

# Conditions of Employment for Retained Firefighter

COMHAIRLE CONTAE AN LONGFOIRT  
(Longford County Council)

## RETAINED FIRE-FIGHTER- CONTRACT OF EMPLOYMENT

**This agreement is issued in accordance with the Terms of Employment (Information) Acts 1994 - 2001 as amended and the Unfair Dismissals Acts 1977 - 2001 as amended**

The employment of \_\_\_\_\_ in the post of Retained Firefighter, Fire Station, \_\_\_\_\_ under Longford County Council having its principal offices at Aras an Chontae, Great Water St., Longford commenced on \_\_\_\_\_.

This Contract of Employment is conditional on the Recruit Fire Fighter successfully completing and passing all modules of the Recruits Course, Breathing Apparatus Wearers Course and Compartment Fire Behaviour Course for Retained Fire-Fighters. Failure to complete and pass all modules of these courses will result in automatic termination of employment with the Fire Service of Longford County Council with immediate effect.

Appointments to the posts of Station Officer, Sub-Officer, Driver Mechanic or Fire-Fighter are subject to the successful completion of a probationary period of two years. Fire-fighter performance will be reviewed periodically over the probationary period. Fire-fighters will be required to attend and pass a Recruits Training Course and Breathing Apparatus Course in this period. If there are no courses available to attend within this period the probationary period may be extended beyond this period at the discretion of the Chief Fire Officer. Fire Fighters must pass the Recruits Course and B.A. Wearers Course on their first attempt. Failure to pass these two courses will result in employment being terminated from that time. However, Recruit Fire Fighters may be afforded a second opportunity to attend a course they have failed at the Discretion of Longford County Council. Students will be liable for all costs associated with the course. Under no circumstances will a third course be offered. The Probationary Period may be extended beyond two years at the discretion of the Chief Fire Officer.

## **1. Terms of Employment**

A Fire Fighter must be not less than 18 years on the first day of the month in which the latest date for receiving application forms occurs. A birth certificate must be submitted to the County Council as proof of age before a person is engaged as a recruit.

The employment is part-time /retained and may be terminated at any time.

The retirement age is 55 years or earlier if found medically unfit to continue. The retirement may be extended to 58 years subject to the following

- making an annual application for an extension.
- being certified medically fit by the Fire Service Medical Advisor in accordance with the Retained Firefighters Review of Retirement Age Report of Expert Group, 2003.

Each Retained Fire-Fighter will be required to serve a probationary period of not less than 24 months during which time suitability for continued employment in the Fire Service will be assessed.

In advance of the above, or for whatever reason, a firefighter wishes to terminate his/her employment with the Fire Service, they are required to give one months notice in writing.

## **2. CHARACTER**

Members must be of good character and not at any time bring the Fire Brigade into disrepute. The Council may make whatever enquiries it considers necessary to satisfy this condition.

## **3. EDUCATION**

Candidates must have attained a suitable level of education to enable them to undergo successfully the appropriate training and to perform satisfactorily the duties of a Retained Fire-Fighter. Candidates will have to sit and successfully pass pre-selection tests/interviews which will include both written, numerical and practical tests to assess their suitability. All tests must be passed at the first attempt.

## **4. HEALTH**

Each candidate must be free from any ailments/medical conditions which would render that person unsuitable to perform the duties of the post and be in a state of health such as would indicate a reasonable

prospect of ability to render regular and efficient service. For the purpose of satisfying this requirement, it will be necessary to undergo at the candidate's own expense an initial medical examination, by a qualified medical practitioner to be nominated by Longford County Council. Note the requirement to complete and pass the Chester Step Test detailed below. On taking up appointment, the expense of the medical examination will be refunded to the candidate.

Given the strenuous nature of fire-fighting duties the medical examination will be of a very thorough nature. Please note that the following disabilities will render an applicant unsuitable for fire-fighting duties and will lead to disqualification at the examination.

1. History of epilepsy
2. Alcohol or drug dependency
3. Obesity
4. Chronic bronchitis or asthma or other disabling disease of the lungs
5. Organic disease of the cardio vascular system
6. Diabetes mellitus
7. Unaided vision of 6/9, 6/12 or better.
8. Failure in the audio metric test.
9. Evidence of labyrinthine disturbance
10. A history of vertigo or an illness which would affect sense of balance
11. History of mental instability

Please note that it is recommended that Retained Fire-fighters be vaccinated against the Hepatitis B Virus and in relation to this the vaccine will be made available free of charge to successful candidates.

### Fitness Test

Part of the pre-employment medical examination includes completing the fitness test. Candidates successful at interview must successfully complete the fitness test prior to employment being offered. The fitness test at the recruit medical is the Chester Step Test. The Chester Step Test measures aerobic capacity and fitness and entails a moderately vigorous level of physical activity. The level of fitness needed to pass this test requires regular exercise and the test pass level is difficult to achieve if the candidate does not already have a good level of physical fitness prior to the test.

Retained Fire-fighters will be required to undergo regular and ad-hoc medical examinations at any time in a manner and form determined by the Fire Authority on a uniform basis. Fire Fighters must maintain a level of fitness and a state of good health appropriate for their position for the duration of their employment.

**5. REMUNERATION**

- (a) Remuneration will consist of an inclusive annual allowance together with hourly rates for attendance at fires and drills. The Retainer and other fixed allowances will be paid from the date he / she takes up duty as a Retained Firefighter.
- (b) Failure to attend 85% of the drills or 75% of the incidents that he/she is eligible to attend in a quarter will result in 50% of the Retainer being withheld.
- (c) Failure to meet the standard in a second quarter in any twelve months will result in 100% of the Retainer being withheld. Any further failure to meet the standard will be dealt with through the Disciplinary Procedure. This is in compliance with National standards/agreement currently in force.
- (d) Payments will be made quarterly or as decided by Longford County Council.
- (e) All payments will be subject to deduction of statutory contributions such as P.A.Y.E. and P.R.S.I., etc.

Retaining fees, Incident fees and Drill/Training fees shall be paid at the scales approved by Longford County Council.

Clothing Allowance:- €186.59 per annum

Retaining Allowance:-

Fire-fighter - 0-2 years	€ 7,562 per annum.
3-5 years	€ 8,402 per annum.
5-10 years	€ 9,439 per annum.
10 years plus	€10,383 per annum.

Drill Fees	Incident Fees			
	Day		Night/Weekend	
Rate per hour	1st hour	subsequent hour	1st hour	subsequent hour
€19.86	€39.72	€19.86	€79.44	€39.72

**6. Single Public Service Pension Scheme and other Provisions Act 2012**

From the 1<sup>st</sup> January 2013, new public servants will be members of the Single Public Service Pension Scheme ('Single Scheme') as provided for in

the Public Service Pensions (Single Scheme and other Provisions) Act 2012. The Provisions of the Single Scheme apply in the case of Retained Fire Fighters, with the exception of the minimum pension age, as an earlier pension age is applicable to those employed in the retained fire service. The Retained Fire Fighters Non Pensionable Gratuities Scheme no longer applies to new entrants after 1<sup>st</sup> January 2013.

## **7. SAFETY, HEALTH and WELFARE**

The Fire-Fighter will co-operate with the terms of Longford County Council's Fire Service Safety Statement. They will familiarise themselves with the safety rules and procedures and make proper use of all safety clothing and equipment. They must report to the appropriate supervisor any defect they notice in the place of work or system of work which might be dangerous to safety, health or welfare. Failure to comply with the terms of the Safety Statement may result in disciplinary action.

### **Health and Safety Regulations**

Longford County Council acknowledges its role in protecting the safety, health and welfare of all people employed in the authority. The authority is committed to implementing, controlling and maintaining a programme that ensures where possible, that all risks and hazards are eliminated or otherwise controlled to an acceptable level.

The authority implements safe work systems and methods to ensure the safety, health and welfare of all. Longford County Council understands its legal obligations and its commitment to comply with the Safety, Health and Welfare at Work Act, 2005. Section 13 of the Safety, Health & Welfare at Work, Act 2005 sets out employees' duties as follows;

#### ***An Employee must;***

- comply with the relevant statutory provisions, as appropriate and take reasonable care to protect his or her safety, health and welfare and the safety, health and welfare of any other person who may be affected by the employee's acts or omissions at work.
- ensure that he or she is not under the influence of an intoxicant to the extent that he or she is in such a state as to endanger his or her own safety, health or welfare at work or that of any other person.
- co-operate with his or her employer or any other person so far as is necessary to enable his or her employer or the other person to comply with the relevant statutory provisions, as appropriate.

- not engage in improper conduct or other behaviour that is likely to endanger his or her own safety, health and welfare at work or that of any other person.
- attend such training and, as appropriate, undergo such assessment as may reasonably be required by his or her employer or as may be prescribed relating to safety, health and welfare at work or relating to the work carried out by the employee.
- in the event of the introduction of the Performance Management and Development System safety training may be identified on the Personal Development Plans and Team Development.
- at all times wear PPE when provided by the employer. PPE must be worn in the correct manner and training will be provided where necessary.
- report all equipment defects to the supervisor and must not wear defective equipment or carry out tasks without fully operational PPE. Employees must not tamper with PPE.
- must report potential hazards to the supervisor.
- defects in equipment or machinery must also be reported. If an accident occurs, it must be reported immediately and emergency procedures must be implemented if necessary. Local authorities are required by law to report certain types of accidents / occupational injury to the Health & Safety Authority and failure to do so may result in prosecution. Some incidents that do not result in an accident but represent a hazard or unsafe behaviour must also be reported to the supervisor so that corrective action may be taken to prevent future accidents.

## **8. GRIEVANCE AND DISCIPLINARY PROCEDURE**

Longford County Council acknowledges that for the vast majority of employees the question of disciplinary action never arises. Longford County Council has adopted a Grievance & Disciplinary Policy to ensure that on the exceptional occasion when disciplinary action has to be taken, it is exercised in a fair and reasonable manner with due regard to the rights and responsibilities of the parties concerned. Should matters relating to Grievance and Disciplinary issues arise in relation to this employment, they will be dealt with in accordance with the Grievance and Disciplinary Procedure.

In accordance with the Grievance and Disciplinary Procedure (a copy of which is attached), either party may terminate employment during the probationary period, whether or not it has been extended, by the serving of one week's

notice. In any event, the appropriate period of notice set down in the Minimum Notice and Terms of Employment Act 1973-1991 will apply. In the event of such termination, Longford County Council may, at the discretion of the Director of Service, pay you in lieu of notice.

Any Officer or Fire-fighter may at any time make a complaint to or seek a personal interview with the Chief Fire Officer. Such complaint or application for interview must be made in writing and signed by the Officer or Fire-fighter concerned with his/her comments. All fire brigade personnel shall be bound under the Grievance and Disciplinary Procedures of Longford County Council for Fire Fighters.

## **9. TERMINATION**

Subject to the terms of the Grievance and Disciplinary Procedure, Longford County Council reserves the right to terminate your employment if you are unable to perform the work for which you are employed, as a result of incapacity, incompetence or misconduct.

In the event of such a termination, the Council undertakes to give you one months' notice or, at the discretion of the respective Director of Service, pay in lieu of notice. No notice will be given in circumstances justifying immediate termination of your employment. During the probationary period, either party in accordance with Paragraph 7 of the Grievance & Disciplinary Procedure may give notice. The appropriate period of notice set down in the Minimum Notice and Terms of Employment Act 1973 – 1991 will apply.

Nothing in this agreement will prevent the giving of a lesser period of notice by either party where it is mutually agreed.

Likewise, should you decide to leave the service of the Council, you are required to give a minimum of **1** months' notice in writing or notice as set down in the Minimum Notice and Terms of Employment Act 1973-1991, whichever is the greater.

## **10. CONFIDENTIALITY**

You will not discuss or disclose any information of a confidential nature relating to Longford County Council or its business or in respect of which the Council owes an obligation of confidence, to any person during or after your employment, except in the proper course of your employment or as required by law.

## **11. COUNCIL RECORDS / PROPERTY**

You will not remove any records belonging to the Council from the Council's premises at any time without proper advance authorisation.

You will return to the Council upon request and, in any event, upon the termination of your employment, all records and property belonging to the Council which are in your possession or under your control.

## **12. CODE OF CONDUCT**

You will be expected to abide by the staff rules, code of conduct and dress for employees as laid down by Longford County Council. A copy of the Code of Conduct for Employees is attached, for which you are required to submit a written acknowledgement, confirming receipt thereof.

## **15 ETHICS**

You are expected to adhere to codes of practice and ethical matters as laid out in legislation through the Local Government Act, 2001 and through other legislative enactments or regulations with relevance to the duties for which you are employed.

## **13 STAFF REPRESENTATION**

Longford County Council recognises the following trade union as having negotiating rights for staff of your grade within the Council:

SIPTU

Staff are bound by agreements made on their behalf through the industrial relations system.

## **14 EQUALITY**

Longford County Council is committed to a policy of Equality of Opportunity in its employment practices and has a positive action programme in place to realise this policy. Longford County Council is also committed, through its 'Dignity at Work Policy', to the maintenance of a working environment free of all forms of harassment including sexual harassment and harassment on the grounds of gender, marital status, family status, age, religion, race, disability, sexual orientation and membership of the Traveller Community. A copy of the policy is attached.



## **15 USE OF ELECTRONIC EQUIPMENT/MODERNISATION**

All fire fighters shall adhere to the Longford Fire Service modernisation agenda.

The Fire Authority provides many telecommunications, computing and network resources for use by staff in the pursuance of their duties. You are entitled to use telephones, the Internet, electronic mail, fax machines, photocopiers and other equipment for work-related activities as appropriate and to facilitate the efficient exchange of useful information.

## **16 DATA PROTECTION**

You are required to abide by the provisions of the Data Protection Acts 1998 and 2002 and any regulations made there under or amending or superseding legislation in respect of computerised or manual records. You must obtain the consent of the Data Controller before processing any such records.

## **17 CHILD PROTECTION POLICY**

All employees of Longford County Council are expected to adhere to the provisions of the Child Protection Policy. Any concerns arising should be referred to the Designated Child Protection Liaison Officer, through the Human Resources Section of the Council. A copy of same is available in the Employee Handbook.

## **18 GARDA VETTING CLEARANCE**

Your appointment is subject to; *inter alia*, satisfactory garda vetting clearance being received by this Council. You will be asked to complete the relevant application form, which will be submitted to the Garda Central Vetting Unit on your behalf.

## **19. DUTIES**

1. Every member must report for duty without delay on notification of a fire call.
2. Every member who is on standby during fires or other incidents shall remain at the Station and perform such duties as may be assigned by the Station Officer from time to time during the callout. Fire-fighters shall ensure that the Fire Station is kept clean & tidy at all times. Fire-

fighting equipment shall be kept clean, maintained properly and stowed away in a safe manner.

3. Every member must remain on duty until:-
  - The fire has been extinguished and the brigade has returned to the Station and the equipment has been carefully and properly stowed away, and the crew has been dismissed by the Officer in Charge,
  - Dismissed by the Officer in Charge,
  - Relieved by another member on the order of the Officer in Charge.
4. No member shall leave his/her post unless the prior approval of the Officer in Charge has been obtained, and no member shall relieve another member without the prior approval of the Officer in Charge,
5. Fire-fighters shall be responsible for fire-fighting under the direction of the Officers and for the carrying out of such orders and directions as may be given them by the Officer either in writing or verbally. All firefighters shall adhere to Brigade Orders and Standard Operating Guidelines that are issued by the Chief Fire Officer.
6. Any member of the brigade who:-
  - a. fails to carry out his/her duties in a smart and efficient manner,
  - b. fails to take proper care of his/her equipment or any fire brigade equipment under his/her care,
  - c. fails to carry out any order given him/her by a superior officer either verbally or in writing,
  - d. causes any damage to premises or equipment through negligence or carelessness,
  - e. adopts a negative or obstructive attitude to interfere with the smooth and efficient working of the brigade,
  - f. attempts to introduce issues which have no bearing on fire brigade duties such as personal grievances, etc.,
  - g. attempts to either directly or indirectly intimidate any member into any action against his/her will,
  - h. reports for duty in an intoxicated condition,
  - i. fails to return promptly to the fire station after leaving the scene of a fire or emergency,

j. brings the Fire Brigade into disrepute at any time,

shall be reported immediately to the Chief Fire Officer and may be reprimanded, suspended or dismissed.

7. Each member of the fire brigade shall, while on duty with the fire brigade at fires, practices, traveling to or from fires, and while on the fire brigade premises, carry out his/her duties in a smart and efficient manner. Any slovenliness or otherwise unsatisfactory carrying out of his/her duties by any member of the fire brigade shall be reported to the Chief Fire Officer for investigation and any necessary disciplinary action.
8. All Fire-fighters will be required to comply with the Duties, Availability, Leave and Response to Call Outs Brigade Orders as operated by Longford Fire Service. A Fire-fighter may only be relieved of his/her obligation to respond to and answer fire and other calls etc, provided that:
  - He/she has contacted the Station Officer (or Sub Officer if Station Officer is not available) in advance and sought approval.
  - The Station Officer (or Sub Officer if Station Officer is not available) has consented to the request.
  - A Fire fighter completes a record of unavailability at station level or such other systems deemed appropriate by Longford County Council.
9. Any officer appointed to the fire brigade may be promoted or demoted as found necessary in the interest of the fire service.
10. All Fire Personnel shall keep himself/herself acquainted with such Fire Brigade Orders and other instructions as shall be issued by the Chief Fire Officer from time to time, and shall ensure that all such orders and instructions are obeyed.

## **20. GENERAL CONDITIONS**

- (a) The residence and place of work and day to day activities of each Retained Fire-fighter must be within a distance of 2 miles/3.2km from the Fire Station. The location of the residence and place of work must be acceptable to the Chief Fire Officer.
- (b) A change of residence or place of work that puts the Retained Fire-fighter at a distance of more than 2 miles/3.2 km from the fire station or to a location unacceptable to the Chief Fire Officer will result in termination of employment.

- (c) Changes of residence or workplace must be notified in writing to the Chief Fire Officer and approved by the Chief Fire Officer in advance of this change of circumstances.
- (d) A Fire-fighter must carry the appropriate fire service alerter at all times when on duty.
- (f) A Retained Fire-fighter will be required to report for duty to the Fire Station in its present location or in the event of a change of location, to such new location as may be decided by the Fire Authority. Changes in the location of a Fire Station will not result in payment of disturbance money or other compensation.
- (g) Each Retained Fire-fighter including the self employed, and the unemployed if they take up employment must submit a Letter of Release from their employer stating that their employer will release them to attend fire brigade incidents and training. When a firefighter changes employment a new letter of release must be submitted to the Chief Fire Officer in advance of the change in circumstances.
- (h) Each employee must comply with all National or Local agreements as may be in force from time to time.
- (i) Each employee must use and co-operate with the use of any new technology that may be introduced by the Fire Authority or by the Chief Fire Officer.
- (j) Each Retained Fire-fighter must obtain a Class C Driving Licence at their own expense within one calendar year from the date of signing their Conditions of Employment. In exceptional circumstances the Chief Fire Officer may extend this period of time for an additional period of time of one calendar year on a once off basis. An application for an extension of time must be made in writing within the first calendar year. Permission for an extension of time must be given in writing by the Chief Fire Officer. Failure to obtain a Class C Driving Licence within the first calendar year or within the second calendar year if the period of time is extended will result in termination of employment.

It will be a requirement to obtain a valid full driving licence for vehicles of class EB within 1 year of his/her commencement of employment.

Any instances where a Fire-fighter has his/her licence suspended or removed, shall be dealt with through the Council's Fire Service Disciplinary Procedures and may result in the termination of employment at the absolute discretion of Longford County Council.

All Retained Fire Personnel must hold a full Drivers Licence and any loss or suspension of same and/or the accumulation of six penalty

points or more must be notified in writing to the Fire Authority within two weeks of the occurrence.

- (k) Any Retained Fire-fighter found guilty of a criminal offence must inform the Chief Fire Officer in writing of the offence and within two weeks of conviction. The Chief Fire Officer will carry out an investigation into this matter under the Fire Service Disciplinary and Grievance Procedure.
- (l) Fire-fighters must drive Fire Service vehicles if instructed to do so.

**Governing Law**

The contract of employment will be interpreted in accordance with the laws of Ireland.

***I accept and agree to be bound by the above terms and conditions and those contained in agreements made on my behalf between the trade unions and Longford County Council. I also understand that any changes to my address/work location (either temporary or permanent) will constitute a permanent change to my contract of employment, unless specified otherwise, and that my contract will be reviewed accordingly and may be amended or terminated as a result.***

**DATE:** \_\_\_\_\_

**DATE:** \_\_\_\_\_