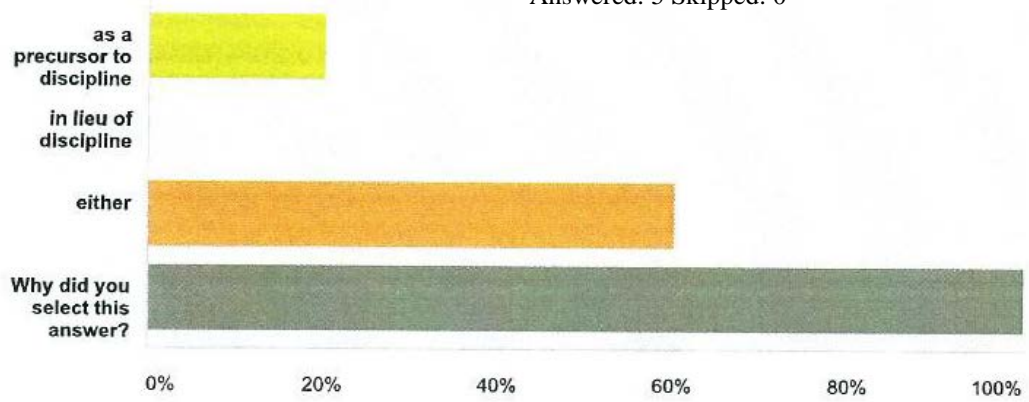


Answer Choices	Responses	Count
Yes	20%	1
No	60%	3
Depends on situation	20%	1
Why did you select this answer? <b>Responses</b>	100%	5

Total Respondents: 5

4) Should a Work Improvement Program be used:

Answered: 5 Skipped: 0



Answer Choices	Responses	Count
as a precursor to discipline	20%	1
in lieu of discipline	0%	0
either	60%	3
Why did you select this answer? <b>Responses</b>	100%	5

Total Respondents: 5



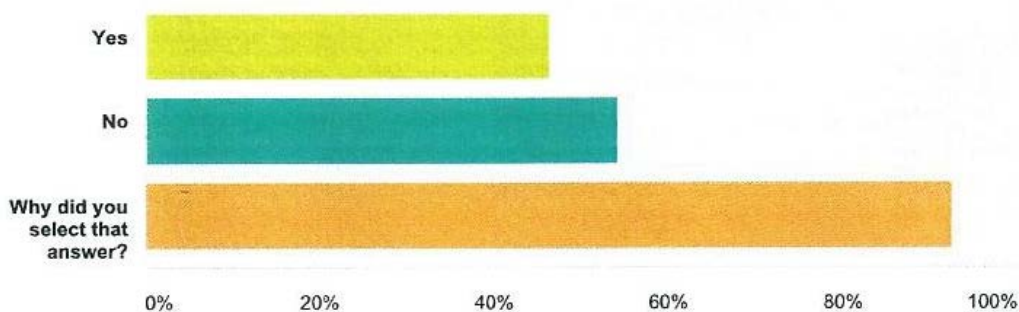
## Appendix E

### Questionnaire Used in Personal Interviews With Select Field Personnel to Assist in Answering Research Question Five

Question 5: What are the work improvement processes that rank and file consider important?  
Survey

- Should a WIP portion be added to TFD discipline matrix?
- Should it be part of informal/formal or not discipline?
- Should it be mandatory if supervisor marks an employee needs improvement or does not meet standards on TFD evaluation?
- Should it be used in lieu of discipline or as a precursor to?
- If so, when?

1) Should a work improvement program be added to the discipline matrix?  
Answered: 13 Skipped: 0

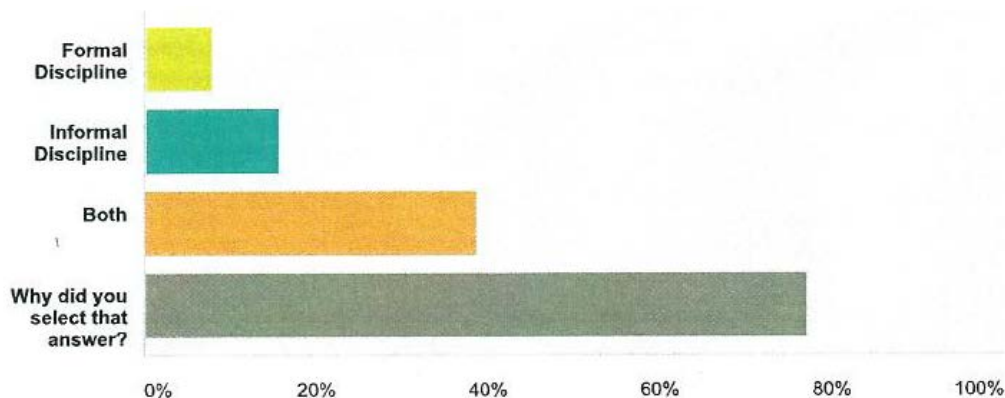


Answer Choices	Responses	Count
Yes	46.15%	6
No	53.85%	7
Why did you select that answer? <b>Responses</b>	92.31%	12

Total Respondents: 13

2) Should a Work Improvement Program be part of: (you must also click on why to enter text into box)

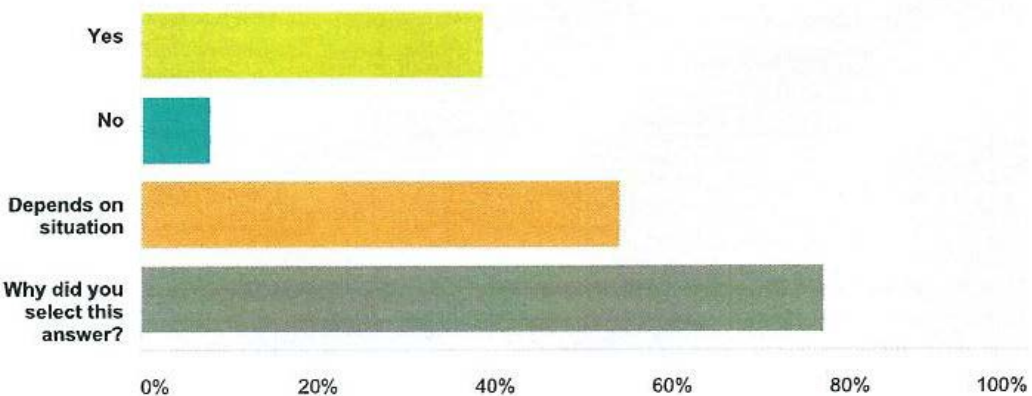
Answered: 13 Skipped: 0



Answer Choices	Responses	
Formal Discipline	7.69%	1
Informal Discipline	15.38%	2
Both	38.46%	5
Why did you select that answer? <a href="#">Responses</a>	76.92%	10
Total Respondents: 13		

3) Should a Work Improvement Program be mandatory if the supervisor marks an employee below meets standards? (you must also select why to enter text in box

Answered: 13 Skipped: 0



Answer Choices	Responses	
Yes	38.46%	5
No	7.69%	1
Depends on situation	53.85%	7
Why did you select this answer? <a href="#">Responses</a>	76.92%	10
Total Respondents: 13		

## Appendix F

From TRP 430, National Guard Technician Performance Appraisal System.

### 2-11. Performance Deficiencies.

- a. Managers and supervisors are required to provide proactive assistance to non-probationary employees who are performing at or below the Level 2, Marginal rating. Assistance may be provided at any time during the appraisal period that performance is determined to be at or below the Level 2 rating in one or more critical elements. This performance management program also provides for reassignment, change to lower grade, or the removal of employees who continue to have unacceptable performance but only after the opportunity to demonstrate acceptable performance. This performance management program shall also provide for review and approval of Level 1, Unacceptable ratings of record by a higher-level management official.
- b. Personnel actions based on unacceptable performance must comply with the Technician Act of 1968 (32 USC 709, Public Law 90-486), 5 CFR, Part 430, and this regulation.
- c. Periodically technicians will be reminded of the critical elements for their positions. They will be assisted in improving areas of unacceptable performance by such proactive actions as counseling, increased supervisory assistance, additional training, etc. Technicians will be advised in writing and placed on a formal Performance Improvement Plan (PIP), normally 90-120 days, if despite reasonable informal efforts their performance remains below the Level 2, Marginal rating in any critical element.
- d. A PIP must document instances of unacceptable performance and state specifically what must be accomplished to perform at or above the Level 2 rating. (Appendix D)
- e. When a PIP is issued, consideration may also be given to referring the technician to the Employee Assistance Program (EAP) Coordinator. Participation in the EAP is voluntary.

f. If the technician's performance in any critical elements continues to be below the Level 2 rating despite efforts by the supervisor or manager to improve performance, the technician will be advised they will be reassigned, reduced in grade, or removed from employment.

g. Before initiating an action to reduce in grade or remove a technician based on unacceptable performance, consideration may be given to reassignment to other vacant positions for which the technician is qualified. No action based on unacceptable performance may be taken until critical elements have been identified in a performance plan, the technician has been given a copy of the performance plan and the technician has been given an opportunity to improve performance.

#### 2-12. Performance Improvement Plan Requirements.

a. The formal PIP is initiated by the technician's supervisor after consultation with the Human Resources Office and legal counsel, if appropriate. The technician's supervisor may initiate such action if the technician has been afforded a reasonable opportunity to perform the critical elements in their performance plan; the supervisor has made reasonable informal efforts to obtain acceptable performance; and despite these reasonable informal efforts the technician's performance has remained below the Level 2 rating in one or more critical elements. The supervisor is not required to wait until the end of the appraisal period to initiate these actions. A reassignment action may be accomplished anytime during the PIP.

b. 30-Day Written Notice Requirement: Should a determination be made to do a reduction in grade, or remove the employee from employment following the formal PIP, a technician is entitled to a minimum 30-day advance written notice of the action to be taken (reduction in grade or removal), which documents instances of unacceptable performance in detail, on which the action is based (see sample memorandum in Appendix E). The reviewing official must concur with this advance written notice. This requirement does not apply when the action is being taken by The Adjutant General. This is not a proposed notice, but is considered a final notice of the

action to be taken since prior to the final step the technician would have been given adequate assistance and time to improve performance. The 30-day requirement does not apply to trial/probationary employees.

c. Any time an employee is performing at an unacceptable level, including the proposed assignment of a Level 1 rating of record, timely and appropriate management action is critical.

d. Determine and Clearly Define Unacceptable Performance. When addressing unacceptable performance, the supervisor shall identify and communicate to the employee the specific critical element and performance standard(s) that require improvement.

(1) Consideration of Circumstances. When determining what corrective action should be taken to address unacceptable performance, supervisors will take into account the circumstances, including the nature and gravity of the unacceptable performance and its consequences.

Supervisors may also take into account knowledge deficiencies, as applicable.

(2) Range of Options to Address Unacceptable Performance. Supervisors will address unacceptable performance with one or more remedial, corrective actions that address the problem. Supervisors should consider the broad range of options available to address unacceptable performance which includes, but is not limited to, the following:

- (a) remedial training,
- (b) an improvement period,
- (c) a reassignment
- (d) change to lower grade
- (e) removal

*From rating methodology:*(1) The above model describes the five rating level evaluation method, and is used to provide consistency in describing ratings of record for an appraisal period.

Unacceptable ratings (Level 1) require justification to be approved at the next higher level and

documentation must be provided. A Marginal rating (Level 2) allows the supervisor to deny a within-grade or step increase. A formal Performance Improvement Plan (PIP) is required when a Level 1 is given.

(2) Technicians who receive a rating below Marginal (Level 2) will be given an opportunity to improve via a PIP that specifies the deficiencies, outlines the methods for improvement and establishes a reasonable time (e.g., 30 to 90 days) for improvement. Failure to improve under the PIP will lead to reassignment, reduction in grade or removal.

From AFI 36-2406, Officer and Enlisted Evaluation System.

1. The rater must conduct the initial feedback session within the first 60 days he or she *initially* begins supervision. This will be the ratee's only *initial* feedback until they have a change of reporting official. For CMSgts and Colonels, this is the only feedback required.
2. The rater must conduct the midterm feedback session midway between the date supervision begins and the projected close-out date of the next EPR/OPR.
3. The rater conducts an End-of Reporting Period feedback session when an evaluation has been accomplished. This session must be conducted within 60 days of the close-out of the evaluation and serves two distinct purposes. The first purpose is to review and discuss with the ratee the previous reporting period and resulting EPR/OPR. The second purpose is to establish expectations for the new reporting period. Note: If the evaluation is due to a CRO, the new rater will be required to do an initial feedback in addition to the feedback performed by the previous rater during the presentation of the evaluation.
4. A PFW is not required if action is pending under AFI 36-3209, *Separation Procedures for Air National Guard and Air Force Reserve Members*.
5. After the initial feedback session is conducted, conduct a (midterm) feedback session every 180 days until the rater writes an EPR or a CRO occurs.

6. If the ratee is due an annual evaluation and the period of supervision is less than 150 days, the rater conducts the feedback session approximately 60 days before the projected evaluation close-out date.
7. If the ratee is getting a CRO evaluation and time permits, the rater will hold a feedback session within 60 days of the close-out date, but not later than 30 days prior.
8. When a ratee requests a feedback session, the rater must conduct a session within 30 days of the ratee's request if at least 60 days have passed (at the rater's discretion) since the last feedback session.

### Appendix G

**XYZ FIRE DISTRICTS**  
**Division of Training**  
***Personal Improvement Agreement***

---

Agreement Initiated By: \_\_\_\_\_ Date: \_\_\_\_\_  
(Name and rank)

Firefighter Name: \_\_\_\_\_ ID#: \_\_\_\_\_

**I.** Concerns/Area Needing Improvement: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**II.** Objective Number/JPR: \_\_\_\_\_  
Other: \_\_\_\_\_  
\_\_\_\_\_

(Attach appropriate documents)

**III.** Shift Commander / Station Officer Action Plan: (What the officer will do help improve the performance)  
**A.** \_\_\_\_\_  
\_\_\_\_\_  
**B.** \_\_\_\_\_  
\_\_\_\_\_

**IV.** Personal Action Plan: (What the member will do to improve themselves)  
**A.** \_\_\_\_\_  
\_\_\_\_\_  
**B.** \_\_\_\_\_  
\_\_\_\_\_

**V.** Document Action Plan Progress: (How are we doing)  
Dates: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**VI.** Has the area of concern been corrected? (Has improvement been seen in this area)



Yes:  \_\_\_\_\_

No:  \_\_\_\_\_

Firefighter Name (print): \_\_\_\_\_ Date: \_\_\_\_\_

Station Officer Name (print): \_\_\_\_\_ Initials: \_\_\_\_\_

Shift Commander Name (print): \_\_\_\_\_ Initials: \_\_\_\_\_

White Copy: Director of Training/file    Yellow: Shift Commander    Pink: Drillmaster    Gold:  
Firefighter

## Appendix H

### Procedures & Guidance **West Yorkshire Fire & Rescue Service Employment Services**

Performance Improvement Procedure Guidance for Managers (Grey) Issue Date January 2009

Review Date March 2011 Ref ESNFG007

#### 1. Introduction

The purpose of this procedure is to give guidance to line managers when employees have been identified as failing to meet satisfactory performance standards.

#### 2. Background

West Yorkshire Fire and Rescue Service endeavors to ensure that all employees are adequately trained and competent to undertake their duties.

Where an employee's performance of duties in their post is giving cause for concern the situation should be investigated and action taken in consultation with the employee and in accordance with this guidance. Performance is defined as skill, aptitude, qualifications, attitude and mental or physical qualities.

Where line managers have identified issues related to performance, such as a poor sickness record, disciplinary action or competency concerns they may withhold their approval for an individual to attend a promotion Assessment and Development Centre (ADC) and/or the payment of Continual Professional Development (CPD).

This procedure does not affect the responsibility of line managers to supervise staff on a day-to-day basis to ensure that standards are maintained and poor performance is challenged.

If a line manager has concerns over an employee's performance to the extent that it is felt CPD may not be awarded or may not be renewed, he/she should use the procedures in this guidance to give the employee every opportunity to reach the required level of performance before sanctions are applied.

This guidance is for line managers of all employees covered by the National Joint Councils, Scheme of Conditions of Service (Grey Book).

### 3. Stages of the Procedure

The framework is built around three key stages: -

Stage 1 is to be used in the early stages following identification of unsatisfactory performance.

Line managers should consider the use of a Performance Improvement Action Plan (PIAP)<sup>1</sup> (FS212) and/or a Stage 1 memo (ESLET013) as appropriate.

Stage 2 is to be used when the employee's unsatisfactory performance continues. Stage 2 should be resolved by the application and monitoring of an appropriate PIAP.

Stage 3 is the final stage to be used when an employee has failed to meet the standards of the Stage 2 PIAP and their unsatisfactory performance continues.

Following completion of all three stages, it may be necessary to undertake further action using the discipline procedure.

### 4. Stage One

If an employee's ability to perform the duties of their post is in question the line manager should discuss the matter with the employee at the earliest opportunity.

<sup>1</sup> Forms and letters referred to in this document are viewable via Employment Services Intranet site on Letters or Form indices. Where subsequent unsatisfactory performance is identified as arising from a lack of ability or ineffectiveness a specific PIAP should be considered. In all cases a memorandum outlining the reason for the discussion should be placed on the employee's Personal Record File (PRF) and a copy issued to the employee. (ESLET013)

Where appropriate the line manager and employee should agree a specific PIAP. The purpose of the agreed action plan should be to make the employee aware of the standard to be achieved and

set a realistic timescale for completion. All staff involved should be fully briefed on their part of the action plan and agree an appropriate method of monitoring. This should include:

- The performance problem,
- The improvement that is required,
- The timescales for achieving this improvement,
- A review date, and
- Any support the employer will provide to assist the employee.

Once the PIAP is agreed this should be placed on the PRF and a copy issued to the employee.

Managers should remind employees that if performance is not improved it may affect their future CPD payments and approval to attend an ADC may be withheld.

Where unsatisfactory performance is identified as arising from a lack of ability or ineffectiveness and where a PIAP is not appropriate a memorandum outlining the reason for the discussion should be placed on the PRF and a copy issued to the employee.

If it is identified or suspected that the unsatisfactory performance is due to an identifiable or suspected physical or mental condition, the line manager may refer the matter to the Authority Medical Adviser (AMA) for an opinion on the condition and request a prognosis as to the duration and rehabilitation if required. The duties under the Disability Discrimination Act may need to be taken into account

If the AMA identifies an illness, injury or other physical or mental cause for the unsatisfactory performance of the employee, which is short term in nature, the line manager should include this information in the PIAP ensuring support for the employee whilst affected by the condition. The medical condition should be taken account of and a memo put on the employees PRF.

If the AMA does not identify an illness, injury or other physical or mental cause for the unsatisfactory performance of the employee then the line manager should include this information on the PRF and continue to complete the PIAP.

If an employee does not achieve satisfactory completion of the PIAP or there are further instances of unsatisfactory performance, the line manager should move to Stage 2.

### 5. Stage Two

If an employee has failed to improve performance or to meet the standards of the Stage 1 PIAP or further poor performance is identified then Stage 2 should be applied.

The line manager should inform the employee in writing (ESLET014) that they will be interviewed as part of the Stage 2 process within a reasonable timescale and that they will be provided with clear details (including examples) of where performance has been identified as unsatisfactory. The employee should be advised that they will be given the opportunity during the interview to discuss the reasons for poor performance. Line managers should always explore the possibility that personal circumstances are causing the poor performance. If required the employee may be accompanied to the interview by a trade union representative or a work colleague.

The line manager and employee should agree a specific PIAP. The purpose of the agreed action plan should be to make the employee aware of the standard to be achieved and set a realistic timescale for completion. All staff involved should be fully briefed on their part of the action plan and agree an appropriate method of monitoring (Form - FS212).

This should include:

- The performance problem,
- The improvement that is required,
- The timescales for achieving this improvement,

- A review date, and
- Any support the employer will provide to assist the employee.

Once the PIAP is agreed this should be placed on their PRF and a copy given to the employee.

Managers should remind employees that if performance is not improved it may affect their future CPD payments and approval to attend an ADC.

After the agreed completion date a further interview should be held with the employee to review performance. If required the employee may be accompanied to the interview by a trade union representative or a work colleague.

If the requirements of the PIAP have been satisfied and the employee's performance is deemed to be satisfactory the employee should be informed at the interview and in writing that this has been concluded. A copy of this letter should be placed on the employee's PRF (ESLET018).

If the requirements of the PIAP have not been satisfied and the employee's performance is deemed to be unsatisfactory, consideration may be given to the extension of the PIAP or an alternative PIAP may be drawn up. The employee should be informed personally and in writing of any proposed action (ESLET017). During this process the employee may be accompanied by a union representative or work colleague. A copy of this letter should be placed on the employee's PRF. If a PIAP is extended or revised then guidance from the appropriate Area Manager or F&RS manager should be followed.

Where the employee has failed to meet the requirements of Stage 2 then the third and final stage, should be followed.

## 6. Stage Three

If an employee has failed to improve performance or meet the standards of the Stage 2 PIAP then Stage 3 should be applied.

The line manager should inform the employee in writing (ESLET015) within a reasonable timescale that they will be interviewed as part of the Stage 3 process and that they will be provided with clear details (including examples) of where performance has been identified as unsatisfactory. The employee should be advised that they will be given the opportunity during the interview to state their point of view. If required the employee may be accompanied to the interview by a trade union representative or a work colleague.

At this stage, if performance remains unsatisfactory, the employee should be given the stage 3 letter (ESLET015) outlining the consequences of failure to improve.

If there are additional reasons or new information is presented this should be assessed and where necessary a revised PIAP should be agreed (ESLET016).

Line managers should remind employees that if performance is not improved it may affect their future CPD payments and approval to attend an ADC may be withheld. If all stages have failed to assist the employee to improve and all options have been exhausted the next step may be the use of the discipline procedure. If this is the case the employee should be informed in writing and a copy of this letter should be placed on the employee's PRF (ESLET017).

If the line manager has decided that, following completion of all stages that the CPD payment should not be awarded, the employee should be informed in writing within a reasonable timescale. A copy of this letter should be placed on the employee's PRF (using Appendix 1 of the CPD implementation guidance for manager's document). An employee is entitled to raise the decision not to award or continue the payment through the grievance procedure.

The employee has the right to appeal the decision to move to discipline via the grievance procedure.

Full List of Letters & Forms

Performance Improvement - Record of Informal Discussion (Stage 1) - ESLET013

Performance Improvement Action Plan Form - FS212

Performance Improvement - Invite to Meeting - Stage 2 - ESLET014

Performance Improvement - Meeting Outcome - Stage 2 - ESLET014A

Performance Improvement - Satisfactory Performance - ESLET018

Performance Improvement - Invite to Meeting - Stage 3 - ESLET015

Performance Improvement - Meeting Outcome - Stage 3 - ESLET015A

Performance Improvement - New Performance Improvement Action Plan - ESLET016

Performance Improvement - Final Letter - Stage 3 - ESLET017



## Appendix I

### West Ankney, IA PIP

#### 1209 –Performance Improvement Plan (PIP)

##### PURPOSE:

This policy is intended to help the employee that may be experiencing performance or behavior issues that are not conducive to the organization's needs. This process is intended to be corrective in nature. If corrective action does not occur or if the employee fails to comply with the Performance Improvement Plan, disciplinary action may be indicated.

##### PERFORMANCE IMPROVEMENT PLAN GUIDANCE

There are some cases where the PIP will not be used and immediate disciplinary action will be followed. These are very severe incidents such as: Severe insubordination, Sexual Harassment, Stealing, Drinking or using drugs on duty, criminal conviction such as DUI.

Approval to utilize a PIP must be obtained from the employee's captain and a chief officer.

The officer shall review this policy with the employee as they initiate the PIP process.

Once the decision to utilize formal disciplinary action is made, Human Resources shall be contacted and all documents relating to the issue shall be reviewed with them before action is taken.

##### PERFORMANCE IMPROVEMENT PROCESS:

A "Performance Improvement Plan" (PIP) may be implemented by a Lieutenant, Captain or Chief Officer.

To initiate the PIP process, the officer shall complete the following sections of the Departments PIP form:

- Date, employee's name, name of the officer completing the PIP form
- Describe the consequences or impact of problem behavior section
  - Be specific
  - Reference policy, procedure or job description as appropriate

- Document any previous meetings with the employee intended to correct the performance or behavior issue
- Why does change need to take place:
  - Specifically identify why the performance or behavior needs to change
- What action needs to take place to establish change
  - Be specific
  - List the specific things that you expect to see change or that the employee needs to improve upon
  - The items identified need to be applicable to performance, policy, procedure, job description or protocols

Once these sections of the PIP form have been completed, the officer shall meet with the employee and review the information that has been documented on the PIP form.

During this meeting, the employee shall be provided a thorough description of the performance/behavior that needs to be addressed.

- What each party will do: (Employee / Officer sections)
  - Cooperatively the employee and officer shall complete the sections on what each employee should do
  - These sections should be clearly printed
  - Action items shall be specific and they should be agreed upon by both the officer and employee
  - Action items that are documented in this section should be accountable and obtainable
  - Provide clear direction to the employee on what they need to do to correct the performance or behavior
- The employee and the officer agree on a date to follow up on progress of the plan (Usually 30, 60 or 90 days)
- The employee and officer shall sign the plan

- Both the employee and officer shall receive a copy of the plan
- On review date(s), the officer and employee will meet and review the employee's progress
  - The officer shall document the employee's progress in writing on the PIP Form
  - Both the employee and the officer shall sign the form acknowledging each review that occurs and the action taken

#### PERFORMANCE IMPROVEMENT PLAN OPTIONS:

Problem is completely corrected. No future action taken, completed form is placed in the employee's file.


Progress has been made with improvement demonstrated. Give employees additional time to completely correct problem. Document on the PIP form the improvement noted and the date of the next follow-up. Both officer and employee sign the follow-up.

Problem has not been corrected and little or no effort seen in employee trying to correct the problem. Progressive disciplinary action shall be utilized which includes Warning, Written Reprimand, Suspension and or Termination.

During this meeting, the employee shall be provided a thorough description of the performance/behavior that needs to be addressed.

- What each party will do: (Employee / Officer sections)
  - Cooperatively the employee and officer shall complete the sections on what each employee should do
  - These sections should be clearly printed
  - Action items shall be specific and they should be agreed upon by both the officer and employee

- Action items that are documented in this section should be accountable and obtainable
- Provide clear direction to the employee on what they need to do to correct the performance or behavior
- The employee and the officer agree on a date to follow up on progress of the plan (Usually 30, 60 or 90 days)
- The employee and officer shall sign the plan
- Both the employee and officer shall receive a copy of the plan
- On review date(s), the officer and employee will meet and review the employee's progress
  - The officer shall document the employee's progress in writing on the PIP Form
  - Both the employee and the officer shall sign the form acknowledging each review that occurs and the action taken

		City of Marysville <b>- Performance Improvement Plan -</b>	
<p><b>Instructions:</b> Per Policy 315, the City recommends a Performance Improvement Plan (PIP) for an employee receiving a “Marginal” rating on a City evaluation and is required for all “Unsatisfactory” ratings. Using the position’s Job Taskings, detail the performance, behavior, or training deficient areas. Clearly note the tasking that is “Marginal” or “Unsatisfactory.” Using the Job Improvement Plan (Section 3), detail the steps the employee needs to take to get to the minimum “Satisfactory” rating using the corresponding number and establish time-lines for each improvement area. The employee and supervisor will sign and set a date for the follow-up interview. This process continues at a rate determined by supervisor until (a) performance is “Satisfactory” or (b) administrative action is required. File a copy of each PIP with Human Resources.</p>			
Section 1 - Administrative Information (print all information)			
Employee’s Name:		Position/Job Title: Lieutenant	
Supervisor’s Name: Chief Jay Riley		Date: 07.23.09	
Section 2 - Job Taskings (from the corresponding performance plan)			
1.	Plans, Directs, and Supervises Shift Operations: <b>Marginal</b>		
2.	Leadership: <b>Marginal</b>		
3.			
Section 3 - Job Improvement Plan: (from the corresponding job tasking above)			
1.	Plans, Directs, and Supervises Shift Operations: 1. Perform an evaluation of 3-unit strengths and weakness. Prioritize that list. Write and implement a plan based on addressing the top five prioritizes. Utilize senior members of the shift to assist in the implementation phase; 2. Make decisions within the authority of Lieutenant Job Performance Plan and MFD RRPP; 3. Investigate ways to improve self-confidence. The result should be the completion of tasks without being assisted throughout the process by senior officers.		
2.	Leadership: 1. Help become the shift leader by accepting responsibility for actions, good and bad; 2. Don’t allow decisions to be swayed by subordinates not being happy with the result; 3. Lead by example; 4. Positively exploit the strengths of each of your personnel in an aspect of routine tasks.; 5. Develop trust in those individuals that have special assignments on your shift, such as acting officers, maintenance and training personnel. Allow them latitude and flexibility to be creative in the completion of their tasks, while maintaining accountability.		
3.	Show progress in the annual goals as outlined in the annual evaluation 07.20.09		
Section 4 - Signatures			
Employee		Supervisor	
Print Name:		Print Name: Chief Jay Riley	
Signature:		Signature: <i>Chief Jay Riley</i>	
Date of Next Interview: January 23, 2009			

## Appendix J

### Discipline SOG and Matrix Tucson Fire Department

#### 214.1 General

Section 214, *Discipline*, of the Manual of Operations serves as the Tucson Fire Department's discipline policy and repeals any and all previously issued department discipline rules, regulations, policies and directives. The discipline rules stated herein are enforceable and applicable to commissioned employees.

This policy shall be administered consistently with applicable section of the City of Tucson Charter, City of Tucson Ordinances, City of Tucson Administrative Directives, Civil Service Commission Rules and Regulations, Tucson Fire Department Manual of Operations, and the Emergency Operations Manual.

##### 1. Purpose

Tucson Fire Department ("TFD") commissioned employees are required to adhere to the commissioned firefighter loyalty oath and conduct themselves in a professional manner at all times. The principal objective of disciplinary action is to correct performance deficiencies and unacceptable behaviors or conduct, and motivate employees by improving work habits, behaviors and morale.

Supervisors are encouraged to use educational and verbal counseling to address unacceptable conduct or performance deficiencies before proceeding to disciplinary action. The goal of this policy is to ensure that discipline is administered fairly and consistently throughout the department.

Disciplinary action is an adverse administrative action which does not require a civil action or criminal charge or conviction. The Fire Chief has the final decision making authority regarding discipline.

#### 214.2 Fire Department Policy

The objective of personnel management is to promote the welfare and morale among all Fire Department members by encouraging professional working relationships, uniformed policies, and opportunities for advancement.

It is the supervisor's responsibility and duty to take corrective action for violations of this or any other applicable TFD or City rules, regulations, or administrative directive. When a supervisor determines that disciplinary action is warranted, the supervisor will present the facts and recommendations through the chain of command for consideration.

Progressive discipline is intended to address job-related behavior, conduct, or performance that violates expected and acceptable standards. The primary purpose for progressive discipline is to reinforce the standards and expectations while applying consequences for such violations fairly and consistently.

Progressive discipline will begin after the supervisor has exhausted all non-disciplinary options including, but not limited to: continued education, educational counseling, verbal counseling, and work improvement plans, subsequently proceeds to issue a written reprimand, suspension without pay, demotion, or discharge, depending upon the severity and nature of the violation.

#### 214.4 Responsibilities

## 1. All Members

- a. Every member of the TFD, regardless of rank or position, is expected to behave in a professional manner, on and off duty, which reflects the department's mission, values, and purpose. Every member is responsible for observing the Rules of Conduct as listed below. Failure to do so may result in disciplinary action ranging from verbal counseling to discharge.
- b. Shall abide by all local, state, or federal laws. Employees arrested or charged with a crime shall report the incident to their supervisor by the next working day (within 24-hours). Employees have a continuing obligation to report new developments on any matters previously reported.

### c. Rules of Conduct

The following list of Rules of Conduct is not all inclusive.

All members shall:

- i. Follow all Tucson Fire Department, City of Tucson, and Civil Service rules and regulations, administrative directives and policies.
- ii. Effectively use their training and capabilities to provide aid to the public at all times, both on and off duty.
- iii. Work competently and operate effectively in their assigned positions.
- iv. Always conduct oneself in a manner on and off duty that will not discredit the Department.
- v. Manage responsibilities and duties in an effective, considerate and cooperative manner.



- vi. Maintain competency levels and certification in regard to the execution of their duties and responsibilities.
- vii. Be respectful and conscientious of each member's welfare.
- vii. Follow all safety regulations and standards.
- viii. Maintain health and fitness standards required to perform job duties.
- ix. Observe the work hours for their positions and assigned work location.
- x. Obey the law.
- xi. Avoid misuse or abuse of department equipment and property.
- xii. Avoid conduct that may create a conflict of interest or create the appearance of personal gain or influence.
- xiii. Avoid alcoholic beverages, debilitating drugs, or any substance which could impair their physical or mental capacities while on duty.
- xiv. Report any prescription drugs that may affect performance.
- xv. Not fight.
- xvi. Not steal.
- xvii. Not engage in sexual activity while on duty.

2. Battalion Chief, Captain (Supervisors)

- a. Supervisors are responsible for assigning, reviewing, and evaluating the performance of their subordinates, as well as managing leave requests, resolving grievances and maintaining proper conduct and discipline among members of the unit.

b. Supervisors shall:

- i. Keep members of the unit informed of rules, regulations and standards of conduct, and maintain discipline according to policy and established procedures.
- ii. Ensure subordinates receive education, training and counseling in an effort to preempt possible violations of rules, regulations and standards of conduct. Using the Employee Counseling Form (Appendix C) is a great tool that supervisors can use to document this form of educational counseling.
- iii. Employ non-disciplinary efforts such as verbal counseling, which shall be documented on the Employee Counseling Form (Appendix C), Work Improvement Plans, special evaluations, mentoring and remedial training, whenever possible.
- iv. Gather, analyze, and carefully consider available facts and circumstances before taking or recommending disciplinary action.
- v. Forward recommendations and Disciplinary Action Checklist to the appropriate Deputy Chief for any discipline involving a written reprimand or greater.
- vi. Prepare to defend any disciplinary action.
- vii. Maintain the confidentiality of personnel documents and files to the extent required by law. Employee personnel files shall be secured in a locked cabinet or desk.

### 3. Deputy Chief

- a. Will ensure that proposed disciplinary packets are complete and will assist supervisors as needed.

### 4. Assistant Chiefs

- a. Provide advice and assistance on proposed disciplinary actions to supervisors. They will ensure that disciplinary packets are complete and will notify the Disciplinary Review Board (DRB) Chairperson of pending discipline for all discipline involving Written Reprimand or greater.

### 5. Fire Chief

- a. Oversee the administration of disciplinary actions within all units of the department and make the final determination of all levels of discipline. All

discipline is the ultimate prerogative of the Fire Chief who may deviate from this matrix as conditions and circumstances warrant.

### C. Disciplinary Review Board Procedures

1. The function of a Disciplinary Review Board (DRB) is to review recommendations of discipline (written reprimand or greater). The DRB will review the recommendations that have been submitted up through the chain of command. The DRB will take into consideration all the facts and may investigate, interview, and research further when required. The DRB will then prepare a written recommendation to the Fire Chief, via the appropriate Assistant Chief, which will explain their findings and recommendations. The purpose of the DRB is to ensure fairness and consistency in regard to discipline throughout the department.
2. The following is a list of suggested steps that should be taken in conducting a Discipline Review Board. The DRB process will work as follows:
  - a. All board members should serve a minimum of two years for continuity purposes.
  - b. To be eligible for membership on the Board, an employee must:
    - i. Be a permanent employee for a minimum of 12 consecutive months; and
    - ii. Not have any adverse actions within the past two years.
  - c. The board membership will be made up of volunteers from the following ranks appointed by the senior Operations Deputy Chief in conjunction with the Local 479 President:
    - Operations Deputy Chief (plus one alternate) Chairperson
    - Battalion Chief (plus one alternate)
    - Captain (plus one alternate)
    - Paramedic (plus one alternate)
    - Inspector (plus one alternate)

Engineer (plus one alternate)

Firefighter (plus one alternate)

Union Designee (plus one alternate)

The Department's Human Resources Manager will serve in an advisory capacity.

3. The senior Operations Deputy Chief will be the Chairperson and will be responsible for working with the Local 479 President in selecting board membership and replacing board members when needed.
4. The board's formation will be made up of 3 board members, selected by the Operations Deputy Chief, and should be based on the individual being recommended for discipline. Members of a Disciplinary Review Board should not normally be of a lower rank than the employee under review. The Department Human Resources Manager will be present at all boards to oversee and advise.
5. The DRB will review the discipline recommendations that were forwarded through the chain of command. The DRB will take into consideration all the facts and may review all documents related to the discipline.
6. The board will review the employees' departmental personnel record and any other counseling submitted by supervisor to determine if the discipline is a first, second, or third similar violation in accordance with the disciplinary matrix to determine appropriate level of discipline within the matrix guidelines.
7. The board will then determine if the submitted recommendation is consistent with the departments discipline matrix and policies.
8. The DRB will then prepare a written recommendation to the Fire Chief of their findings via the appropriate Assistant Chief.

#### 214.5 Administration of Discipline

1. Counseling and Progressive Discipline
  - a. Educational Counseling

- i. Educational Counseling is a non-disciplinary discussion between a supervisor and a member regarding minor discrepancies or offenses regarding a member's performance or conduct.
  - ii. Educational counseling should be used as a tool to ensure employees understand City and TFD policies and directives.
  - iii. Although educational counseling is not to be considered as discipline it is highly recommended that it be documented utilizing the Employee Counseling Form (Appendix C). The completed form will be kept in the supervisor's employee station file.
- b. Verbal Counseling
- i. When circumstances permit, supervisors should make an effort to utilize verbal counseling prior to imposing disciplinary action. Verbal counseling is intended to be used by a supervisor to notify an employee that an improvement is needed in the employee's work performance and/or behavior.
  - ii. Verbal counseling should be used after Educational Counseling has been utilized and the employee continues to demonstrate deficiencies in performance standards and/or behavior.
  - iii. Written documentation of verbal counseling should be documented by utilizing the Employee Counseling Form (Appendix C). The completed form will be kept in the supervisor's employee station file.
- c. Written Reprimand
- i. A written reprimand is a disciplinary action that constitutes an official record regarding the member's performance or conduct that did not meet City or department standards. A written reprimand may result from a specific incident or as a result of a series of minor or repeated violations that require more severe disciplinary action.
  - ii. A written reprimand is considered formal discipline and must comply with the City's Disciplinary Review Process, Administrative Directive 2.02-16.
- d. Suspension

- i. A suspension is a disciplinary action, relieving the employee from duty in a non-pay status, that is imposed as a result of a member's performance or conduct that did not meet City or department standards.
  - ii. The Fire Chief has the authority to suspend any member in accordance with Civil Service Rules and Regulations.
  - iii. A suspension is formal discipline imposed for just cause and must comply with Civil Service Rules and Regulations and the City's Disciplinary Review Process, Administrative Directive 2.02-16.
- e. Discharge
- i. Discharge is the most severe form of disciplinary action and may occur as a result of a single serious violation or may occur after progressively discipline has been employed and the employee fails to respond.
  - ii. Discharge may occur in circumstances that are other than "disciplinary". Examples of this include members who are on a medical leave of absence for more than one year or in instances where a member is unable to perform her/his job assignment for more than one year.
  - iii. Discharge is formal discipline imposed for just cause and must comply with the Civil Service Rules and Regulations and the City's Disciplinary Review Process, Administrative Directive 2.02-16.

#### 214.6 Disciplinary Matrix [Appendix A]

- a. When an employee has committed an offense or violation of rules, regulations and/or policies, the Disciplinary Matrix provides a framework for imposing discipline fairly and consistently. The Disciplinary Matrix includes three categories of offenses, which provides flexibility for mitigating and aggravating factors, and three levels of sanctions. The Fire Chief has final disciplinary authority and s/he may deviate from the disciplinary matrix as circumstances warrant.
- b. The Discipline Matrix is divided into the following categories of offenses:

- i. Minor: A minor offense involves inappropriate conduct or failure to meet acceptable performance standards that does not involve misuse or abuse of authority, and has little or no impact on public safety or the professional image of the department or City of Tucson. Examples include, but are not limited to: vehicle accidents with no or minor injury and/or minor damage; tardiness; use of leave that exceeds leave balance; missing required training; negligence in performing duties; failure to provide confirmation of required professional certifications to the department.
  - ii. Intermediate: An intermediate offense involves misuse or abuse of authority, or other conduct that creates a potentially serious adverse impact on public safety or the professional image of the department or City of Tucson. Examples include, but are not limited to: conduct or behavior that may constitute a crime, on or off duty, not involving physical injury, violence, sexual offenses or ethical misconduct; conduct that demonstrates a reckless disregard for the safety of persons or property resulting in no or minor injury and/or damage; failure to obey an order under non-emergent circumstances; hazing; unauthorized or abuse of leave; gross negligence in performing duties; loss of required professional certifications.
  - iii. Major: A major offense involves a misuse or abuse of authority, untruthfulness, criminal conduct or conviction, or other conduct that creates a potentially critical adverse impact on public safety or the professional image of the department or City of Tucson. Examples include, but are not limited to: conduct or behavior that constitutes a crime, on or off duty, including but not limited to: physical injury, violence, sexual offenses or ethical misconduct; conduct that demonstrates a reckless disregard for the safety of persons or property resulting in serious injury and/or damage; failure to obey an order under emergent circumstances; hazing; and loss of required professional certifications.
- c. The Disciplinary Matrix prescribes the following level of sanctions:

- i. Presumptive sanctions: basic penalty used if there are no other considerations.
- ii. Minimum sanctions: are administered if the behavior was influenced by mitigating factors which support the imposition of less severe penalties.
  - a. Situational Factors: may include but are not limited to: physical or environmental conditions, genuine misunderstanding, or provocation.
  - b. Employee Factors: may include but are not limited to: length of service, quality of work history, and previous discipline history.
- iii. Maximum sanctions are administered if the behavior was influenced by aggravating factors.
  - a. Situational Factors: may include but are not limited to willfulness, recklessness, gross negligence, maliciousness, previous offenses, or character of the offense.
  - b. Employee Factors: may include but are not limited to: length of service, rank and position of responsibility, work history, and previous discipline history.
- d. When minimum or maximum sanctions are recommended, the supervisor must include a written justification supporting the recommendation in the disciplinary package. This recommendation must be endorsed by the appropriate Assistance Chief.

Note: For all Driver's License related discipline, refer to Section 215, Driver's License Policy, of the Tucson Fire Department Manual of Operations.

- e. Disciplinary Matrix Application
  - i. Violations are categorized as 1<sup>st</sup>, 2<sup>nd</sup> or 3<sup>rd</sup> Offense.
  - ii. When there is a record of previous discipline, the supervisor must review the member's discipline history, and consider the violation category, seriousness and recency of the violation.
  - iii. Time frames start upon discovery of the current incident and go back to the issuance date of the previous discipline.



- iv. A fourth or subsequent violation within a Category of Violation (Minor, Intermediate or Major) within the identified time frame causes the Level of Sanction to progress to the next higher sanction (i.e., A fourth Minor violation within a one year time frame; the fourth violation will jump to the Intermediate category.).

214.7 Appendix A - Tucson Fire Departments Progressive Discipline Matrix

214.8 Appendix B - Supervisor's Disciplinary Action Checklist

214.9 Appendix C - Tucson Fire Departments Employee Counseling Form

## ***Tucson Fire Departments Progressive Discipline Matrix***

*This chart represents the Tucson Fire Departments Progressive Discipline Matrix. The main objective of this document is to give all commissioned employees an understanding of what is expected of them in terms of performance and behavior and what actions can and will be taken if they do not abide by Department standards or City Directives.*

<b>Minor</b>			
<b>Description of Minor Violation</b> Refer to full definition section D.2.b.	Minimum Sanction	Presumptive Sanction	Maximum Sanction
<b>MINOR</b> 1st Offense	Educational Counseling	Verbal Counseling	Written Reprimand
<b>MINOR</b> 2nd Similar Offenses within one year	Verbal Counseling	Written Reprimand	1-Day Suspension
<b>MINOR</b> 3rd Similar Offense within three years	Written Reprimand	1-Day Suspension	2-Day Suspension
<b>Intermediate</b>			
<b>Description of Intermediate Violation</b> Refer to full definition section D.2.b.	Minimum Sanction	Presumptive Sanction	Maximum Sanction
<b>INTERMEDIATE</b> 1st Offense	Written Reprimand or 1-Day Suspension	1 to 2-Day Suspension	2 to 4-Day Suspension
<b>INTERMEDIATE</b> 2nd Similar Offense within three years	1 to 2-Day Suspension	2 to 4-Day Suspension	4 to 6-Day Suspension
<b>INTERMEDIATE</b> 3rd Similar Offense within five years	2 to 4-Day Suspension	4 to 6-Day Suspension	6 to 8-Day Suspension
<b>Major</b>			
<b>Description of Major Violation</b> Refer to full definition section D.2.b.	Minimum Sanction	Presumptive Sanction	Maximum Sanction
<b>MAJOR</b> 1st Offense	8 to 10-Day Suspension	10 to 20-Day Suspension	20-Day Suspension/ Demotion/ or Discharge
<b>MAJOR</b> 2nd Similar Offense within ten years	10 to 20-Day Suspension	20 to 30-Day Suspension/ Demotion/ or Discharge	30-Day Suspension/ Demotion/ or Discharge
<b>MAJOR</b> 3rd Similar Offense within ten years		Discharge	

- 5) All discipline is the ultimate prerogative of the Fire Chief who may deviate from this matrix as conditions and circumstances warrant.
- 6) Educational Counseling is not formal discipline and is used to educate employees on policies, procedures and expectations.
- 7) Length of suspension may vary within the range depending on mitigating or aggravated circumstances.



## Employee Counseling Form

## TUCSON FIRE DEPARTMENT

### Employee Information

Employee Name: \_\_\_\_\_ Date: \_\_\_\_\_  
 Employee ID: \_\_\_\_\_ Job Title: \_\_\_\_\_  
 Supervisor: \_\_\_\_\_ Department: \_\_\_\_\_

### Type of Counseling

Educational Counseling  Verbal Counseling

### Type of Offense

Tardiness/Leaving Early  Substandard Work  Violation of Directive or Policy  
 Absenteeism  Abusive Language  Disregarding Dress Code Standards  
 Unexcused Absence  Inappropriate Conduct  Rudeness to Citizens/Co-workers  
 Other: \_\_\_\_\_

### Details

Description of Infraction (list specific issue that requires counseling):

Expectations and Plan for Improvement:

Consequences of further infractions or if expectations are not met (include follow-up dates, if applicable):

### Acknowledgement of Receipt of Counseling

*By signing this form, you confirm that you understand the information in this counseling. You also confirm that you and your supervisor have discussed the issue and a plan for improvement. Signing this form does not indicate that you agree with this action but that you have been advised.*

\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Supervisor's Signature

\_\_\_\_\_  
Date

Copy to: Employee  
Employee's Station File

## Appendix K

### Personal Interview Data

Unstructured personal interviews and communications

Mike Fischback and Pat Bunker (personal communication April 3, 2013)

1. Where does Work Improvement Program (WIP) fit?

Answer: Could be both (Fischback and Bunker).

2. What is supervisor's first job?

Answer: Take care of their personnel (Fischback and Bunker)

3. What do we spend time training on?

Answer, Fischback, high risk, low frequency, maybe need to concentrate on same in station environment.

Ron Lopez (personal communication, June 27, 2013)

1. Does Tucson Fire Department (TFD) meet Fire Officer I standards?

Answer: yes

2. Explain different certifications

Answer: The courses within the Captain's certification cover leadership, communication, strategy and tactics as well as a discipline, the current matrix and employee improvement.

The next step in the promotional hierarchy is Battalion Chief. It too requires an internal certification process that includes courses with upper level leadership, strategy and tactics as well as safety officer.

Jim Frye (personal communication, July 13, 2013)

Does Mesa Fire Department have a current WIP?

Answer: "Currently we do not have an SOG dealing with the different types of discipline

here. When infractions occur, the Ops/Personnel AC, Ops/Personnel DC, and the Sr. HR Analyst for the City discuss past practice and other relevant findings, checking for any other discipline in the Personnel File, before rendering a decision. Labor is involved in the meeting to discuss discipline with the employee, but no work improvement program SOG exists”.

Shane Clark (personal communication June 20, 2013)

Does Air National Guard have WIP process?

Answer: Found in Appendix F

TradeNet (West Yorkshire response) (personal communication March 30, 2013)

Does your department have a WIP process?

Answer: Appendix H

Deputy Chief Ankeney, IA (personal communication April 9, 2013)

Does your department have a WIP in place?

Answer: Appendix I

Jay Riley (personal communication April 23, 2013)

Question: Does your department have a WIP in place?

Answer: Appendix I

Van Ozols (personal communication April 1, 2013)

TradeNet Question: Do you have a WIP in place?

Answer: Appendix G