PHOENIX FIRE DEPARTMENT
Volume 1 – Management Procedures

EMPLOYEE DISCIPLINE

M.P. 102.05	**Date Revised:** 11/2026
This policy is for internal use only and does not increase an employee's legal responsibilities or civil liability. It does not create a duty to act or impose a higher standard of care for third-party civil claims against employees, the Phoenix Fire Department (PFD), or the City of Phoenix. If a violation of this policy is proven, it may only result in administrative action by the employer, following the laws and rules governing employee discipline.	
Related Policies: MP 102.05B Complaint Management Process, MP 105.01A Member Services/Member Assistance Program, Personnel Rule 21 Discipline, MP 105.11 Removing Documentation from Personnel Files	

PURPOSE

Employees of the Phoenix Fire Department are expected to maintain a high level of self-discipline and comply with the City of Phoenix Personnel Rules and Administrative Regulations, Fire Department Rules of Conduct (M.P. 102.01), and Departmental Standard Operating Procedures. When employees fail to meet these expectations, supervisors are responsible for taking appropriate action.

This procedure provides guidance for Phoenix Fire Department supervisors on understanding and managing corrective action and disciplinary issues. Any questions regarding employee discipline should be directed to the Department's Human Resources Section.

GENERAL INFORMATION

The Phoenix Fire Department requires supervisors to administer discipline in a corrective, progressive, and lawful manner.

- **Corrective:** Corrective action and/or discipline should help the supervisor and employee understand the reasons for performance or conduct issues, address those issues, and, if possible, restore the employee to a positive and productive status.
- **Progressive:** May start with Coaching or Supervisory Counseling and may escalate to formal discipline, including a written reprimand, suspension without pay, demotion, or dismissal if necessary. Depending on the severity of the offense, any level of discipline may be applied, regardless of prior actions.
- **Lawful:** Disciplinary actions must comply with City Personnel Rules, Administrative Regulations, Departmental Rules of Conduct, the Memorandum of Understanding between the City and the Union, Departmental Standard Operating Procedures, and the employees' constitutional rights.

The primary goal of corrective and disciplinary action is to improve performance, efficiency, and morale within the department. All disciplinary investigations are confidential while they are in process, and supervisors are responsible for maintaining this confidentiality. Media inquiries regarding disciplinary matters must be directed to the Fire Chief or the Chief of Human Resources.

Supervisors should remember that supervisory counseling and all disciplinary actions are reviewed by higher authorities. Formal discipline may be subject to a grievance process or Civil Service Appeal. Before taking disciplinary action, supervisors must seek approval from their superiors and Fire Human Resources and be prepared to justify their decisions in a formal review or appeal.

The Department's Human Resources Section is available to provide guidance and support upon request. Additionally, the Deputy Chief of Training must be notified of any disciplinary action involving a probationary Firefighter or Firefighter Trainee.

Employee Assistance Program

At times, employees may approach supervisors for help with personal issues. In many cases, simply listening and helping them work through their concerns is sufficient. However, when dealing with more serious issues—such as alcohol or drug abuse, stress, marital problems, or financial difficulties- professional assistance may be necessary. The Employee Assistance Program (EAP) is available to provide this support (refer to M.P. 105.01A).

Supervisors should be aware that if an employee's personal issues result in violations of City or Departmental Rules or Policies, disciplinary action may still be required, even if the employee seeks assistance through the EAP.

Union Representation

Employees who are part of a bargaining unit have the right to Union representation during investigations and disciplinary actions if they choose.

When a Union Representative is present, a non-unit supervisor must also be involved. If a second-level supervisor or higher is directly involved in the disciplinary action or investigation of an employee, the employee must be informed of their right to Union representation.

If an employee chooses not to be represented by the Union during an investigation or disciplinary action, their request must be honored and documented.

Legal Representation

Supervisors may allow an employee to have legal counsel present during an administrative interview or disciplinary actions related to alleged criminal activity if an authorized labor group does not represent the employee. The role of legal counsel is strictly advisory, and they may provide guidance to the employees but cannot speak or answer on their behalf. The Department can compel employees to provide information in administrative interviews despite the 5th Amendment because employees are protected by *Garrity* rights.

Programs for Improving Job Performance

In most cases, minor job performance issues can be resolved when the supervisor brings the problem to the employee's attention, and the employee makes the necessary improvements. However, when a serious performance issue arises, the supervisor must determine the best approach to address it. Options include:

- Training
- Employee Assistance Services
- Coaching or Supervisory Counseling
- Disciplinary Action

Each situation is unique, and it is the supervisor's responsibility to work with Human Resources to make the initial determination regarding the most appropriate option.

At the end of the evaluation period, if the issue is determined to be a training deficiency, an improvement plan should be developed.

At the end of the evaluation period:

- If the employee has met performance standards, no additional follow-up is needed.
- If the employee's performance has not improved, the issue should be addressed as a disciplinary matter.

Determining Proper Disciplinary Action

Once an incident or complaint has been thoroughly investigated and the need for disciplinary action is established, the next step is to determine the most appropriate and effective course of action. The following factors must be considered:

- Seriousness of the offense
- Employee's history with the Phoenix Fire Department
- Past disciplinary practices within the Department for similar offenses (*Supervisors may need to consult the Fire Department Human Resource Section for this information*)

Ensuring Consistency

A fair and consistent disciplinary system is essential. While disciplinary actions for similar offenses should be comparable, the final decision must take into account the specific details of the case, considering the factors listed above. Each case is unique and requires an individualized assessment before determining the exact disciplinary action.

Corrective Action

Coaching and Supervisory Counseling

- The least severe form of corrective action. Can be verbal or written.
- Used to notify employees that certain behaviors or performance deficiencies must be corrected to avoid disciplinary action. Addressed from the supervisor to the employee.
- Use a conversational tone, as if the supervisor were speaking directly to the employee.
- Supervisors should document the coaching session with notes for future reference, keeping them in their supervisory file.

- Supervisory Counseling
- Supervisory Counseling is more formal than coaching and is documented in memo form

- Addressed from the supervisor to the employee.
- Summarize the issue, explain the impact, clarify expectations, identify action steps, and request commitment
- Fire Department policy violations may be referenced; however, since a Supervisory Counseling is not subject to a grievance, no direct mention of specific policy numbers can be cited.
- This memo may be placed in the employee's supervisory file for record-keeping.

Formal Discipline

Written Reprimand, Suspension, Demotion, and Termination

Required Elements

- Date of infraction.
- Description of the incident.
- Violation of regulation(s) rule(s), or policy(s). (For Suspension, Demotion, and Termination)
- Future expectations, clearly stated as an objective.
- Disposition of the document (where it will be filed).
- Signatures of both supervisors and the employee.
    - The signature acknowledges receipt and understanding, not necessarily agreement.

Refusal to Sign

- If an employee refuses to sign, the supervisor must obtain a witness signature verifying the refusal.
- The document is still forwarded as required.
- Refusal to sign is not grounds for additional disciplinary action.

Written Reprimand

- Used to document:
    - A repeat offense of a minor infraction.
    - A more serious single infraction that does not warrant suspension, demotion, or dismissal.

Distribution of the Written Reprimand

- Copy of the original → Employee.
- Original→ Fire Human Resources for inclusion in the employee's department and city personnel files.
- If the reprimand involves a probationary firefighter, a photocopy must be sent to the Deputy Chief of Training.

Grievances Related to a Written Reprimand.

- If the employee files a formal grievance, the Department will be represented at the hearing by the appropriate Division Head or a designated representative.

- The Human Resource Section will provide support during the process.
- The review date for possible removal or inactivation of the document from the Department File and Personnel File is found in the current MOU and should be handled per M.P. 105.11 Removing Documentation from Personnel Files.

Suspension, Demotion, or Dismissal

- These actions are considered punitive yet corrective measures for:
    - Repeated rule infractions.
    - A single major infraction.

A supervisor is responsible for stabilizing the situation when immediate action is necessary. Contact the next-level supervisor and Fire Human Resources for advisement. Final Decision Authority

- The Fire Chief makes the final decision on suspensions, demotions, or dismissals.
- This ensures consistency in serious disciplinary actions throughout the department.

Documentation and Notification

- Once the final decision is made, the Human Resource Section will prepare a Discipline Notice.
- The disciplinary action will then be administered accordingly.

- The review date for possible removal or inactivation of the document from the Department File and Personnel File is found in the current MOU and should be handled per M.P. 105.11.

Right to Appeal

- Any suspension, demotion, or dismissal can be appealed to the Civil Service Board within:
    - 14 days of receiving the notice.
    - 21 days from the date of certified mailing.
- If an appeal is filed, the Department will be represented at the Civil Service Hearing by:
    - The appropriate Division Head or a designated representative.
- The Human Resources Section will provide staff assistance throughout the process.