



Fire Department

May 19, 2015

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Chief

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To the Honorable  
The Board of Fire and Police Commissioners  
City Hall, Room 706A  
200 East Wells Street  
Milwaukee, Wisconsin 53202

Dear Commissioners:

Enclosed for your review is the **final version** of an updated MFD Rule Book for which I am asking for the Honorable Board's approval to publish and distribute.

The MFD Rule Book was last published on July 1, 1993. Much has changed in 25 years' time, including innovative technology, how we perform and record business, as well as new focuses on such topics as diversity, workplace violence, and discrimination/harassment. This updated version reflects such changes. One other significant change is the removal of specific job duties inherent to specific ranks. Rather this revised version points to the rank's job description, retaining the Rule Book's validity even if job descriptions change.

The updated MFD Rule Book has been reviewed by Assistant City Attorneys for language and content; we incorporated their suggestions. As a professional courtesy I have met with Local 215 representatives to show them the updated MFD Rule Book. We are seeking the Honorable Board's approval to publish and distribute.

Respectfully,

  
MARK ROHLFING  
Chief

MR/cf  
Enclosure  
F&P\Updated Rule Book Presented for Final Approval

FIRE DEPARTMENT  
CITY OF MILWAUKEE

The Rules of the Milwaukee Fire Department herein set forth are prescribed and adopted under the authority granted the Milwaukee Board of Fire and Police Commissioners by Wisconsin State Statutes. These rules are published for the guidance and government of the members of the Milwaukee Fire Department, sworn and civilian, as appropriately applicable. Additional “work rules” for civilians are found under separate publication.

Members of the department found guilty of transgressing these rules, or any law, ordinance, regulation, or order, may be reprimanded, fined, reduced in grade and pay, suspended from pay and duty, dismissed from the service of the department, or given such other penalty as the Chief may determine.

These rules are subject to amendment and addition under the authority of the Chief. Any rule proposed by the Chief is subject to review and approval by the Board of Fire and Police Commissioners. The Board may prescribe rules and the Chief may not suspend any rule prescribed or approved by the Board.

This Rule Book cancels and supersedes the Rule Book publication dated July 1, 1993.

FIRE AND POLICE COMMISSION

Date of Publication

## FORWARD

Members are bound by the MFD Code of Conduct. In addition, it is the purpose and objective of these additional rules to regulate the operation of the department as well as the conduct of its members. The need for such a guide is not unique to the Milwaukee Fire Department, or the fire service in general, but rather is essential to all large emergency organizations to assure proper functioning.

These rules are intended to be general in nature, and are not designed or intended to limit members in exercising their judgment or initiative in taking actions any reasonable person would take in an extraordinary emergency situation. Under certain circumstances, a penalty determined by the Chief may be appealed to the Milwaukee Board of Fire and Police Commissioners under Wisconsin Statute Section 62.50.

Since these rules are general in nature, it may be necessary for the Chief to supplement them with more detailed instructions governing particular operating procedures or manners of conduct as the need arises for the protection of life and property for fire or related disasters. Much must be left to the skill, loyalty, integrity, and discretion of members. To the degree members demonstrate these qualities in the discharge of their duties members will measure up to the high standard rightly expected of the fire service.

FIRE AND POLICE COMMISSION

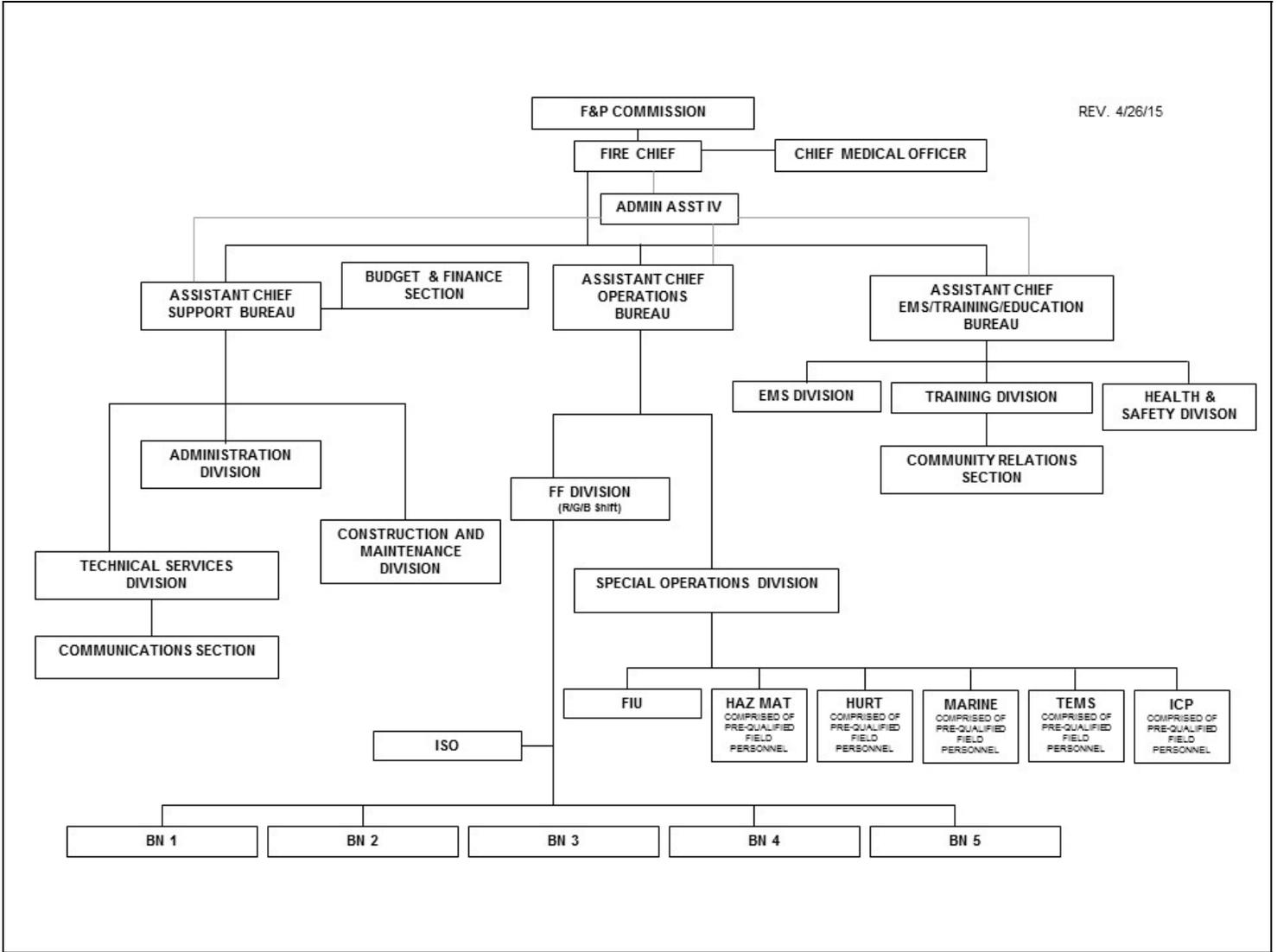
Date of Publication

# TABLE OF CONTENTS

	Page
Introduction .....	1
Forward .....	2
Department Organizational Chart .....	4
Sworn Hierarchy .....	5
Rule 1 <i>“General Job Description”</i> .....	6
Rule 2 <i>“Fire Chief”</i> .....	7
Rule 3 - 4 <i>“Assistant Chief” ~ “Deputy Chief”</i> .....	8
Rule 5 <i>“Battalion Chief, Fire”</i> .....	9
Rule 6 - 8 <i>“Fire Captain, Fire Captain-ISO” ~ “Administrative Fire Captain” ~ “Vehicle Operations Training Coordinator”</i> .....	10
Rule 9 - 11 <i>“Fire Lieutenant, Fire Paramedic Field Lieutenant” ~ “Administrative Fire Lieutenant” ~ “Vehicle Operations Instructor”</i> .....	11
Rule 12 - 14 <i>“Heavy Equipment Operator” ~ “Firefighter, Fire Paramedic” ~ “Special Operations Division Directors and Assistant Directors”</i> .....	12
Rule 15 - 16 <i>“Civilians” ~ “Emergency Responses”</i> .....	13
Rule 17 <i>“Watch Duty”</i> .....	14
Rule 18 <i>“Use and Care of Department Property and Equipment”</i> .....	15
Rule 19 - 23 <i>“Clothing/Uniform Requirements” ~ “General Rules”</i> .....	16 - 21
Rule 24 - 25 <i>“Reporting Accidents and Injury” ~ “Absence from Duty”</i> .....	22 - 23
Rule 26 - 27 <i>“Charges, Trials, and Appeals” ~ “Appointments and Promotions”</i> .....	24 - 25
Rule 28 <i>“Grievance Procedure”</i> .....	26
Definitions .....	27 - 29

# DEPARTMENT ORGANIZATIONAL CHART

REV. 4/26/15



# SWORN HIERARCHY

CHIEF



ASSISTANT CHIEF



DEPUTY CHIEF



BATTALION CHIEF



FIRE CAPTAIN / FIRE CAPTAIN-ISO / ADMINISTRATIVE FIRE CAPTAIN /  
VEHICLE OPERATIONS TRAINING COORDINATOR



FIRE LIEUTENANT / FIRE PARAMEDIC FIELD LIEUTENANT /  
ADMINISTRATIVE FIRE LIEUTENANT /  
VEHICLE OPERATIONS INSTRUCTOR



HEAVY EQUIPMENT OPERATOR



FIREFIGHTER / FIRE PARAMEDIC



## RULE 1

### **~ GENERAL JOB DESCRIPTION ~**

Members of the Milwaukee Fire Department (herein after referred to as the “department”) are to conform to the specifications in the job description of the position in which they hold, assume all the duties and responsibilities listed, meet the requirements of the position, and possess the knowledge and skills as outlined.

All sworn ranks are subordinate to the rank above them. Non-sworn members are subordinate to the immediate supervisor indicated on their job description as well as supervisors ranking above their own.

All sworn members under the Chief take the oath, “I swear that I will support the Constitution of the United States of America and the Constitution of the State of Wisconsin; that I will obey and enforce all the laws of the United States, the State of Wisconsin, the Ordinances of the City and County of Milwaukee, the MFD Code of Conduct, and the Rules and Regulations of the department; that I will obey all of the lawful orders of my superior officers and faithfully discharge the duties of said office to the best of my ability.”



## RULE 2

## ~ FIRE CHIEF ~

**Section 2.1 COMMAND.** The Chief, in the exercise of his duties, has the power and authority vested in his position by section 62.50, Wis. Stats., Chapter 22 of the City Charter, applicable provisions of the City's Code of Ordinances, as well as the authority vested in his position by the Board of Fire and Police Commissioners (herein after referred to as the "Board"), to regulate the department and to propose to the Board rules for the governing of the department and its members. The Chief has command over all on-duty members.

**Section 2.2 DUTIES.** The Chief is responsible for the efficiency and general conduct of the department, is accountable to the Board, and has custody and control of all public property in the department. All things within the department must be available to, and is subject to inspection by, the Board.

**Section 2.3 SUBORDINATES - APPOINTMENT.** With the approval of the Board, the Chief appoints all members of the department.

**Section 2.4 RECORDS AND REPORTS.** The Chief orders the keeping of full and complete records of all department transactions. Records and reports include, but are not limited to, incident reports and related data, personnel records, inventory of property, apparatus and equipment, and any records as may be required to conduct the business of the department.

**Section 2.5 BUDGET.** The Chief is responsible for preparing, and working within the annual budget as approved by the Mayor.

**Section 2.6 CHANGE OF RULES.** Whenever the Chief proposes to establish a new rule or a change an existing rule that affects wages, hours, or conditions of employment of members of any bargaining unit, the Chief is to present a written proposal to the bargaining unit. At a mutually agreeable time, not more than 30 days following such presentment, the Chief is to meet in good faith with the applicable representative with the intent to reach an agreement consistent with the Chief's powers, duties, functions and responsibilities under law. If no agreement is reached by the Chief and the applicable representative within 30 days of such initial meeting, the Chief may establish the proposed new rule or the proposed change in an existing rule unilaterally, subject to the prior approval of the Board.

In case of emergency, as determined by the Chief, the Chief has the right to establish or modify a rule or rules unilaterally and such rule or rules will become effective immediately. The Chief is to immediately inform the Board, in writing, of the rule change and the reasons therefor. Said rule will remain effective until the next meeting of the Board.



RULE 3

**~ ASSISTANT CHIEF ~**

**Section 3.1 COMMAND.** Assistant Chiefs have command over the bureau to which they are assigned by the Fire Chief, and the divisions and sections within it. In the absence of the Chief, the Chief assigns an Assistant Chief to assume full command of the department, with the powers, functions, and duties of the Chief.

**Section 3.2 DUTIES.** Assistant Chiefs are responsible for ensuring that the members under their purview behave in a professional manner while performing their job duties accurately and efficiently within the scopes of their job descriptions. In addition, the Assistant Chief of Support oversees disciplinary actions, human resources, finance, and records; the Assistant Chief of Operations oversees members assigned to the field, and the Assistant Chief of EMS/Training/Education oversees the emergency medical services side of the department, the training of all sworn department members, and public relations and education.

Assistant Chiefs are bound by their position's most current job description as approved by the Board.



RULE 4

**~ DEPUTY CHIEF, FIRE ~**

**Section 4.1 COMMAND.** The Chief selects Deputy Chiefs through a departmental promotional process. Deputy Chiefs have command over the entire complement of sworn members on the shift in which they are working. In the absence of the Chief and Assistant Chiefs, a Deputy Chief designated by the Chief will assume command of the department and perform all the duties of the Chief.

**Section 4.2 DUTIES.** Deputy Chiefs respond on alarms as directed by the Chief, and to any alarm which in their opinion warrants their service. Deputy Chiefs regulate staffing, hiring special duty within approved procedures to fill field vacancies, having the authority to detail sworn members as required to effectively utilize the workforce at hand. They perform such other duties as may be assigned by higher authority.

Deputy Chiefs are bound by the most current job description as approved by the Board.



## RULE 5

**~ BATTALION CHIEF, FIRE ~**

**Section 5.1 COMMAND.** The Chief selects Battalion Chiefs through a departmental promotional process. Battalion Chiefs assigned to a battalion have command over that battalion of sworn members on the red, green, or blue shift in which they are working. The most senior Battalion Chief assumes command of the department in the absence of all superior officers.

Battalion Chiefs assigned to a 40-hour week position have command over sworn and civilian members assigned to their division.

**Section 5.2 DUTIES.** Battalion Chiefs assigned to a battalion are responsible for maintaining order within the battalion. Battalion Chiefs are to respond to alarms as assigned, and direct the operations of members, apparatus, and equipment in the most advantageous manner for the saving of life and property. Battalion Chiefs arrange member assignments as necessary for special details in compliance with instructions issued by superior officers, or as deemed necessary under good judgement. Battalion Chiefs have authority and responsibility for the assignment of members within their battalion for the maximum use of available and qualified members.

The Battalion Chief assigned to the Special Operations Division is responsible for the special teams which at the time of this printing includes the Fire Investigation Unit, Hazardous Materials, Heavy Urban Rescue, Marine Operations, Tactical Emergency Medical Services, and the Incident Command Post.

The Battalion Chief assigned to the Construction and Maintenance Division is responsible for purchasing and the repair and maintenance of department apparatus and equipment, furnishing department supplies, and maintaining buildings and grounds belonging to the department.

The Battalion Chief assigned to the Emergency Medical Services Division is responsible for the coordination and operational readiness of the department's emergency medical services. Emergency medical services are the provision of pre-hospital care and transport to persons requiring medical assistance.

The Battalion Chief assigned to the Training Division is responsible for the proper instruction and training of all members of the firefighting division in the application of the procedures and techniques established by the department. This Battalion Chief is also responsible for public education and public relations.

Battalion Chiefs are bound by their position's most current job description as approved by the Board.



RULE 6

**~ FIRE CAPTAIN, FIRE CAPTAIN-ISO ~**

**Section 6.1 COMMAND.** Captains have command over sworn members based on their most current job description as approved by the Board. Captains maintain control and command of the house regardless if higher ranking members are present.

**Section 6.2 DUTIES.** Captains' duties are based on their most current job description. Captains are bound by their position's most current job description as approved by the Board.

**Section 6.3 DEPARTMENT PROPERTY.** Captains have custody over their company apparatus, buildings, and all other property assigned to the company, and they will be held personally responsible for the inventory, care, and good order of same. They are not to surrender any department property without an order from a proper authority. In buildings housing more than one company, the senior Fire Captain has control of the house and appurtenances, and property not specified on separate apparatus inventory.



RULE 7

**~ ADMINISTRATIVE FIRE CAPTAIN ~**

**Section 7.1 DUTIES.** Administrative Fire Captain duties are based on the position's most current job description. The Administrative Fire Captain is bound by the position's most current job description as approved by the Board.



RULE 8

**~ VEHICLE OPERATIONS TRAINING COORDINATOR ~**

**Section 8.1 DUTIES.** Vehicle Operations Training Coordinator duties are based on the position's most current job description. The Vehicle Operations Training Coordinator is bound by the position's most current job description as approved by the Board.

Rule 9



RULE 9

**~ FIRE LIEUTENANT, FIRE PARAMEDIC FIELD LIEUTENANT ~**

**Section 9.1 COMMAND.** Lieutenants have command over sworn members based on their most current job description as approved by the Board. If the Fire Captain is absent, the most senior Lieutenant at the house assumes control and command of the house, consistent with the requirements of Rule 6, *infra*, regardless if higher ranking members are present.

**Section 9.2 DUTIES.** Lieutenants' duties are based on their most current job description. Lieutenants are bound by their position's most current job description as approved by the Board. If the Fire Captain is absent, the most senior Lieutenant at the house assumes the duties of Fire Captain, regardless if higher ranking members are present.

Rule 10



RULE 10

**~ ADMINISTRATIVE FIRE LIEUTENANT ~**

**Section 10.1 DUTIES.** Administrative Fire Lieutenant duties are based on the position's most current job description. The Administrative Fire Lieutenant is bound by the position's most current job description as approved by the Board.

Rule 11



RULE 11

**~ VEHICLE OPERATIONS INSTRUCTOR ~**

**Section 11.1 DUTIES.** Vehicle Operations Instructor duties are based on the position's most current job description. The Vehicle Operations Instructor is bound by the position's most current job description as approved by the Board.



## RULE 12

~ **HEAVY EQUIPMENT OPERATOR** ~

**Section 12.1 DUTIES.** Heavy Equipment Operators' duties are based on their most current job description. Heavy Equipment Operators are bound by the most current job description as approved by the Board.

**Section 12.2 SAFE DRIVING.** Heavy Equipment Operators are to adhere to the current Safe Driving Guidelines and other standard operating guidelines that pertain to this topic as established by the department.

**Section 12.3 VEHICULAR ACCIDENTS.** Heavy Equipment Operators, **as well as all operators of department apparatus** will be held accountable for any accidents or incidents caused by improper driving practices, violations of city laws, or departmental rules. All operators of department apparatus are required to report said accidents according to current departmental vehicular accident reporting policies.



## RULE 13

~ **FIREFIGHTER, FIRE PARAMEDIC** ~

**Section 13.1 DUTIES.** Firefighters' and Fire Paramedics' duties are based on their most current job description. Firefighters and Fire Paramedics are bound by their position's most current job description as approved by the Board.



## RULE 14

~ **SPECIAL OPERATIONS DIVISION DIRECTORS and ASSISTANT DIRECTORS** ~

**Section 14.1 DUTIES.** Directors and Assistant Directors of special teams are required to abide by their rank's job description as approved by the Board, as well as the job description for their Director or Assistant Director position.



RULE 15

**~ ALL CIVILIAN MEMBERS ~**

**Section 15.1 DUTIES.** Civilian member duties are based on their position's most current job description. Civilian members are bound by their position's most current job description.



RULE 16

EMERGENCY RESPONSES

**Section 16.1 COMMAND.** The first officer to arrive at the scene of an alarm is to assume command and direct operations until a formal transfer of command is conducted.

**Section 16.2 OPERATIONS AT ALARMS.** Operations at alarms are to be conducted in accordance with standard operating procedures/guidelines, as approved by the Chief, and as established through instruction and training.

**Section 16.3 RIDE-ALONGS.** Civilian members of the department, as well as non-department members, are only allowed to ride along on response vehicles with permission of the Chief, and provided appropriate waivers are signed prior to the ride-along.

**Section 16.4 OUT-OF-CITY ALARMS; SHARED SERVICES.** Response to alarms outside of the City of Milwaukee limits, but within the County of Milwaukee, are governed by the Milwaukee County Shared Services Initiative and MABAS. The first-in officer is to establish and maintain command until a formal transfer of command is conducted.

**Section 16.5 MEDICAL ORDERS.** All medical matters are to be handled as per current EMS Guidelines and departmental protocols, including directives by medical staff members outside the department.



## RULE 17

### WATCH DUTY

**Section 17.1 WATCH DUTY.** Watch duty is to be maintained by a company officer between 0700 and 2300 hours. Watch duty is to be assumed by other members from 2300 to 0700 hours. Officers and members will be held strictly accountable for their tour of watch duty, including but not limited to the timely receipt, response, and transmission of alarms.

**Section 17.2 COMPANY JOURNAL.** A company journal is to be kept in each firehouse, which is to be an accurate record of all activities of the company. The officer/member responsible for the floor watch is to make the journal entries.

**Section 17.3 VISITORS.** Visitors are not permitted between 2200 and 0800 hours, unless permission is granted by a company officer or higher. Company officers are responsible for firehouse visitors.



## RULE 18

## USE AND CARE OF DEPARTMENT PROPERTY AND EQUIPMENT

**Section 18.1 EXAMINATION OF APPARATUS AND EQUIPMENT.** All apparatus, tools, equipment, and appliances are to be checked and examined as directed in published procedures and notices in order to have same in good operating order and ready for proper use at all times.

It is the duty of officers to direct subordinate members in the examination, care, maintenance, and use of department property and equipment, so as to obtain the most efficient use from same, and to lengthen the useful life. Subordinate members are to exercise the necessary degree of care and attention in the maintenance and use of department property and equipment as prescribed.

**Section 18.2 USE OF DEPARTMENT EQUIPMENT AND SUPPLIES.** Members are not permitted to use department equipment or supplies for personal purposes, except with specific approval of the Chief.

**Section 18.3 PROPERTY OF THE DEPARTMENT.** Members are personally responsible for department property issued to them and may be required to reimburse the City for any loss. Items may include, but are not limited to, turnout gear, boots, gloves, hoods, helmet, SCBA facepiece, IHUD, spanner belt, helmet, helmet shield, badge, cap device, safety vest, keys, radios and associated hardware, issued electronics and cases, and cellular phone and its accessories.

**Section 18.4 MONEY AND VALUABLES.** Money, valuables, and personal property, other than that required for normal operations and activity, are not to be stored in lockers or other areas of company quarters. The department is not responsible for the loss of personal property from company quarters.

**Section 18.5 PRIVACY.** Firehouses, house furnishings, such as, but not limited to, lockers, desks, file cabinets, and other areas provided to members for storage purposes, constitute City property. The Chief, and persons authorized by the Chief, maintain a right to access and inspect all such areas at any time. Members therefore, should not have an expectation of privacy in any such spaces. This access policy is not intended to apply to purely personal effects such as wallets, purses, or clothing.

The Chief or designee further reserves the right to examine, at any time, and without prior notice or consent, all directories, downloaded text, images, audio and video files, and other information (business-related or personal) stored on disks, computers, and/or other media found on department property.



## RULE 19

## CLOTHING/UNIFORM REQUIREMENTS

**Section 19.1 SPECIFICATIONS.** All clothing/uniforms worn by sworn members must be in accordance with the current department numbered notice governing their rank. All clothing worn by civilian members must be in accordance with the Civilian Work Rules.

**Section 19.2 CONDITION OF UNIFORMS AND CLOTHING.** On-duty supervisors are responsible for their subordinates' compliance to the department's work clothing regulations.



## RULES 20 - 23

## GENERAL RULES

**Section 20.1 LAWS, ORDINANCES, MFD CODE OF CONDUCT, RULES, REGULATIONS, NOTICES, ORDERS, ETC.** It is the duty of all members of the department to support the Constitution of the United States of America and the Constitution of the State of Wisconsin; obey and enforce all the laws of the United States, the State of Wisconsin, the Ordinances of the City and County of Milwaukee, and the rules and regulations of the department; obey all of the lawful orders of superior officers and faithfully discharge the duties of said office to the best of their ability in the conduct of their duties and while off duty. Violation of laws, ordinances, the MFD Code of Conduct, rules, regulations, notices, orders, etc.; conviction of violation of the law or governing bodies is considered a violation of these rules and subjects offenders to department charges and penalties.

It is members' responsibility to become familiar with the laws, ordinances, the MFD Code of Conduct, rules, regulations, notices, orders, etc. relating to the department, and particularly to their respective positions, and no plea of ignorance will relieve members from responsibility for their actions. Members are not to criticize department orders to a point of disrupting the work environment or openly in public creating a poor reflection on the department.

Members having personal knowledge of a violation of any of the above are required to report such violation to their officers/supervisors and take action if/as required by their positions.

**Section 20.2 GENERAL CONDUCT.** In matters of general conduct not within the scope of formal writings, members are governed by the ordinary rules of good behavior expected of all law-abiding citizens. Conduct which brings reproach or unfavorable reflection on the department, failure to respect the proper orders of any agent of the law, untruthfulness,

insubordination, misconduct, or resisting lawful arrest, is considered a violation of these rules, and subjects offenders to department charges and penalties.

**Section 20.3 CONDUCT OF OFFICERS AND SUPERVISORS.** Officers/supervisors are to give equal and impartial treatment to their subordinates. They are to treat all individuals with respect and not be biased in their decision making based on age, race, national origin, disability, creed (religion), color, marital status, ancestry, sexual orientation, gender identity or expression, arrest record, conviction record, or military forces service. They are to be just, dignified, and firm, being careful to abstain from violent, abusive, or immoderate language in giving orders and directions, as well as in conversation. They are to ensure that all rules and orders are strictly carried out and obeyed, and promptly report, by well-sustained information, any transgression of law, ordinances, the MFD Code of Conduct, rules, regulations, notices, orders, and etcetera. Officers are to avoid favoritism, and must not shield incompetence, misconduct, or negligence from due discipline. They are to give due recognition to merit.

**Section 20.4 ORDERS.** Obedience to the order of a superior in rank must be faithfully observed. Members being subordinate, not obeying such order(s), will be held strictly accountable, unless the order has been properly countermanded. Officers are to transmit orders clearly, and if possible, attempt to determine if they have been received and are understood.

Officers, under no circumstances, are to exceed their authority in giving orders. Officers giving orders which cause harmful results will be held liable. Subordinate members, acting in obedience to such orders, will be protected against any penalty, provided it appears to the satisfaction of the Chief that no collusion to commit a wrong existed between the parties, and that the order thus erroneously given was not obviously wrong to a person of ordinary judgement.

**Section 20.5 RESPECT OF RANK.** Members are to give due respect to officers of a higher rank, and address them by their proper titles. Acting officers are to be accorded the same consideration as regular officers.

**Section 20.6 PRIVATE BUSINESS.** No errands involving private business are to be performed on duty. Officers are not to order or permit private business to be conducted by members while on duty.

**Section 20.7 OUTSIDE EMPLOYMENT.** Members are permitted to be engaged in other employment, with restrictions as provided for in current labor contracts.

If in the judgement of the Chief such outside employment renders members unfit for any reason to perform their full departmental duties, or interferes in any way with the performance of their duties, the Chief reserves the right to take whatever action deemed proper.

If evidence comes to the attention of the Chief that certain employment, work, or projects place the department in jeopardy for any reason, the Chief reserves the right to prohibit such particular employment, work, or projects.

Sworn members of the department are prohibited from performing firefighting duties for municipalities other than for the City of Milwaukee.

In the event the Chief declares a state of emergency, the Chief may unilaterally rescind, for the duration of such emergency, any and all outside employment privileges.

**Section 20.8 DEPARTMENT INFORMATION.** Members are not to furnish information relative to the business or affairs of the department, except as required by law or as authorized by the Chief. Requests for information are to be referred through the chain-of-command to the Office of the Chief for clearance. The release of information, or discussion detrimental to the welfare of the department, is considered a violation of rules.

Members are not to request opinions of the City Attorney for personal use or for organizations not directly under the control of the department or the City of Milwaukee.

**Section 20.9 RELEASE OF MEDICAL HISTORY.** The release of information pertaining to the medical history of any members or former members is strictly prohibited and no members may give information to anyone about a member or former member's sickness or injury without the consent of the individual, by court order, medical emergency, or by permission of the Chief for departmental purposes.

**Section 21.1 PRIVATE MERCHANDISE.** The use of department premises as a distribution point for private merchandise is forbidden, either by or for department members, or for private citizens. Solicitations for funds, or the display of merchandise for sale other than the company commissary are not allowed, except with permission of the Chief or designee.

**Section 21.2 FIREFIGHTERS RELIEF ASSOCIATION.** In accordance with the State Statute regulating the Firefighters Relief Association, all sworn members, upon appointment, will become members of this association, and pay such dues and fees as may be established by said association.

**Section 21.3 FIREFIGHTERS BENEFIT AND CONTINGENT FUND.** All sworn members, upon appointment, will become members of the Firefighters Benefit and Contingent Fund, and pay such dues and fees as may be established by said association.

**Section 21.4 COMPANY DUES.** All sworn members will pay into the house treasury the amount specified for company dues in accordance with the established house captain's procedures.

**Section 21.5 POLITICAL PRIVILEGES.** Department members are prohibited from engaging in political activity when on duty or otherwise acting in an official capacity. Political posters are not to be posted on department property, or on private automobiles when parking on department premises. Members are permitted to belong to political parties, circulate nominating papers, or run for political office, but are forbidden to take any active part while on duty.

**Section 21.6 DISCRIMINATION/HARASSMENT.** It is the policy of the department to provide a work environment that is free from sexual harassment and harassment or discrimination based upon age, race, national origin, disability, creed (religion), color, marital status, ancestry, sexual orientation, gender identity or expression, arrest record, conviction record, military forces services; the use or non-use of lawful products off department premises during non-working hours; declining to attend a meeting or to participate in any communication about religious matters or political matters; and genetic testing. These categories are protected under Section 703 of Title VII of the 1964 Civil Rights Act, as amended, the State of Wisconsin Fair Employment Relations Act and City of Milwaukee Code of Ordinances, Chapter 109.

Members who practice discrimination/harassment, as defined by any relevant federal or state statute, or city ordinance, or any federal, state, city or department rule or regulation pertaining to harassment is subject to charges, up to and including discharge.

Members who have knowledge of discrimination/harassment against other members are to report the situation to the Assistant Chief of Support. Failure to do so will result in charges against said members. Officers are not to permit discrimination/harassment, as defined by the law, to be practiced by members under their authority.

Retaliation to a discrimination/harassment complaint will not be tolerated.

**Section 21.7 WORKPLACE VIOLENCE.** It is the policy of the department to provide a safe work environment for its members and visitors, which is free of verbal or physical intimidation, threats, bullying, or violent behavior. The department has a zero tolerance policy for incidents or threats of violence by members towards other members, visitors, or the general public.

Members who have knowledge of workplace violence are to report the situation to the Assistant Chief of Support. Failure to do so will result in charges against said members.

**Section 21.8 TRANSFERS AND ASSIGNMENTS.** Transfers and assignments are made on orders of an Assistant Chief within the current labor contract guidelines, approved by the Chief. Battalion Chiefs may make temporary transfers in their respective battalions as are necessary for good management.

Neither officers nor members are to directly or indirectly solicit the influence or intercession of any persons to affect a transfer or promotion. Payment or acceptance of any consideration in connection with a promotion or transfer is prohibited.

**Section 21.9 SOCIAL GATHERINGS.** Parties or social gatherings are not permitted on the premises of the department, except with permission from the Chief.

**Section 22.1 WEAPONS, DRUGS, ALCOHOL BEVERAGES, AND GAMBLING.** Members may not possess or use weapons of any kind, alcohol beverages, illegal substances, controlled substances as set forth in Wisconsin Statutes, or gaming devices in or about any department premises. Gambling in any form is not permitted on department premises. In addition, the possession of weapons on their person is strictly prohibited for MFD members who are engaged in the course and scope of MFD employment while not on city property. Members

and visitors with proof of a license to carry a concealed weapon are allowed to store their weapons securely in their vehicle while on city property.

Members may not use illegal drugs. Sworn members found to have illegal drugs in their system based on the results of a drug test will be dismissed from the department (discharged). Drug testing for sworn members is governed by current contract and/or Memorandum of Understanding. Sworn members' refusal to submit to a drug test will result in immediate suspension and discipline up to and including dismissal from the department.

**Section 22.2 DEPARTMENT TELEPHONES.** Sworn members are only to use department telephones for department business.

**Section 22.3 RESIDENCE/CELLULAR TELEPHONE.** All members must have a personal phone number on file with the department. All sworn members, and members subject to call for emergencies, must have the phone associated with the number on file with the department reasonably available.

**Section 22.4 RESIDENCY.** Members must conform to current residency requirements as established by the Charter Ordinances and Fire and Police Commission Rules.

**Section 22.5 REPORT OF MISSING ARTICLES.** Whenever department property is missing or lost, officers in charge are to order an immediate search. If such property is not located within 48 hours, officers are to report the loss in accordance with current reporting requirements.

**Section 22.6 RESIGNATION.** Members resigning are to give the Chief fourteen (14) calendar days' notice. In cases of emergency, the Chief may accept the resignation without the required notice.

**Section 22.7 HOURS OF DUTY/DUTY ASSIGNMENT.** The hours of duty will be in accordance with existing federal guidelines, City Ordinances, union agreements, and arranged as determined by the Chief. In cases of emergency, the Chief is empowered to make exceptions to the normal procedures. Members not arriving on time for their scheduled assignment are subject to the tardy/AWOL policy.

Members are not to leave their posts of duty unless properly relieved from their work shift. Members, individually, are not to leave the firehouse at any time without permission granted through a management-approved release or emergency leave, approved pre-arranged time off utilizing members' earned credit, or an exchange of approved work periods (trades). Such changes in work schedule must be properly approved, documented in the firehouse, and recorded appropriately according to current reporting requirements.

**Section 22.8 RECALL AND DUTY DURING STATE OF EMERGENCIES.** If the Chief declares a state of emergency, off-duty members are required to report if recalled. Such notification can be by telephone, radio, television, or any other means. If this declaration occurs at the change of shifts, members will not be permitted to leave quarters for their regular offs.

Such recall or standby duty is distinct from the recall provided for greater alarms or other emergencies, which is voluntary if no state-of-emergency is declared.

In the event of a state-of-emergency, the Chief may unilaterally rescind, for the duration of such emergency, any and all privileges granted.

**Section 22.9 WORK OR SERVICES AT QUARTERS.** Field-assigned members do not have the authority to order and/or schedule services to be performed at department facilities or to department apparatus/equipment.

**Section 23.1 REPRESENTING THE DEPARTMENT.** Department members are not to represent the department or the Chief at public gatherings, meetings, or functions, without first obtaining permission from the Chief.

**Section 23.2 FAILURE TO PERFORM DUTIES.** Whenever department members are unfit for, or fail to perform their duties due to incapacity, neglect of duty, or for any other reason (except injury or sickness which has regular documenting procedures), it is the responsibility of the members' immediate officer/supervisor to submit a complete and detailed report to the Chief.

**Section 23.3 PERSONAL WORK/BUSINESS ON DEPARTMENT TIME.** Performing work or business of a personal nature (non-department related) on department time is prohibited.

**Section 23.4 ASSIST POLICE.** Members of the department are to assist the police when called upon. Company officers, through their Battalion Chiefs, are to make the necessary arrangements to allow for such cooperation.

**Section 23.5 DOUBT OF RULES.** Whenever there is doubt as to the meaning of a rule or regulation, members' immediate supervisor is to ask for an interpretation.

**Section 23.6 SMOKING.** No use of tobacco products including cigarettes, e-cigarettes, spit tobacco, pipes, or cigars is permitted while in uniform within the facilities or on the property of the City of Milwaukee at any time (including department vehicles, any city building, firehouses, and apparatus floors). Nor may any member use tobacco products while assigned to the scene of an alarm. (The use of tobacco products may be permitted during rest periods at long-term emergencies, but only as authorized by Chief officers.)



## RULE 24

## REPORTING ACCIDENTS AND INJURY

**Section 24.1 REPORTING ACCIDENTS.** Members are to report in a clear and concise manner any accident or damage that they observe wherein the accident or damage either involves City of Milwaukee property, or in which the City of Milwaukee or the department might be an interested party, either as a claimant or as a defendant. Such report is to be made to a superior officer/supervisor as soon as possible.

Company officers are to submit reports according to current reporting regulations, without delay, on all accidents which result in injuries, loss of life, or damage to any property. The respective Battalion Chief and the Firefighting Deputy Chief must be notified of any traffic accident and/or any unusual development as soon as practicable.

**Section 24.2 REPORTING INJURIES.** Members are to report injuries they sustain, whether on or off duty, and no matter how slight, including exposure or inhalation of smoke and fumes. Such report is to be made according to current reporting regulations.



## RULE 25

## ABSENCE FROM DUTY

**Section 25.1 LEAVES OF ABSENCE.** Leaves of absence are granted in accordance with the provisions of the City Code, existing union agreement, and as further defined by regulations published by the Chief. Requests for leaves of absence, paid or unpaid, require approval of the Chief.

**Section 25.2 EXCHANGE OF WORK PERIODS (Trades).** Exchange of scheduled work periods (trades) are permitted within the regulations published by the Chief (and union contract language if applicable), and subject to amendment or repeal as determined by the Chief.

**Section 25.3 UNEXCUSED ABSENCE FROM DUTY - LESS THAN TWO (2) HOURS.** Any unexcused absence must be immediately reported through the chain-of-command by members' immediate supervisor to the Chief. Unexcused absences include, but are not limited to, arriving late to work, leaving the firehouse during a shift of duty, or not responding to a run with the company for any reason.

**Section 25.4 UNEXCUSED ABSENCE FROM DUTY - TWO (2) HOURS OR GREATER.** Any unexcused absence must be immediately reported through the chain-of-command by members' immediate supervisor to the Chief. An unexcused absence from duty of greater than two (2) hours is considered Absent Without Leave (A.W.O.L.).

**Section 25.5 VACATIONS/HOLIDAYS.** Vacation days and holidays are granted in accordance with the provisions of the City Code, existing union agreement, and as further defined by regulations published by the Chief.

**Section 25.6 SICK LEAVE.** Members not physically or medically qualified to perform their duties could be eligible to be placed on sick leave as provided for in the City Code. The Chief reserves the right to determine whether or not members meet the requirements of the ordinance, and whether or not members have submitted the timely and complete documentation required to qualify for paid sick leave.

Members requesting sick leave must notify their immediate supervisor directly, and no later than one hour before their shift begins. Members returning from sick leave must notify their immediate supervisor directly, and no later than one hour before their shift begins.

**Section 25.7 SICK AND INJURY LEAVE REQUIREMENTS.** Members on sick or injury leave are not to leave their residence on any scheduled on-duty date during such leave. Members required to leave their residence to visit their personal physician, a department physician, or for any other justifiable reason, are to notify their immediate supervisor of their anticipated whereabouts prior to their leaving.

The Chief reserves the right to order a department representative or physician to investigate a member's use of sick leave, including requesting additional medical information or ordering a fitness for duty evaluation, if there is an objective basis to do so, and it is because of a business necessity, and is job-related. The MFD Chief Medical Officer has the authority to order members who are on sick or injury leave to return to duty.

Members on sick or injury leave as of Friday of one week who have not returned to duty by the following Tuesday, must report to Administration on each Tuesday that falls on what would be a duty day, for the duration of such sick or injury leave. Members who are not ambulatory, have a conflicting medical appointment elsewhere at that time, or are hospitalized, are to contact the Assistant Chief of the Support Bureau prior to the reportable Tuesday and explain the situation. Members with a conflicting appointment may be asked to appear in Administration after said appointment with a medical certificate denoting appointment.

Members are not permitted to engage in any outside employment on their scheduled duty day(s) while on sick or injury leave nor any off-days in between if on an extended continuous leave of more than one work shift.

**Section 25.8 MEDICAL CERTIFICATE.** Members are required to abide by City Ordinance, labor contracts if applicable, and current reporting requirements as established and published by the Chief.



## RULE 26

## CHARGES, TRIALS, AND APPEALS

**Section 26.1 INVESTIGATION PRIOR TO CHARGES.** The Chief or his/her designee may call for an investigation of potential violation of laws, ordinances, MFD Code of Conduct, rules, regulations, notices, orders, etc., involving any member at any time.

**Section 26.2 ADMINISTRATIVE SUSPENSION WITH PAY.** If the nature of the alleged offense is such that in the judgment of the Chief, it is in the best interest of the department that the offending sworn member not be permitted to remain on duty, such offending member may be immediately placed on Administrative Suspension with Pay. (It is desirable to have one or more witnesses present for the notice of suspension.)

Members on an Administrative Suspension with Pay are required to remain in their residence on their assigned shift days.

**Section 26.3 STATUS OF SUSPENDED MEMBER.** Members of the department, when officially notified of suspension (whether paid or unpaid suspension), are considered detached from their company, battalion, and division, and are carried under the jurisdiction of the Administration Division.

**Section 26.4 MEMBERS NOT TO SEEK SPECIAL CONSIDERATION.** Department members, particularly department officers, when acting in their official capacity, are not to post bail money or appearance bonds for members detained by any law enforcement authority, nor seek special consideration for or intercede on behalf of members in the custody of such authority.

**Section 26.5 CHARGES.** Charges may be preferred by the Chief when information is received that any member is reasonably believed to have violated laws, ordinances, the MFD Code of Conduct, rules, regulations, notices, orders, and etcetera.

**Section 26.6 CONTENTS OF CHARGES.** Charges, on the proper form, are to state the law, ordinance, the MFD Code of Conduct section, rule, regulation, notice, order, direction, or other matter which is alleged to have been violated, giving the number and section whenever possible. Charges are to contain a brief description of the act(s) and circumstance(s) upon which they are based, or the alleged act(s) and circumstance(s).

Consistent with the MFD Code of Conduct, known or suspected violations are to be reported to the Assistant Chief of the Support Bureau immediately upon witnessing, or being made aware of the violations.

**Section 26.7 RESPONSE TO CHARGES.** Members who have been served with charges may within seven calendar days submit their written response to the Chief for consideration.

The Chief may, at his/her discretion, refer charges to a Board of Investigation or may make a final determination based upon the written submission of the member. The Chief may, in his/her discretion, meet with the member before making a final determination if the member requests a meeting.

If the matter is referred to a Board of Investigation, that Board will have the authority to make a complete investigation, call witnesses, and furnish a written report of its findings to the Chief. The findings are to set forth what evidence, if any, supports the charges.

If called before the Board, the charged member may have a department member or union board member as an advisor. People not affiliated with the department are not permitted at the investigation, unless asked to appear as witnesses.

The proceedings of the Board of Investigation may be recorded. If the proceedings are recorded, the information so obtained may be used by the Chief in further reviews of misconduct.

**Section 26.8 FINAL DETERMINATION OF CHIEF.** If the Chief determines that members violated a law, ordinance, the MFD Code of Conduct, rule, regulation, notice, order, etc., the Chief may impose discipline or discharge deemed reasonably consistent with Rules and Regulations of the Board of Fire and Police Commissioners and Wisconsin State Statutes.

**Section 26.9 RIGHT OF APPEAL.** Non-probationary members disciplined by the Chief for more than two (2) work days [if on a 24-hour platoon schedule] or more than five (5) work days [if on an 8-hour work schedule], discharged from the department, or demoted, have the right to appeal to the Board of Fire and Police Commissioners in accordance with the Rules and Regulations of said Board and Wisconsin State Statutes.

Rule 27

## RULE 27



### APPOINTMENTS AND PROMOTIONS

**Section 27.1 APPOINTMENTS AND PROMOTIONS.** Appointments and promotions are to be made by the Chief in accordance with the Rules and Regulations of the Board of Fire and Police Commissioners and Wisconsin State Statutes.

Except for positions which have been declared exempt from competitive examination, or in cases where the Board of Fire and Police Commissioners has suspended its Rules and Regulations, appointments and promotions are to be made from eligible lists established by said Board, following an examination as specified by the Board.



RULE 28

GRIEVANCE PROCEDURE

**Section 28.1 GRIEVANCE PROCEDURE.** A formal grievance procedure has been established within the department, which can be invoked to settle grievances or disagreements among members. All members, including officers, are to make every effort to settle grievances and disagreements at the lowest level, within the framework of the existing procedure, and consistent with the requirements of all governing legislations, rules, and procedures.

## DEFINITIONS

- ABSENCE - Not in attendance during a member's required duty hours.
- ACTING - A member of lower rank, authorized or directed to assume the authority and responsibility of a higher rank.
- ALARM - A response made by a company/unit of the department to provide service.
- APPARATUS - A 'heavy' vehicle (usually other than of personal size), to include but not be limited to an engine, truck, the incident command post, or the fireboat.
- ASSIGNMENT - A designated work location or position, temporary or permanent.
- BATTALION - A group of firehouses and companies under the command of a Battalion Chief.
- BOARD - Board of Fire and Police Commissioners.
- BOARD OF INVESTIGATION - A formal board, consisting of up to three Chief officers convened for the purpose of gathering information relative to an accident, or the alleged violation of rules.
- BUREAU - The highest group-level of the organization.
- CHAIN-OF-COMMAND - The succession of command from firefighter to the Chief.
- CHARGES - Formal detailed documentation alleging a violation.
- CHIEF - Highest ranking officer.
- CHIEF OFFICER - Sworn member possessing the rank of Battalion Chief or above.
- COMPANY - A group of members in the Firefighting Division, assigned to an apparatus, under the direction of one officer.
- COMPANY DUES - Payments by individual members in a firehouse to pay for personal-expense items used in the firehouse that are not purchased with department funds.
- CUSTODY - Responsibility for, and control of department property.

DEPARTMENT PROPERTY	-	Any item purchased with department funding; any record or report written in conjunction within the scope of employment.
DETAIL	-	An order to perform a specific function, or to report to a particular firehouse/position.
DUTY	-	Specific work required to be performed, either implied or by order.
EMPLOYMENT	-	As defined in Section 101.01 of the Wisconsin State Statutes.
EQUIPMENT	-	Tools used to perform duties.
GREATER ALARM	-	A second, third, fourth, or fifth alarm.
IMMEDIATE SUPERVISOR	-	First level of supervision above a position.
JOB DESCRIPTION	-	The outline of the requirements, duties, and responsibilities of a particular title and/or position.
LAW	-	Any legal regulation.
LEAVE OF ABSENCE	-	Authorized unpaid time off.
MEMBER	-	Any individual on the payroll of the department.
NUMBERED NOTICE	-	A written statement of department policy issued by the Chief, having the effect of a rule.
OFFICER	-	A member who has direct or indirect supervision over any other member or members.
ORDER	-	A directive given to a sworn member.
ORDINANCE	-	Legislation adopted by the Common Council.
POSITION	-	Actual location, or members' "place" in the department.
PROCEDURE	-	Process by which an activity or duty is performed.
RANK	-	Defines level of hierarchy.

RECORD/REPORT	-	An entry in official documentation of the department; an entry of any kind relative to department business; or a verbal statement relative to department business.
RESPONSIBILITY	-	That for which a member is accountable or liable.
RULES AND REGULATIONS	-	Policy, having the effect of law, as prescribed by the Fire Chief or any other governing agency.
SHIFT	-	Defines work schedule.
SICK LEAVE	-	A paid benefit requiring approval for an absence from duty due to illness.
STATUTE	-	A law of the State of Wisconsin.
SUBORDINATE	-	A member lesser in rank to another member.
SUSPENSION	-	A temporary restriction from duty due to an investigation of a violation of rules, or for disciplinary purposes.
TRANSFER	-	Change in assignment.
UNIFORM	-	Items required for wear.
WATCH DUTY	-	An assignment that includes monitoring communication equipment and taking appropriate action based on said communication.