



# IDYLLWILD FIRE

## IDYLLWILD FIRE PROTECTION DISTRICT

**POLICY TITLE:** Separation from District Employment  
**POLICY NUMBER:** 2200

**2200.1** Resignation. To leave District service in good standing, an employee must file a written notice of resignation with the Fire Chief at least two weeks before the effective date. The Fire Chief may, however, grant good standing with less notice if he/she determines the circumstances warrant. Resignations may not be withdrawn without the Fire Chief's approval.

**2200.2** Layoffs. Whenever, in the judgment of the District Board of Commissioners, it becomes necessary, due to the lack of work, lack of funds, or other economic reason, or because the necessity for a position no longer exists, the Board of Commissioners shall designate a Committee to meet with the Fire Chief and ICFA to research and determine alternate forms of financial reduction prior to any decision being made as to personnel reductions. Should it become necessary through lack of funds, or for other acceptable reasons to reduce the number of employees within the bargaining unit, the Fire Chief shall give at least two weeks advance written notice to the Board of Commissioners and the ICFA of the number of positions involved. The Board of Commissioners shall thereupon designate the order of layoff(s) in accordance with this language, and the Fire Chief shall process the necessary personnel actions. Emergency, temporary, part time, trainee, and extra - help employees shall be laid off in that order prior to the layoff of any regular full - time safety employees. The order of layoff shall thereafter be determined by the following process:

**2200.2.1** Layoffs are made in order of seniority starting with the members with least seniority being laid off first, until the required reduction is affected.

**2200.2.2** When two or more members with the same seniority are to be considered in layoffs, the order shall be determined by the placement on the hiring list from which they were selected, i.e. the highest ranking candidate would have seniority over the lesser ranking candidate.

**2200.2.3** This procedure shall continue until required reductions have been made..

**2200.2.3.1** Any employee laid off under this rule shall have the right for one and one half (1 1/2) years to be re -employed upon the first vacancy occurring in the department at the rank at which they held when laid off or at a lesser rank if that is the only opening, provided he/she possesses the minimum requirements of knowledge, skill and experience for such vacancy and such right shall take precedence over the regular employment or promotion lists. In the event more than one employee was so laid off, the rights to re-employment shall be in the order of seniority in said rank before layoff. In the event two or more employees within the same rank are determined to be equal in seniority, the order of reduction shall be determined by the placement on the promotional

list from which They were selected, i.e. the highest ranking candidate would have seniority over the lesser ranking candidate.

- 2200.2.5** The names of persons laid off or demoted in accordance with this policy shall be entered upon a re-employment list. The re-employment list shall be used by the Fire Chief when a vacancy arises in the same or lower position before certification is made from an eligibility list.
- 2200.2.6** Names of persons laid off shall be carried on the re-employment list for one year, except that persons appointed to tenured positions of the same level as that from which they were laid off, shall upon such appointment, be removed from the list. Persons who refuse re-employment shall be removed from the list. Persons re-employed in a lower position in the same classification, or on a temporary basis, shall be continued on the list for the higher position for one year. At the discretion of the Fire Chief, the list may be extended for an additional year.
- 2200.3** Dismissal of Regular Employees. A regular employee may be dismissed at any time by the Fire Chief for cause, and after consulting with District Legal Counsel.

**2200.3.1** The following shall constitute sufficient cause for dismissal:

**2200.3.1.1** Conviction of a felony;

**2200.3.1.2** Fraud in securing employment;

**2250.3.1.3** Misappropriation of District funds or property;

**2200.3.1.4** Intentional or gross misconduct; and,

**2200.3.1.5** Failure to respond or improve regarding an item specified in ¶2260.2, "Grounds for Discipline", of Policy No.2260, "Disciplinary Action", after an evaluation or corrective action plan has failed to produce an improvement to performance.

**2200.3.1.6** Incapacity due to mental or permanent physical disability rendering the employee unable to perform job duties.

**2200.3.1.7** Severe physical or mental disability.

**2200.3.2** A probationary employee may be terminated at any time during a probationary period without right of appeal or hearing. In case of such termination, the Fire Chief shall notify the probationary employee in writing that he/she is being separated from District service.

**2200.3.3** Dismissal of the Fire Chief shall be as outlined in the employment agreement between the Fire Chief and the District.

**2200.4** Notice of Dismissal. All regular employees shall be provided with a notice of dismissal. This notice shall be prepared by the Fire Chief after consultation with District Counsel and shall contain the following:

**2200.4.1** A description of the proposed action and its effective date or dates, and in the case of a tenured employee, the ordinance, regulation or rule violated;

- 2200.4.2** A statement of the acts or omissions upon which the action is based;
- 2200.4.3** A statement that a copy of the materials upon which the action is based are attached or available for inspection upon request; and,
- 2200.4.4** In the case of a regular employee, a statement advising the employee of the right to file an appeal as provided in ¶2200.5 of this policy.

**2200.5** Procedures for Disciplinary Action and Dismissal of Regular Employees.

**2200.5.1** A regular employee may, upon receipt of a notice of dismissal or disciplinary action, appeal in writing to the Fire Chief within five working days of the date of the notification. The Fire Chief shall then schedule an informal hearing at which the employee may answer the charges against him/her, present any mitigating evidence, or otherwise respond to the notice of dismissal. The hearing guidelines and format shall be available upon request. The Fire Chief shall issue his/her opinion and decision within ten working days of the hearing and may, if the Fire Chief finds that the dismissal was not justified, he/she may order a less severe disciplinary action, or may order the employee reinstated with full back pay and benefits.

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Clerk of the Board