



CITY OF FITCHBURG

FIRE DEPARTMENT

Randall L. Pickering, Chief
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TO: FIREFIGHTER – PAID-ON-CALL JASON GONZALEZ

FROM: RANDALL PICKERING, CHIEF

SUBJECT: DEPARTMENT SUSPENSION

DATE: SEPTEMBER 4, 2012

The purpose of this memo is to notify you of the disciplinary action being imposed upon you for the following actions and violations of Fitchburg Fire Department rules and guidelines.

The investigation shows you:

- Failed to report to your assigned station for duty at the start of your assigned Fill-In Program shifts on Monday, July 9, 2012 and Saturday, July 28, 2012, both in accordance with Department Policy 2503-3, failed to make prior arrangements for a Fill-In Shift Trade in accordance with Department Policy 2501-1, failed to make contact with the Fill-In Company Officer either prior to or after the start of the assigned Fill-In Shift in accordance with Department Policy 2417, and failed to “do the right thing” for the people we serve, for the City, and for the Department and your fellow firefighters/members in accordance with Department Policy 2203.

History:

- In August of 2008 you met with myself (Chief Randall Pickering), Deputy Chief Richard Roth, and Division Chief Gary Heberling regarding similar circumstances where you did not report for a series of assigned Fill-In Program shifts earlier in 2008, and conveyed the fact your actions were not in compliance with Department Policy, and explained the problems failure to report for your assigned shifts caused the Department;
- And on September 6, 2008, you received a formal warning from myself (Chief Randall Pickering) regarding similar circumstances where you did not report for duty for two assigned Fill-In shifts on Saturday, August 30, 2008 and Monday, September 1, 2008; that your authorization to participate in the Fill-In Program was being rescinded for a period of two months, and further failure to act in compliance with Department Policy would lead to further disciplinary actions;

- And on Sunday, March 1, 2009 you received a formal warning from myself (Chief Randall Pickering) regarding similar circumstances where you did not report for duty for two assigned Fill-In shifts on Friday, December 26, 2008 and Sunday, December 28, 2008; that your authorization to participate in the Fill-In Program was being rescinded for a period of four months, and further failure to act in compliance with Department Policy would lead to further disciplinary actions;
- And on August 7, 2012 you met with Deputy Chief Chad Grossen regarding the circumstances where you did not report for the two July, 2012 Fill-In shifts on Monday, July 9, 2012 and Saturday, July 28, 2012.

In determining the disposition of this case, we considered the following factors:

- We believe that you could reasonably be expected to have knowledge of the consequences of your conduct.
- We believe that the rules and guidelines you violated are reasonable.
- We believe that a reasonable effort was made to discover whether you did, in fact, violate Department policies, rules and/or guidelines.
- We believe that the investigation was both fair and objective.
- We believe that there is substantial evidence that you violated Department Policies.
- We believe that we are applying this disciplinary action to you fairly and without discrimination.
- We believe that this disciplinary action reasonably relates to the seriousness of the violations, your service record with the Department, and with our goal to apply such discipline and educational action in an attempt to motivate and encourage you to become a better more productive employee.

In the event performance does not improve, and/or there is any further violation of City and/or Department rules, policies, and guidelines, the City and Department reserves the right to invoke additional disciplinary actions up to and including suspension from the Department and/or termination.

For failing to report to your assigned station for duty at the start of your assigned Fill-In Program shifts on Monday, July 9, 2012 and Saturday, July 28, 2012 in accordance with Department Policy 2505-3, for failing to make prior arrangements for Fill-In shift trades in accordance with Department Policy 2505-1 in both instances, for failing to make contact with the Fill-In Company Officer either prior to or after the start of the assigned Fill-In shifts in accordance with Department Policy 2417 in both instances, and for failing

to "do the right thing" for the people we serve, for the City, and for the Department and your fellow firefighter/members in accordance with Department Policy 2203 **you will be suspended from all duties and responsibilities with the Department beginning 12:01 AM, September 10, 2012 and ending 11:59 PM, September 16, 2012.** *S RMP JCG*

After serving the suspension, during the period from September 17, 2012 to March 17, 2013 you are expected to meet all other Department expectations including, but not limited to, participation in Department trainings at or above minimum levels for a Paid-On-Call Firefighter and to meet an "All-Call" incident participation average of at least 18% for the period. *JCG RMP 12 11*

A copy of this memo will become a permanent part of your Personnel Record.

If you have any questions about this disciplinary action you may contact myself at 608 332-9462, Deputy Chief Chad Grossen at 608 669-3450, or Deputy Chief Richard Roth at 608 692-1228. *JCG RMP*

Randall L. Pickering
Chief

J.C. Gonzalez
Jason C. Gonzalez
POC - Firefighter

Randall L. Pickering
Fire Chief