

Oath of Office

102.1 PURPOSE AND SCOPE

The purpose of this policy is to ensure that oaths, when appropriate or required, are administered to Department members in the correct form and are filed per the requirements of Michigan law (MCL 15.151; MCL 28.602).

102.2 POLICY

It is the policy of the Lansing Fire Department that, when appropriate or required, Department members affirm the oath of their office as an expression of commitment to the constitutional rights of those served by the Department and the dedication of its members to their duties (MCL 28.602).

102.3 OATH OF OFFICE

All sworn or appointed personnel shall take and subscribe to the oath prescribed by law (MCL 15.151) and City of Lansing Charter, Chapter 4 303.4.

The form of the oath shall be as follows:

I do solemnly swear (or affirm) that I will support the Constitution of the United States and the Constitution of the State of Michigan, and that I will faithfully discharge the duties of the office of Lansing Fire Fighter, according to the best of my ability.

When a person to be sworn has conscientious scruples against taking an oath, he/she shall be permitted to be affirmed. The words of the affirmation shall be the same as the words of the prescribed oath, except that the word "affirm" shall be substituted for the word "swear."

102.4 MAINTENANCE OF RECORDS

The oath of office shall be filed with the City clerk or other specified clerk as prescribed by law or shall be filed in accordance with the established records retention schedule.

Policy Manual

103.1 PURPOSE AND SCOPE

The Policy Manual of the Lansing Fire Department is hereby established and shall be referred to as the Policy Manual or the manual. The manual is a statement of the current policies, rules and guidelines of this Department. All members are expected to conform to the provisions of this manual.

All prior and existing policies, manuals, orders and regulations that are in conflict with this manual are revoked, except to the extent that portions of the existing manuals, procedures, orders and other regulations that have not been included herein shall remain in effect where they do not conflict with the provisions of this manual.

103.2 POLICY

Except where otherwise expressly stated, the provisions of this manual shall be considered as guidelines. It is recognized that fire and rescue work is not always predictable and circumstances may arise that warrant departure from these guidelines. It is the intent of this manual to be viewed using an objective standard, taking into consideration the sound discretion entrusted to the members of this Department under the circumstances reasonably available at the time of any incident.

103.2.1 DISCLAIMER

The provisions contained in the Policy Manual are not intended to create an employment contract nor any employment rights or entitlements. The policies contained within this manual are for the internal use of the Lansing Fire Department and shall not be construed to create a higher standard or duty of care for civil or criminal liability against the City, its officials or members. Violations of any provision of any policy contained within this manual shall only form the basis for Department administrative action, training or discipline. The Lansing Fire Department reserves the right to revise any policy content, in whole or in part.

103.2.2 SEVERABILITY

In the event that any term or provision of this Policy Manual is declared illegal, invalid or unenforceable by any court or any federal or state government agency, the remaining terms and provisions that are not affected shall remain in full force and effect. If any provision of the Policy Manual is found to be in conflict with a local, state or federal law, City policy or collective bargaining agreement, such law, City policy or collective bargaining agreement shall take precedence over that provision of the Policy Manual.

In the event that any of the terms or provisions of the Policy Manual are determined to conflict with any portion of a collective bargaining agreement, the Department will seek to resolve the conflict.

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103.3 AUTHORITY

The Fire Chief shall be considered the ultimate authority for the content and adoption of the provisions of this manual and shall ensure compliance with all applicable federal, state and local laws. The Fire Chief or the authorized designee is authorized to issue Special Directives, which shall modify those provisions of the manual to which they pertain. Special Directives shall remain in effect until such time as they may be permanently incorporated into the manual.

103.4 DEFINITIONS

The following words and terms shall have these assigned meanings throughout the Policy Manual, unless it is apparent from the content that they have a different meaning:

Adult - Any person 18 years of age or older.

City - The City of Lansing.

Civilian - Employees and volunteers who are not sworn nor engage in fire suppression as part of their primary duties.

Department/LFD - The Lansing Fire Department.

Employee - Any person employed by the Department.

Fire Code - The Michigan Fire Prevention Code and the most currently adopted version fire code as amended and adopted by the City of Lansing codified ordinances Chapter 16 (MCL 29.1 et seq.; Mich. Admin. Code, R 29.1652).

Health and Safety Officer - Members designated by the Fire Chief as responsible for the administration of health and safety-related programs and policies for the Lansing Fire Department. The Fire Chief shall assume responsibility for health and safety-related policy and program administration if there is no designee.

Manual - The Lansing Fire Department Policy Manual.

May - Indicates a permissive, discretionary or conditional action.

Member - Any person employed by the Lansing Fire Department, including:

- Full- and part-time employees
- Sworn firefighters
- Civilian employees

On-duty - Member status during the period when he/she is actually engaged in the performance of his/her assigned duties.

Order - A written or verbal instruction issued by a superior.

Rank - The title of the classification held by a firefighter.

Shall or will - Indicates a mandatory action.

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Should - Indicates a generally required or expected action, absent a rational basis for failing to conform.

Supervisor - A person in a position of authority regarding hiring, transfer, suspension, promotion, discharge, assignment, reward or discipline of other Department members, directing the work of other members or having the authority to adjust grievances. The supervisory exercise of authority may not be merely routine or clerical in nature but requires the use of independent judgment.

The term "supervisor" may also include any person (e.g., firefighter-in-charge, lead or senior worker) given responsibility for the direction of the work of others without regard to a formal job title, rank or compensation.

103.5 DISTRIBUTION OF THE POLICY MANUAL

No changes shall be made to the manual without authorization from the Fire Chief or the authorized designee.

Each member shall acknowledge that he/she has been provided access to, and has had the opportunity to review, the Policy Manual and Special Directives. Members shall seek clarification as needed from an appropriate supervisor for any provisions that they do not fully understand.

103.6 PERIODIC REVIEW OF THE POLICY MANUAL

The Fire Chief will ensure that the Policy Manual is periodically reviewed and updated as necessary.

103.7 REVISIONS TO POLICIES

All revisions to the Policy Manual will be provided to each member on or before the date the policy becomes effective. Each member will be required to acknowledge that he/she has reviewed the revisions and shall seek clarification from an appropriate supervisor as needed.

Members are responsible for keeping informed of all Policy Manual revisions.

Each Division Chief and Captain will ensure that members under his/her command are aware of any Policy Manual revision.

All Department members suggesting revision of the contents of the Policy Manual shall forward their written suggestions to their supervisors, who will consider the recommendations and forward them to the command staff as appropriate.