



NAPA CITY FIRE DEPARTMENT



FIREFIGHTER & FIREFIGHTER/PARAMEDIC APPLICANT DISQUALIFICATION POLICY

I. PURPOSE

The City and Fire Department have a very strong commitment to equal employment opportunity and prohibitions against unfair employment practices under Title VII (41 U.S. Code 2000e), the Americans With Disabilities Act (42 U.S. Code 12112), the State Unruh Civil Rights Act (Government Code Section 12940) and other applicable fair employment practices as outlined in the California Labor Code.

The following standards have been adopted by the Napa City Fire Department as a prima facie disqualification for Firefighter and Firefighter/Paramedic applicants:

II. STANDARDS POLICY

1. Operation of a Motor Vehicle

Ability to possess a valid California Driver's License. Ability to drive safely. Ability to control and operate large fire apparatus. Ability to operate a motor vehicle in all types of weather conditions.

- A. Receipt of two or more moving violations within three years prior to application may be disqualifying. Moving violations for which there is a factual finding of innocence shall not be included.
- B. Involvement as a driver in two or more chargeable collisions within three years prior to date of application may be disqualifying.
- C. Conviction of driving under the influence of alcohol and/or drugs within four years prior to application or any two convictions of driving under the influence of alcohol and/or drugs **shall be** disqualifying.
- D. Suspension of driver's license two or more times within the past five years **shall be** disqualifying.

2. Integrity

Refusing to yield to temptation of bribes, gratuities, payoff, etc. Refusing to tolerate unethical or illegal conduct on the part of other fire personnel. Showing strong moral character and integrity in dealing with the public. Being honest in dealing with the public.

- A. Any material misstatement of fact or significant admission during the application or background process **shall be** disqualifying, including inconsistent statements made during the initial background interview (Personal History Statement) and polygraph examination or between this background investigation and other investigations conducted by other law enforcement agencies **shall be** disqualifying.
- B. Any forgery or alteration of official employment application documents or sustained episodes of academic cheating **shall be** disqualifying.

3. Credibility As A Witness In A Court of Law

Ability to give testimony in a court of law without being subject in impeachment due to his/her character for honesty or veracity (or their opposites) or due to prior felony conviction.

- A. Conviction of any offense classified as a misdemeanor under California Law within three years prior to application may be disqualifying.
- B. Conviction of two or more misdemeanor offenses under California Law as an adult may be disqualifying.
- C. Commission of any act amounting to a felony under California Law as an adult within 5 years prior to application **shall be** disqualifying, such as:
 - Theft from an employer (ex., taking medical supplies from an employer)
 - Performing medical procedures outside of your scope of employment (ex., starting an intravenous line on a friend, family member, or co-worker)
- D. Commission of any act of domestic violence as an adult may be disqualifying.
- E. Commission of any criminal act, whether misdemeanor or felony, committed against children, including, but not limited to: molesting or annoying children, child abduction, child abuse, lewd and lascivious acts with a child, indecent exposure **shall be** disqualifying. Except: acts of consensual unlawful intercourse accomplished between two minors shall not be included, unless more than 4 years' difference in age existed at the time of the acts.

4. Dependability

Having the habit of submitting reports on time, not malingering at calls, well-motivated, dependable and follows through on assignments. Taking the extra effort required to be accurate in all details of work. Willingness to turn in the hours needed to complete a job.

- A. Missing any scheduled appointment during the process without prior permission **shall be** disqualifying.
- B. Having been disciplined by any employer as an adult for gross abuse of leave, gross insubordination, dereliction of duty or persistent failure to follow established policies and regulations **shall be** disqualifying.
- C. Having been involuntarily dismissed (for reasons other than lay-off) from two or more employers as an adult **shall be** disqualifying.
- D. Having undergone personal bankruptcy more than once; having current financial obligations for which legal judgments have not been satisfied or; currently having wages garnished may be disqualifying.
- E. History of poor credit may be disqualifying.
- F. Resigning from any paid position without notice may be disqualifying.
- G. Having any outstanding warrant of arrest at time of application **shall be** disqualifying.

5. Interpersonal Sensitivity

Resolving problems in a way that shows some sensitivity for the feelings of people. Showing empathy in working with people. Effective in dealing with people without arousing antagonism. Understanding the motives of people.

- A. Having been disciplined by any employer for acts constituting racial, ethnic or sexual harassment **shall be** disqualifying.
- B. During this process, uttering any epithet derogatory of another person's race, religion, gender, national origin or sexual orientation **shall be** disqualifying.
- C. Having been disciplined by any employer as an adult for fighting in the workplace **shall be** disqualifying.

III. ILLEGAL USE OR POSSESSION OF DRUGS

Note: For the purpose of the section, an adult is defined as someone 18 years of age or older.

1. The following types of illegal drug use or possession will be **considered automatic disqualification** in the pre-employment selection process for fire personnel, **with no exceptions**:
 - A. Any adult use of a drug classified as a hallucinogenic or intravenous drug use is an automatic disqualification.
 - B. Any adult use or possession of marijuana within 3 years prior to application for employment.
 - C. Any other illegal adult use or possession of a drug not mentioned above (including cocaine) within 5 years prior to application for employment.
 - D. Any adult manufacture or cultivation of a drug.
 - E. Failure to divulge to the fire department during the background investigation any information about personal illegal use or possession of drugs.
2. The disqualification of a candidate for the following types of illegal drug use or possession will be considered in relationship to the overall background of that individual:
 - A. Any illegal juvenile use or possession of a drug.
 - B. Any illegal adult use or possession of a drug that does not meet the criteria of automatic disqualification specified above; e.g. marijuana use longer than 3 years ago or cocaine use longer than 5 years ago.
3. All the information obtained during a background investigation is confidential and will not be released to the candidates or others.

If you have any questions regarding the above standards, please contact the Fire Department at (707) 257-9593 to discuss with the appropriate staff.

I have read and understand the Napa City Fire Department Firefighter-Firefighter/Paramedic Disqualification Policy. I meet all of the department standards as listed.

Name (Printed)

Date

Name (Signature)

The signed copy must be presented to the oral board for those applicants that meet the department standard.