

Chapter V Personal Behavior, Appearance and Code of Conduct

Subject 1 Personal Behavior

501.01 Policy

- A. All Fire Department members shall abide by the standards of personal behavior outlined within this procedure.
- B. All Fire Department members shall abide by rules, policies, procedures and guidelines pertaining to City of Cincinnati employees.
- C. All Fire Department members shall obey all federal, state and local regulations, laws and ordinances.

501.3 Objective

- A. To establish basic prudent and reasonable standards of personal behavior required of Cincinnati Fire Department members.

501.05 Books Adopted By Reference

The following books are adopted by reference as part of this chapter.

- A. Human Resources Policy and Procedures - City of Cincinnati
- B. Rules of the Civil Service Commission - City of Cincinnati
- C. Affirmative Action Program - City of Cincinnati
- D. Report Manual - Cincinnati Fire Department

501.07 Rules of General Conduct

ALL MEMBERS

- A. Shall observe the work hours of their assignment; fully prepared to perform ALL required duties at the assigned time in the proper uniform for every regular duty or special event assignment.
- B. Shall pay just debts.
- C. Shall not violate any criminal law and be governed by the customary rules of accepted good behavior observed by law abiding citizens.
- D. Shall always conduct themselves in a manner that will not bring discredit to the Cincinnati Fire Department or the City of Cincinnati while on or off duty.
- E. Shall not unlawfully interfere with the legitimate business interests of the City of Cincinnati or the Cincinnati Fire Department.
- F. Shall not aid or abet misconduct or misbehavior of others.
- G. Shall not be a party to any immoral or indecent conduct.

- H. Shall not alter, destroy, or make unauthorized changes to city records or data.
- I. Shall not intentionally make a false statement or report.
- J. Shall not, under any circumstances, engage in altercations, while on duty.
- K. Shall not be guilty of cowardice or shirking of duty.
- L. Shall not engage in any sexual activity while on duty.
- M. Shall not report for duty under the influence of alcohol, debilitating drugs or any other substance that could impair their physical or mental capacities.
- N. Shall not use alcoholic beverages, debilitating drugs, or any substance that could impair their physical or mental capacities while on duty or in uniform.
- O. Shall not bring or cause to be brought into or have in their possession any substance that could impair their physical or mental capacities while on Fire Department property.
- P. Shall not possess, manufacture or distribute illegal drugs and drug paraphernalia.
- Q. Shall not misuse, illegally possess, or distribute legal pharmaceutical drugs.
- R. Shall not gamble for money or other articles of value, and shall not keep or have any gambling devices on the premises of the Fire Department or in their possession.
- S. Shall not use indecent, profane, uncivil or boisterous language.
- T. Shall not remove material from the fire ground, regardless of whether or not the owner gives permission, except as required for official purposes.
- U. Shall not smoke inside any City building or at a fire or other emergency scene at any time.
 - a. Smoking is also prohibited in fire apparatus and other city vehicles.
 - b. Shall not smoke in any buildings while on fire prevention inspections.
- V. Shall not be insubordinate.

Insubordination is defined as: Not submissive to authority: disobedient. Verbally or demonstratively exhibiting disrespect toward a superior officer regardless of whether or not the officer is the immediate supervisor of the member.

All members shall promptly obey all orders from superior City of Cincinnati or Cincinnati Fire Department officials relating to official City business or duties.

Upon receiving any order, which is in conflict with a previous order, so inform the Officer who issued the conflicting order. If the Officer does not change his order, the member shall obey the most recent order.

501.08 Ethical Conduct

ALL MEMBERS

- A. Shall not solicit or accept compensation, reward or consideration for services performed in the line of duty, or any gift or donation, as a member of the department, without the approval of the Chief. No Member is to be compensated in any form when working for another member except for the other member working "in Lieu of" that person on a future date. Members shall not trade tours for personal gain.
- B. Shall not grant, approve or countenance (accept or support) the use of their affiliation with the Fire Department by any person, firm or corporation for the purpose of influencing the sale of any goods, merchandise, commodities, real estate, or stocks.
- C. Shall not lend their names to or use their photographs in their official capacity in any written or printed article or advertisement, without first obtaining the approval of the Fire Chief.
- D. Shall not use their uniform or any part of it to influence anyone for personal gain.
- E. Shall not use logos, seals, graphics or symbols of the Cincinnati Fire Department without written authorization from the Fire Chief.
- F. Shall not engage in any activity that can be construed as a conflict of interest to the department or use their position with the department for personal gain or influence.
- G. Shall avoid conflicts of interest situations where they have a direct or indirect interest, financial or otherwise, in any transaction or activity, that conflicts with the proper discharge of their duties.
- H. Shall provide notice of all outside employment to the Fire Department Human Resource Bureau at the time the employment is accepted and anytime there is a change in outside employment status.
- I. Shall not take part in any demonstrations; appear before City Council or other public officials to protest while in uniform.
- J. Shall not resist or obstruct any city, state, or federal official in performance of their official duty.
- K. Shall consider all official business of the Fire Department as confidential. They shall not disclose information concerning Fire Department activities or investigations when such disclosures would hinder accomplishment of Fire Department objectives without permission of the Fire Chief.
- L. Shall not make disparaging or offensive remarks (written, verbal or electronic) toward any city official, city employee or civilian.
- M. Shall not criticize or ridicule the Fire Department, its policies or other members by talking, writing, or expressing themselves in any manner, when such expression:
 - 1. Is directed towards a person with whom the member has a working relationship, and the expression impairs the working relationship.

2. Is stated or inferred as the official position of the department, without obtaining the prior approval of the department.
 3. Improperly discloses investigative or confidential information.
- N. Shall not engage in any activity that is detrimental to the Cincinnati Fire Department or City of Cincinnati.

501.09 Reporting of Off-Duty Law Violations

- A. Off-Duty members must provide proper and timely notification no later than the next day to the Fire Department of any court actions, arrests, or citations.
1. Members must notify their immediate supervisor of any driving restrictions not later than the next day after the restriction is imposed.
 2. The supervisor is required to inform the Fire Chief through the chain of command.
- B. Members must report any citation for a criminal violation, misdemeanor violation (**excluding payout traffic violations**), or any violation resulting in physical incarceration within 24 hours after the arrest or violation unless prevented from doing so by defensible extenuating circumstances.
1. Affected members shall report these incidents to their assigned District Chief or supervisor. If their assigned District Chief or supervisor is unavailable, the member must notify any on-duty District Chief.
 2. This information should be immediately forwarded to the member's Division Assistant Chief or the Duty Chief, who will determine the necessity of notifying other administrative personnel.
- C. Notification of supervisor should include all pertinent information including:
1. Date and time of the incident or arrest
 2. Nature of violation or reason for arrest
 3. Police jurisdiction of incident or arrest
 4. Date and time of court appearance or arraignment
- D. In the event that a member is physically incarcerated and unable to make the required notification, they are to have a responsible person (i.e. Police Supervisor, Attorney, Spouse, etc.) contact their supervisor or any on duty District Chief. They should provide the Fire Department with all pertinent information regarding the arrest.
- E. These members will be carried **LWOP (Leave Without Pay)** for time missed from work immediately following their arrest. Members who are incarcerated will not be permitted to trade or use SWP, vacation, holiday or any other type of paid leave. Members who fail to follow this procedure or who otherwise circumvent the reporting requirements will be carried AWOL (Absent Without Leave), and have additional charges filed against them.

- F. Immediately upon their return to duty, the member shall submit a Chief's Report F-47 and forward it to the Chief's office. This report shall include all pertinent information and a full explanation of the incident.
- G. The affected member shall provide a court case status report by the first Monday of every month by email or telephone call to their assigned District who will convey the information to Internal Investigations by e-mail. This status report shall include the date, time and location of their next court appearance along with any other pertinent information. The member shall **immediately** contact the Internal Investigation Section if there are any changes in court dates or times. After normal working hours, contact your assigned supervisor or any on duty District Chief so that this information can be properly forwarded.

501.11 Proficiency

ALL MEMBERS

- A. Shall use their training and capabilities to protect the public and other members at all times, both on and off duty.
- B. Shall work competently in their positions to cause all department programs to operate efficiently and effectively.
- C. Shall manage in an effective, considerate manner.
- D. Shall follow instructions in a positive, cooperative manner.
- E. Shall keep informed so as to do their jobs effectively.
- F. Shall be concerned and protective of other member's welfare.
- G. Shall operate safely at all times.
- H. Shall use good judgment and prudent and reasonable discretion.
- I. Shall keep physically fit to perform the essential functions of their job.
- J. Shall after being stationed permanently at a company for six months, have memorized the location of all fire hydrants and streets in their Company's first alarm fire district.

501.13 Cooperation and Work Relationships

ALL MEMBERS

- A. Shall always conduct themselves in a manner that creates good order in the department.
- B. Shall be permitted to constructively criticize, not ridicule, the work at an emergency scene for educational purposes, but never in the presence of persons who are not members of the Fire department.
- C. Shall be courteous and cooperative to the public.
- D. Shall not engage in reckless conduct or intentional acts which endangers the welfare of the public.

- E. Shall extend maximum cooperation to other City Departments, utility companies and other agencies working with the department.
- F. Shall see that all visitors to the fire station are promptly accorded respectful attention. Officers may, for justifiable and defensible reason, exclude from the station any person, including an off-duty member of the department. They shall exclude from the station any disorderly person or any person under the influence of liquor and, if necessary, notify Police to remove such persons and sign on them. They shall not permit minors to visit the fire station unless accompanied by an adult not presently on duty.
- G. Officers shall prohibit visitors from unnecessarily congregating in the fire station, especially during periods when fire stations are being used for election purposes. Fire station visitation shall, under no circumstances, be used by members to socialize with non-members. This includes friends, family and acquaintances.
- H. Officers may permit Fire Service related visits during hours approved by the Fire Chief. Non-Fire Service related guests may visit until 2000 hour in designated public areas only. Other areas may be visited only with the express permission of the Fire Chief. On duty members are not permitted visitation with non-Fire Service related guest outside the fire station.
- I. Shall not give preferential treatment to any other member.
- J. Shall not engage in harassment or abusive behavior.
- K. Shall not engage in arguments on religion, race, politics, or similar controversial subjects on the premises of the Fire Department, either with other members, or with visitors. They shall also refrain from engaging in such arguments while on duty at any other place.
- L. Tours by school children and other juvenile groups. There shall be a sufficient number of department members assigned to keep children from dangerous areas. This may necessitate breaking large groups into smaller ones in order to guide them properly and protect them from harm. Also, when children are visiting a fire station, the apparatus shall not be placed in motion until after one member has made certain that no child is in harms way.

501.15 Use of Fire Department Facilities and Equipment

ALL MEMBERS

- A. Shall protect and be careful of department equipment and property.
- B. Shall use the Fire Telephone System for official Fire Department business only. Calls must be kept as brief as possible.
- C. Shall only use station outside telephone for personal business. Since these telephones are sometimes used as an auxiliary signaling system, calls on this system must be limited to 20 minutes unless emergency in nature.
- D. Shall use Company Bulletin Board for posting information of concern and interest to all members. Such information shall be consistent with the established Policies and Procedures of the department, and shall contribute to the best interest, morale and welfare of the department.

- E. Shall not solicit or contribute, directly or indirectly, any money or other valuable article or thing to be used in connection with a matter affecting the Fire Department, without the approval of the Chief.
- F. Shall use City property (buildings, vehicles, firefighting equipment, office machines, computers, credit cards, personal protective equipment, uniforms, badges, identification cards and so forth) in strict accordance with applicable City laws, ordinances and administrative regulations, policies and procedures, codes and rules; department policies and procedures; current collective bargaining agreements; state laws and federal laws.
- G. Shall use the Internet, computers, servers, telephones and other electronic devices in strict observance with applicable City and Departmental rules that govern such activities.
- H. Shall not place any decorations or advertisements on Fire Department property without the permission of the Fire Chief.
- I. Shall not use official letterhead, envelopes or stationery, except for the transaction of official business of the Fire Department.
- J. Shall not keep pets, except for aquarium fish, in or around the fire station.
- K. Shall not make alterations to the fire station, apparatus, or any other Fire Department or City property without prior written permission of the Assistant Chief of Administrative Services Division.
- L. Shall conduct themselves in an exemplary manner at all times, both on and off duty.
 - 1. Off duty individuals are welcome at the fire station provided they are **NOT** under the influence of alcohol or other drugs. Off-duty employees who are under the influence of alcohol or other drugs will **NOT** be permitted on Fire Department property at any time.
 - 2. It will be the responsibility of the Fire Company Officer to determine whether an off-duty member is under the influence.
 - 3. If the Officer suspects that an off-duty member is under the influence, that member will be asked to leave the premises immediately.
 - 4. The observations that are necessary for on-duty employees who are suspected of being under the influence do not apply to this situation. Just the suspicion of impairment is sufficient to ask an off-duty member to leave.
 - 5. In all cases the District Chief will be notified.
 - 6. If appropriate, the District Chief and Officer will discuss transportation options with the off-duty member.

501.17 Use of Personal Equipment

- A. Any use of personal recording devices, cell phones, digital cameras, helmet cameras, etc. on emergency response is strictly prohibited.
- B. Use of Fire issued recording devices are only to be used as intended for duty related issues as described by Fire policy. All such use on emergency scenes shall have approval of the Fire Chief or Assistant Fire Chief unless specifically covered by procedures, such as photographs for EMS response for the Hospital ER, accident scene investigations, Training Bureau

activities, etc. Such pictures or video is the sole property of the Fire Department and any use outside of the Fire Department shall be approved by the Fire Chief or an Assistant Fire Chief.

- C. The purpose of these regulations are not to discourage use of personal recording devices for personal mementos, for example, family visits, work crew pictures, etc. but this use is for personal use only and any use in any public format will need approval by the Fire Chief or an Assistant Fire Chief. Any use of personal recording devices on City Property or of City Property is for personal use only and must follow the directives found in:

Use of City of Cincinnati Internet and Electronic Mail System in the Section 1304.01 2:

“Users must ensure that the content of any e-mail message is not construed as being discriminatory, insulting, disruptive, offensive or harmful to employee morale.”

- D. If there are questions on the appropriate use of personal recording devices, for example, using a camcorder or digital camera for fire company non-emergency drills, all Fire Personnel are directed to contact their District Chief who will handle or request advice from his Assistant Fire Chief if needed. Such use shall be considered Fire Department property and dissemination to the public by any means is prohibited unless permission is gained by the Fire Chief or an Assistant Fire Chief.
- E. Members may carry private cell phones and pagers on duty, Cell phones and pagers will be in the silent mode and will only be used outside the public eye, except when used for Fire Department business.
- F. The Fire Department is not responsible for damage or loss of personal recording devices, cameras, cell phones or pagers.

501.19 Reporting Discipline Activity and Personal Action File

- A. Each company member has a Personal Action File at the District level. The main purpose of this file is to record commendations and progressive discipline. Each company member also has a file at the company level. The purpose of this file is to record leaves, equipment issues, transfer information and other personal information other than discipline.
- B. Where indicated, the Bureau chief will forward the member's Personal Action File and a Chief's Report F-47 in the form of charges; or he may refer the particulars to the Human Resource Chief for review. Recommendations from the Company Officer and District or Division Chiefs may accompany any referral.
- C. When a member's Personal Action File is forwarded for action the officer rendering the decision shall have the action noted in the file.

501.19 National Flag and National Anthem

- A. Members of the Fire Department shall observe and display proper respect toward the National Flag and National Anthem.
- B. When the National Anthem is played, the National Flag raised or lowered, or the National Flag passes in review all uniformed members wearing hats will tender the military salute,

except when performing emergency duties. All members not wearing hats or not in uniform shall render the civilian salute: Right hand over left breast, body at attention.

501.21 Deadly Weapons

- A. Members of the Fire Department shall not have in their possession while on duty firearms other than those issued by the Fire Department or authorized by the Fire Chief, either on the person of the member or otherwise under their control on City property.
 - 1. To have under their control includes vehicles parked on city property.
- B. The City of Cincinnati Municipal Code (Sec. 708-41) and the Cincinnati Fire Department prohibits any person from carrying, conveying, or having under their control a concealed firearm, deadly weapon, or dangerous ordinance on city property.
 - 1. This prohibition **INCLUDES** persons licensed to carry a concealed weapon.
 - 2. Law enforcement personnel carrying out their duties are exempt.
 - 3. City property includes all property owned or leased by the city or its boards or commissions, and the Greater Cincinnati Water Works, and the Metropolitan Sewer District.

Failure to follow the procedures set forth in this section shall be considered a direct violation of Fire Department policy, and the member will be subject to disciplinary action.