

Liability Claims

205.1 PURPOSE AND SCOPE

Best Practice

This policy provides guidelines for the management of all claims, including personal injury and property loss or damage, filed against the Department.

205.2 POLICY

Best Practice

It is the policy of this Department to evaluate and resolve claims in a timely manner, as appropriate.

205.3 RESPONSIBILITY

Best Practice **MODIFIED**

Any member of this Department who becomes aware of any potential for a claim or lawsuit, or who receives a formal written claim against the Department, shall forward the information to the Assistant Chief or Fire Chief as soon as practicable. All claims shall be referred to the Office of the City Attorney.

205.4 RESPONSE TO CLAIMS

State **MODIFIED**

The City Attorney will investigate all claims for money or damages received and will resolve claims as appropriate and within guidelines approved by the Fire Chief and the Department's governing body.

The City Attorney should ensure the claim is accepted or rejected. Notice of acceptance or rejection should be given to the claimant in writing and in compliance with state law. If a claim is rejected because it was filed late, the notice should state that the claim was returned as untimely.

See attachment: Claim Form - Property Damage and Personal Injury (PDF).pdf

See attachment: Claims Review Committee Form (PDF).pdf

Attachments

Claim Form - Property Damage and Personal Injury (PDF).pdf



City of Lansing

OFFICE OF THE CITY ATTORNEY

CLAIM FORM - PROPERTY DAMAGE OR PERSONAL INJURY

NAME: _____ DATE: _____
MAILING ADDRESS (No PO Boxes): _____ EMAIL: _____
CITY: _____ STATE: _____ ZIP CODE: _____
TELEPHONE: Home () _____ Work () _____
DATE/TIME OF INCIDENT: _____ AMOUNT OF CLAIM: _____
ADDRESS OR PLACE WHERE INCIDENT OCCURRED: _____
CIRCUMSTANCES (attach additional page(s) if necessary): _____

For Personal Injuries, Please Fill out This Section

EXTENT OF INJURIES (attach additional page(s) if necessary): _____

Did you seek medical treatment? _____ Place of treatment: _____

Mode of transportation: _____ Police/Fire Dept involved? _____ Report #: _____

Are you being seen by a physician? _____ Physician's name: _____

Are you seeking medical reimbursement? _____ Amount: \$ _____ (please attach statements)

Please provide names, addresses, telephone numbers of any witnesses (attach additional page(s) if necessary): _____

Claim(s) against any other party(ies)? _____ If so, please name: _____

For Property Damage/Automobile Damage, Please Fill out This Section

Note: Please attach two estimates for the damage and include the declaration page from your insurance policy.

Have you filed a claim with your insurance company? _____ Amount of deductible _____

Name of Insurance company _____ Agent's name _____

Attach insurance company response.

Please provide names, addresses, telephone numbers of any witnesses (attach additional page(s) if necessary): _____

Return Completed Form to : Office of the City Attorney, 124 W. Michigan, 5th Floor, Lansing, MI 48933

Claims Review Committee Form (PDF).pdf



City of Lansing

OFFICE OF THE CITY ATTORNEY

Claims Review Committee Form

(Commonly including: Grass, Trash, Weeds and Board-Up Violations)

NAME: _____ DATE: _____

MAILING ADDRESS: _____ EMAIL: _____

CITY: _____ STATE: _____ ZIP CODE: _____

TELEPHONE: Home () _____ Work () _____

Please provide the following information on the incident(s) for which you are filing a claim. WE MAY NOT BE ABLE TO PROCESS YOUR CLAIM IF YOU DO NOT PROVIDE ALL OF THE INFORMATION BELOW.

ADDRESS: _____ PARCEL NO. _____

DATE OF INCIDENT: _____ AMOUNT YOU WERE BILLED: _____

TOTAL AMOUNT YOU ARE CONTESTING: _____

TYPE OF ASSESMENT: _____

Please give a detailed description of the circumstances surrounding the incident, including why you feel the City should not have charged you this fee. You may attach additional pages or documentation to this form as needed.

A description of the claims review process is available on our website at: <https://www.lansingmi.gov/211/Claims-Against-Lansing>

Electronic Mail

206.1 PURPOSE AND SCOPE

Best Practice

The purpose of this policy is to establish guidelines for the proper use and application of the electronic mail (email) system provided by the Department.

206.2 POLICY

State **MODIFIED**

Lansing Fire Department members shall use email in a professional manner in accordance with this policy, local City rules, and the Michigan Freedom of Information Act (FOIA). LFD members are expected to monitor their email accounts at least once a day while on duty.

206.3 PRIVACY EXPECTATION

Best Practice

Members forfeit any expectation of privacy with regard to emails or anything published, shared, transmitted, or maintained through file-sharing software or any internet site that is accessed, transmitted, received, or reviewed on any Department technology system.

The Department reserves the right to access, audit, and disclose, for whatever reason, any message, including attachments, and any information accessed, transmitted, received, or reviewed over any technology that is issued or maintained by the Department, including the Department email system, computer network, or any information placed into storage on any Department system or device. This includes records of all keystrokes or web-browsing history made at any Department computer or over any Department network. The fact that access to a database, service, or website requires a username or password will not create an expectation of privacy if it is accessed through Department computers, electronic devices, or networks.

206.4 RESTRICTED USE

Best Practice

Messages transmitted over the email system are restricted to official business activities, or shall only contain information that is essential for the accomplishment of business-related tasks or for communications that are directly related to the business, administration, or practices of the Department.

Sending derogatory, defamatory, obscene, disrespectful, sexually suggestive, harassing, or any other inappropriate messages on the email system is prohibited and may result in discipline.

Email messages addressed to the entire Department are only to be used for official business-related items that are of particular interest to all users. In the event that a member has questions about sending a particular email communication, the member should seek prior approval from his/her supervisor.

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Electronic Mail

It is a violation of this policy to transmit a message under another member's name or email address or to use the password of another to log into the system unless directed to do so by a supervisor. Members are required to log off the network or secure the workstation when the computer is unattended. This added security measure will minimize the potential misuse of a member's email, name, or password.

206.5 EMAIL RECORD MANAGEMENT

State

Email may, depending upon the individual content, be a public record under the Michigan FOIA and must be managed in accordance with the established records retention schedule and in compliance with state law.

The Custodian of Records and Freedom of Information Act coordinator shall ensure that email messages are retained and recoverable as outlined in the Records Management Policy (MCL 15.232).

Administrative Communications

207.1 PURPOSE AND SCOPE

Discretionary **MODIFIED**

The purpose of this policy is to establish guidelines, format, and authority levels for the various types of administrative communication documents in existence within the Department.

207.2 POLICY

Discretionary

It shall be the policy of the Lansing Fire Department to control the use of the name of the Department and the use of letterhead, and to ensure that official administrative communications follow a specific format and are released only by persons with the authority to do so.

207.3 PERSONNEL ORDERS

Discretionary

Personnel orders may be issued periodically by the Fire Chief to announce and document promotions, transfers, hiring of new personnel, separations, personnel and group commendations, or other changes in status.

207.4 CORRESPONDENCE

Discretionary **MODIFIED**

In order to ensure that the letterhead and name of the Department are not misused, all external correspondence shall be on Department letterhead.

All Department letterhead shall bear the actual signature of an authorized signer. Members of the Department may use letterhead only for official business and with approval of their supervisor.

207.5 MEMORANDUMS

Discretionary

Memorandums are a necessary and important component of effective operations at all levels of the Department. For the purposes of clarity and to ensure appropriate distribution of written communications, all memorandums between Department members shall utilize a standardized format.

Memorandums typically are used to memorialize and/or summarize communication and facts. Memorandums can be generated by a supervisor and sent to subordinates or a group of subordinates to give direction, clarify a policy decision or request an action by another division. A memorandum also may be written by line-level members to communicate information. If the recipient is of higher rank than the member's immediate supervisor or is outside the Department, the information should be approved by the proper chain of command before being forwarded to the recipient.

Recommendations for a standardized Department memorandum format include:

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Administrative Communications

- A standard heading, including the name of the Department.
- The date of the memorandum.
- The intended recipient of the memorandum.
- The name, rank and division of the Department member creating the memorandum.
- A brief statement of the subject of the memorandum.

207.6 FACSIMILE COVER SHEETS

Discretionary

All outgoing facsimile transmissions should include a standard Department cover sheet as the first page of the transmission. The name of the member sending the facsimile should be clearly printed on the cover sheet along with all other pertinent information.

207.7 SURVEYS

Discretionary

All surveys made in the name of the Department shall be authorized by the Fire Chief or the authorized designee.

Minimum Staffing Levels

208.1 PURPOSE AND SCOPE

State

The purpose of this policy is to establish guidelines for unit staffing levels based on daily operational needs, and unique local or regional circumstances, consistent with any collective bargaining agreement and Michigan law (MCL 333.20921).

Staffing levels may be established through adopted Standards of Cover or at levels approved by the Authority Having Jurisdiction (AHJ), the Fire Chief and any collective bargaining agreement or protocols of the local medical authority.

208.1.1 DEFINITIONS

Discretionary **MODIFIED**

Definitions related to this policy include:

Qualified - Any member who has satisfactorily met the requirements for the position (e.g., engineer, Captain), either through promotional process or a training program approved by the Department.

Out of class assignment (also known as acting assignment) - Any situation in which a member of the Department functions in a rank above his/her normal position description and job duties.

208.2 POLICY

Discretionary

The Department balances the member's needs and wishes with the need to have flexibility and discretion in using personnel to meet operational needs. While balance is desirable, the principle concern is the need to meet the operational requirements of the Department.

208.3 OUT OF CLASS ASSIGNMENTS AND SUPERVISION

Discretionary **MODIFIED**

In order to accommodate operational flexibility and other unforeseen circumstances, any firefighter or an engineer, if qualified, may be used as a Captain for a limited time consistent with any existing and applicable collective bargaining agreement.

With prior authorization from the Division Chief or the authorized designee, a qualified Captain may act as the Battalion Chief for a limited time.

Decisions regarding supervision should result in each firefighter and engineer being supervised by a single Captain or acting Captain. Each Captain should be supervised by a Battalion Chief or an acting Battalion Chief.

Day Division out of class assignments will follow the collective bargaining agreement.

208.4 MINIMUM STAFFING GUIDELINES

State **MODIFIED**

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Minimum Staffing Levels

In order to meet operational needs, the following minimum staffing guidelines should be followed whenever practicable:

- (a) Engine companies should be comprised of a minimum of one Captain, one engineer, and one firefighter.
- (b) Ladder trucks or aerial units should be comprised of a minimum of one Captain, one engineer and one firefighter.
- (c) Rescue squads should be staffed with two firefighters.
- (d) Medic units shall be staffed as prescribed by Michigan law and protocols of the local medical control authority. Ambulances providing patient transport shall be staffed as follows (MCL 333.20921):
 - (a) Ambulances designated as providing basic life support shall be staffed with at least two Emergency Medical Technicians (EMTs).
 - (b) Ambulances designated as providing advanced life support shall be staffed with at least one paramedic and one EMT.

If staffing falls below minimum guideline levels, the Fire Chief or Battalion Chief shall have the authority to call back a sufficient number of personnel to fill vacancies. This includes holding over personnel from a previous shift.

The Captain is responsible for promptly notifying the Battalion Chief in the event that the number of available on-duty personnel falls below the recommended minimum staffing guidelines.

Should a situation arise where an apparatus responds with less than the minimum number of qualified personnel, the officer in charge should notify Ingham Central 911 that the unit is understaffed and request that an additional unit respond, if necessary.