

PHOENIX FIRE DEPARTMENT

VOLUME 1 – Operations Manual

REMOVING DOCUMENTATION FROM PERSONNEL FILES

MP105.11 09/13 – R

POLICY

All Phoenix Fire Department members are expected to conduct themselves in a highly self-disciplined manner. Incidents of poor performance or misconduct may result in documentation being placed in a member's Personnel/District File. Negative documentation may become a permanent part of the member's City Personnel File depending on the seriousness of the offense and the member's previous record since. Those documents designed to correct a minor occurrence of misconduct or poor performance may be petitioned for removal if the corrective action was successful and the misconduct was not repeated. It is the policy of the Phoenix Fire Department to remove those documents that may serve as a distraction to an otherwise positive and effective member.

The following non-disciplinary documentation shall be maintained as follows:

- **Letters of Counseling:** Letters of Counseling are to be kept in Supervisor's employee file.
- Other documentation initiated in order to correct minor occurrences of misconduct or poor performance such as Supervisor's notes – Shall be kept in Supervisor's employee file.

The following disciplinary documentation shall be maintained as follows:

- **Written Reprimand:** First level of disciplinary counseling. Shall be placed in the members Personnel File at Fire Administration. A copy of this documentation shall also be retained by the City of Phoenix Human Resources Department.
- **Suspensions:** Shall be placed in the members Personnel File at Fire Administration. A copy shall also be retained by the City of Phoenix Human Resources Department.
- **Demotions:** Shall be placed in the members Personnel File at Fire Administration. A copy shall also be retained by the City of Phoenix Human Resources Department.

The length of time a **non-disciplinary** document, as described above, is to remain a part of the Supervisors employee file will be determined by the supervisor, and a date for petition for removal shall be indicated on the document. (May be petitioned for review in 1 year, 3 years, etc.). In most cases, the minimum length of time before a document can be petitioned for review is one year. Once that length of time has expired, the member may petition (by memo) to the Supervisor requesting that the documentation be removed. If the supervisor who initiated the documentation is still employed by the Department in a supervisory capacity, he/she and the current supervisor will be consulted by the Fire Department's Deputy Chief of Human Resources and the decision will be made jointly. If the initiating supervisor is no longer a member, or is no

longer in a supervisory capacity, the decision will be made by the current supervisor/section head and the Assistant Chief of Personnel Services. Once again, the criteria for the decision will be the seriousness of the offense and the employee's record during the ensuing time period.

The length of time a **Written Reprimand (disciplinary document)** is to remain a part of the employee's Fire Department file will be determined by the supervisor; with consult from his/her chain of command and the Fire Department's Deputy Chief of Human Resources and a date for removal shall be indicated on the document. (May be petitioned for review in 1 year, 3 years, etc.). In most cases, the minimum length of time before a document can be petitioned for review is one year. Once that length of time has expired, the member may petition (by memo) to the Supervisor requesting that the documentation be removed from the Fire Department's Personnel File. The document will also be removed from the member's active City Personnel file and moved to an inactive section of the file. If the supervisor who initiated the documentation is still employed by the Department in a supervisory capacity, he/she and the current supervisor will be consulted by the Personnel Officer and the decision will be made jointly. If the initiating supervisor is no longer a member, or is no longer in a supervisory capacity, the decision will be made by the current supervisor/section head and the Chief of Personnel Services. Once again, the criteria for the decision will be the seriousness of the offense and the employee's record during the ensuing time period.

The length of time a **Suspensions of 80 hours or less** is to remain a part of the employee's Fire Department file is for a minimum of 10 years. Once that length of time has expired, the member may petition (by memo) to the Personnel Officer requesting that the documentation be removed from the Fire Department's Personnel File. The document will also be removed from the member's active City Personnel file and moved to an inactive section of the file. The decision will be made by the Chief of Personnel Services. Once again, the criteria for the decision will be the seriousness of the offense and the employee's record during the ensuing time period.

Suspensions of more than 80 hours along with **demotions and dismissals** are a permanent record to be kept in the employee's Fire Department file and a copy shall be retained with the City of Phoenix Human Resources Department.

Documentation that is in personnel files that does not indicate a date for removal may be petitioned in the same manner described above, providing a minimum of three years has passed since the occurrence. The document will be removed from the members Fire Department personnel file as well as placed in the inactive section of their City Personnel. The decision will be made based on the criteria previously described.

The following types of incidents for which documentation exists shall be a permanent part of the Personnel File:

- Any separation notice of over 80 hours.
- A repeat of any offense within a three year period;
- Numerous unrelated offenses within a three year period;
- Any felony conviction or plea of guilty to a felony charge (on or off duty);
- Any violation of Departmental Rules 15, 16, 17, 18 or 20 as noted in M.P. 102.01;
- Any violation deemed by the Fire Chief to be extremely detrimental to the Department.
- Documentation relating to original employment history, police record checks, etc.
- Probationary Firefighter Performance Reports
- Scheduled Performance Ratings