

PHOENIX FIRE DEPARTMENT

VOLUME 1 – Operations Manual

REMOVING DOCUMENTATION FROM PERSONNEL FILES

MP105.11 04/06 – 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 or may not become a permanent part of the member's Personnel/District 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.

This procedure shall pertain to documentation such as Letters of Counseling, Written Reprimand, Interview Records of Unsatisfactory Performance or other documentation initiated in order to correct minor occurrences of misconduct or poor performance.

When a supervisor has determined that documentation should be placed in a member's personnel file, the supervisor may use one of several methods of documenting the incident or occurrence (see MP 102.05). The length of time the document is to remain a part of the member's file will be determined by the supervisor, and a date for petition 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 Personnel Control Officer (Battalion Chief/Section Head for District/Section files) 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/ section head will be consulted by the Personnel Control 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.

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 decision will be made based on the criteria previously described.

Separation notices (suspensions) of 80 hours or less may be petitioned in the same manner described above, providing a minimum of ten (10) years has passed since the occurrence. This 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