

**CONSTITUTION AND BY-LAWS OF WOOD RIVER FIRE AND RESCUE**  
**410 W Green St.**  
**Wood River, Hall County, Nebraska**  
**November 19, 2018**  
**(revised Section #5 & #6, 8/2021)**

**ARTICLE #1 NAME AND PURPOSE**

**SECTION 1. Name**

This department shall be known as Wood River Fire and Rescue, located in Wood River, Nebraska, 68883. All correspondence shall be delivered to the department at Post Office Box 92, Wood River, Nebraska 68883

**SECTION 2. Purpose**

The purpose of Wood River Fire and Rescue shall be the preservation and protection of life and property from and during such fires and emergencies as may occur in the area protected by the department and in areas of mutual aid. In addition to community fire prevention and safety education.

**ARTICLE #2 MEMBERSHIP**

**SECTION 1. Membership Classes**

The membership of Wood River Fire and Rescue shall consist of five classes: Active, Probationary, Associate, Lifetime and Honorary.

**SECTION 2. Size**

This department shall consist of not more than twenty- five (25) Active members for each engine company. It shall also consist of a Rescue Unit division for Emergency Medical Services.

**SECTION 3. Membership Requirements**

Any person eighteen (18) years of age or older, possessing a high school diploma or GED, of good character and meeting statutory requirements may apply for membership in the Department. An active member in good standing with the Department must sponsor all applicants for membership. All applications for membership shall be submitted to the Secretary. Approval by a majority of the members present at any regular monthly meeting shall constitute acceptance for probationary status upon approval of an application by the membership, the Secretary ~~of~~ will notify the Wood River City Council. After a successful probationary period, the membership shall vote again to transition a probationary member to the status of active or associate. All applications shall be submitted defined by application review committee.

**SECTION 4. Active Membership Requirements for Active Membership**

Active members are required to attend the operational and business activities of the department. Active members must attend a minimum of (10) ten hours of job specifics training, plus (3) three Wood River Fire Dept. monthly training meetings per year. Active members are required to attend all paged calls and events unless they have a legitimate excuse. As an active member your vote counts as 2 points on hand counted votes.

### **Responsibilities of Active Members**

When in or near the area protected by this Department, it is the duty of all active members of this Department to respond to all alarms of fire or emergency, which are transmitted to this Department. All members must use carefulness in getting themselves and apparatus to the scene of a fire, emergency or drill. Active members with the approval of the Chief may display a colored emergency light, which will conform to the Wood River Fire standards set by Nebraska vehicle and traffic laws.

If the department decides to participate, they will elect an accountability officer to do the documentation to comply with the Nebraska Recruitment and Retention Act. In December of each year, a list of members indicating attendance at drills, meetings, fires and emergencies will be made.

### **Requirements for Probationary members**

- A. To become a probationary member, an applicant must complete an application form, pass a police background check and agree to conform to the Constitutions and Bylaws and any other rules or requirements as set forth by the department. The applicant must be accepted by the department membership.
- B. Probationary members must serve a minimum probationary period of twelve (12) months with two (2) months being a provisional probationary period.
- C. Provisional Probationary period will be the first two (2) months of the twelve (12) required months. Applicant must sign an informed consent and release form before responding to calls.

Once completed this will count towards total years of service for all elected and appointed positions as well as all service awards. During the probationary period, a probationary member shall attend a majority of meetings and drills, subject to availability and attend all other paged events as deemed necessary by the Application Review Committee. The Application Review Committee will consist of 2 officers. Any waiver of these requirements will require majority approval of the Application Review Committee. Probationary members will not be able to vote at membership meetings or vote in Department elections. Probationary members will not receive or be permitted to display an emergency light. Probationary members shall not respond directly to any scene unless specifically authorized, they shall initially respond to the fire station. Probationary members shall not respond on their own to any mutual aid call. They may respond with a piece of apparatus if seating is available. A probationary member seeking full active status must complete an introduction to Firefighter Course or in house equivalent or at least 60 percent of the Fire Fighter One course or a Certified First Responder or EMT course within 1 year of joining the Department or he/she will not progress from probationary status. Unless prior training documentation(s) shows this has been already completed.

### **SECTION 4A. Clothing**

Probationary members will receive 2 t-shirts Upon receiving active membership, the member will receive, a sweatshirt, hat, stocking cap, a squad coat, dress blues and a generic badge or up to \$25 towards an upgraded custom badge.

If budget allows, members may receive one t-shirt a year there after. All new clothing will have the wording of the Wood River Fire-Rescue official logo. The Wood River Fire Dept. logo is only authorized to be used by members, their spouses and their children. Any alterations to logo must be approved by general membership.

#### **SECTION 5. Lifetime / Honorary Membership**

Lifetime Member: Any retired member with at least 20 years of active service or line of duty death.

Honorary Member: Any person nominated by an active member and approved by majority vote of the department. These members do NOT have a right to vote.

#### **SECTION 6. Associate Membership**

Persons seeking Associate membership shall be at least eighteen (18) years of age and sponsored by a member of the Department. Associate members shall be accepted or rejected by the majority vote of members present at any regular meeting. There shall be no more than 25% of the active membership in the department at any one time. Associate members are encouraged to attend the business and training meetings of the department. An Associate membership can be revoked at any time by a majority vote of the Judiciary Committee. Associate members may participate in parades, social functions, fund raising, clerical and computer work, and maintenance of equipment, buildings and grounds. Associate members may not be issued pagers or radios unless specifically authorized. Associate members are not allowed to respond to emergency scenes unless specifically requested to. Associate members can vote at meetings after their first year of probationary period is served. Associate members vote count is worth 1 vote.

#### **SECTION 7. Dues**

No dues shall be collected from any member of the Wood River Fire department.

#### **SECTION 8. Department Email List**

The General Department Email list will consist of active, probationary, associate and lifetime members only. The Officers Email List will consist of officers only.

#### **SECTION 9. Obligation and Pledge**

Every member being admitted will abide by the following statement. I \_\_\_\_\_ do promise to support the Constitution, By-laws, and Standard Operating Guidelines of Wood River Fire and Rescue, and to obey all those in authority over me. I promise to respond to all calls for service when available, to safeguard all department property that is in my possession and to return said property if I should resign or be expelled.

Every officer at his/her installation shall abide by the following pledge: I \_\_\_\_\_ do promise to support and uphold the Constitution, By-laws and standard operating guidelines of Wood River Fire and Rescue. I accept the responsibility of the office to which I have been placed and promise to faithfully discharge the duties of the office to the best of my ability.

#### **SECTION 10. Meeting of Members**

The membership shall hold regular business meetings on the third Monday of each calendar month, to receive the Treasurer's report, committee reports, reports by the President, Chief and Rescue Captain, or to consider any other matters properly brought before the membership. All regular meetings of the Department shall begin at 2000 hours. A quorum shall consist of 6 members of the Department one of which must be a business officer and or chief officer. Special meetings of the membership may be called by the Chief or President at any time and shall be called by him/her upon the request of at least two (2)

active members in good standing. Such request shall state the reasons for which the meeting is to be called. The Secretary shall give each member notice as by means designated to secretary, of any special meeting at least three (3) days prior to such meeting; such notice shall contain a statement of matters to be considered at the meeting. Meetings will be conducted using Robert's Rules of Order as a guide in addition to any other rules stated in the Constitution and By-laws of this Department.

### **SECTION 11. Order of Business**

Meeting called to order. Roll Call and determination of voting eligibility Reading Minutes of preceding meeting. Treasurer's Report President's Report Fire Chief's Report Rescue Captain's Report Safety Officer  
Chaplain  
Training  
Fire prevention  
Billing Secretary  
Other Dept. Report  
Committee Reports  
Unfinished Business  
New business  
Announcements  
Installation of officers  
Election of Probationary candidates  
Election of new members  
Adjournment

### **SECTION 12. Absence from Meetings**

Line officers who are absent from three (3) consecutive regular meetings; or a business officer who is absent from three (3) consecutive regular meetings without an excuse that is acceptable to a majority of the Judiciary Committee can be removed from office. No such action shall be taken by the Judiciary Committee until the member affected has been given written notice of the time and place of the meeting at which the determination is to be made. Such member shall be entitled to be heard by the Judiciary Committee prior to the vote thereon. (changed2009) Active members with an absence from three (3) consecutive meetings without an excused absence may not vote on any motion that requires a countable vote, made or election held during the next meeting. Absence will be considered excused if the member notifies the Secretary by email or by phone prior to 6:00 pm on the night of the meeting. Absences will be excused for the following reasons:

1. The member is ill
2. The member is at work
3. The member has a family commitment
4. The member is attending a class, either fire, ems, or personal

Members that have been absent (excused or unexcused) from 6 or more meetings prior to the November meeting will be brought before the Trustees prior to the December meeting to determine voting privileges for the elections held in December.

## **ARTICLE #3 EXECUTIVE OFFICERS AND TRUSTEES**

### **SECTION 1. Business Officers**

The Department shall elect for a term of one (1) year each, a President, Vice-President, Secretary, and two Treasurers.

**President** - The president shall be the Chief Executive Officer of the Department and oversee all general affairs thereof. General affairs shall include but are not limited to: accounting, budgets, funding, purchasing, planning, building and grounds issues, risk management, general business and operations, personnel issues and personnel policy. It shall be the duty of the President to preside at all regular and special meetings of the Department. It is the responsibility of the President to conduct such meetings using Roberts Rules of Order as a guide. The President shall call all special Department meetings, appoint all standing committees and appoint special committees as the need may arise. The president shall preside over an annual budget meeting with department officers that he/she shall convene in May of each year. On any question or election of officers, the President shall not vote except in the case of equal division when his/her vote shall decide. The president shall annually appear in person before the City Council and Rural Fire Board to present a report of the general business issues of the department for the prior and coming calendar years. The President shall be the civil spokesman of the Department; however, he/she may appoint a Public Relations Officer to act as spokesman.

**Vice-President** - The Vice-President shall assist the President in the discharge of his/her duties. In the case of the President's absence or disability or should the Presidency become vacant, the Vice-President shall assume the Presidency. The Vice-President is responsible for overseeing all committees. He/She has the responsibility to see that the committees meet and that they report to the membership.

**Secretary** - The Secretary shall: record and maintain the minutes of all meetings of the Department, which shall include regular meetings, judicial committee meetings and special meetings; call the roll at each meeting and maintain attendance records. All meeting minutes shall be published to the department's web site in a timely manner. The Secretary shall receive and/or forward all correspondence of the Department as directed by the governing body of the Department or President. The Secretary is responsible for overseeing that memorials and letters of condolences be sent to all past members of the department. The Secretary shall confer with the President, Chief, or Treasurer on these matters. The Secretary shall safeguard an official copy of the Constitution and By-laws and minutes of the Department in a designated area of the Fire Station. Said official copy shall also be maintained in electronic format on the official department web site, available for inspection by any member. Said official copy will be maintained and up-dated as needed. At the end of his/her term or upon resignation or removal the Secretary shall deliver to his/her successor all documents, papers and correspondence belonging to the Department.

**Treasurer** - Two Treasurers shall be elected. One shall serve as the Financial Officer of the Fire Department and one shall serve as the Financial Officer of the rescue unit division. The treasurers shall receive all moneys and pay all bills as authorized by the membership. The Treasurers shall keep an accurate accounting of all Department and Rescue Unit funds. He/she shall invoice and collect any moneys for the use of the department. He/she shall deposit all moneys in an interest-bearing savings account except for moneys necessary to pay current expenses, these funds to be

deposited in a checking account. All moneys disbursed by the Department or Rescue Unit must be in the form of a check or money order and must bear the signatures of two (2) designated signatories. At least one of the signatories on each check or money order shall be a business officer. The signatories shall be the President, Vice-President, the Treasurers, the Fire Chief, and the Rescue Captain. The Treasurers shall report the state of finances to the membership at each regular meeting of the Department. The Treasurers shall submit all accounts and records to the membership when called upon to do so. They shall present all records, books and materials pertaining to their office to his/her successor or to the Chairman of the Board of Trustees at the end of his/her term or upon resignation or expulsion. Members of the Board of Trustees shall review the books of the fire and rescue department at an audit.

## **SECTION 2. Board of Trustees**

Membership - The Department shall have a Board of Trustees consisting of seven (7) members. Five of the members shall be selected by the general membership. Each of the five (5) elected Trustees shall serve a two (2) year term. Voting is done accordingly; (3) trustees will be voted on even years. (2) trustee voted on odd years. The Fire Chief and the President shall automatically be members of the Board of Trustees. Chairman of the Board of Trustees shall be appointed among themselves. The Chairman shall be authorized or shall authorize any Trustee of the Department to examine the records of a secretary and/or treasurers.

Meetings of the Board of trustees. The Board of Trustees shall insure that the general business and operation of the fire and rescue department is serving the needs of the community. The Chairman, President, Chief or any three (3) Board Members may call special meetings. The Board may not conduct a meeting or consider any business unless a quorum of at least five (5) members are present and due notification was given to all Board members. Special Committees - The Chairman may from time to time appoint special committees to the Board.

## **ARTICLE #4 OPERATIONS OFFICERS**

### **SECTION 1. Line Officers**

The active membership shall elect a Fire Chief and one (1) First Assistant Chief, one (1) Second Assistant Chief, one (1) Safety Officer. The chief officers as required shall appoint captains and lieutenants. The department shall also elect a Rescue Captain and Rescue Lieutenant. Each shall serve for a term of one (1) year.

**Chief** - The Fire Chief shall be the Chief Operations Officer of the department and take responsibility for all department equipment, personnel performance, readiness, response, safety, staffing, training and all records related to these. The Chief shall designate the duties of all line officers. The Chief may from time to time establish rules or policies concerning the activities of the Department. These rules or policies shall be once approved by majority of Elected Line officers, rule must be emailed and be read at the next regular meeting. The Chief & President may grant leaves of absence to department personnel with a written request. The Chief may suspend any member for just cause in accord with article 8, section 14. The chief is responsible to comply with all statutory duties as required by state law, rules and regulations and local or city ordinance. The Chief may appoint engineering aids to assist in the maintenance of apparatus. The Rescue Captain shall assist the Fire Chief in operations of the EMS division. The Chief shall insure all apparatus and equipment and all things pertaining there to, to be maintained in good order and repair. The Chief / President

than shall report to the general membership in a timely manner of any deficiencies. The chief shall report to the city council or rural fire board as appropriate all major deficiencies or repairs. The chief shall annually appear in person before City Council and Rural Fire Board to present a report of the readiness, response, staffing and training of the department for the prior and current calendar years. The Chief shall serve as spokesman of the Department at all fires or emergencies; however, he/she may appoint a Public Relations Officer to act as spokesman.

**Assistant Chiefs** - The Assistant Chiefs, in order of their rank, shall perform the duties of the Chief in his/her absence. In the presence of the fire chief these officers are working officers and shall lead tactical teams in fires and emergencies.

**Safety Officer** - The safety officer shall be responsible for overall safety issues of the department. He/ She shall perform the duties the chief in his /her absence. The safety officer shall have the authority to halt all operations to correct or eliminate any safety issue that he /she might identify. In the absence of the safety officer another line officer will assume his responsibilities.

**Captain and Lieutenants** - Are appointed by the chief officers. These officers are working officers. They shall lead tactical teams in fires and emergencies. These officers shall assist the Fire Chief in the discharge of his/her duties and shall in the order of rank fulfill the responsibilities of the Chief in his/her absence based on hierarchy of commanders.

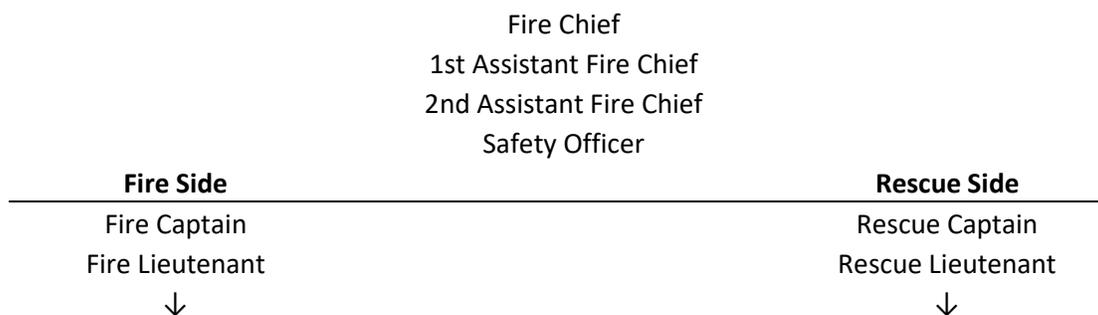
**Rescue Captain and Rescue Lieutenant** - These officers shall perform duties related to the operations of the Emergency Medical Services Division of the Fire department. They shall be responsible for the recordkeeping of the EMS operations, staffing, and for the readiness of the ambulance fleet. All needed vehicle repairs shall be reported to the Chief and President. The Rescue Chief Captain-or Rescue Lieutenant may assume the responsibilities of the Chief in the absence of any other higher-ranking line officers based on hierarchy of commanders.

**Scene Commander**- This is the person who is in charge of the emergency scene, **Fire or EMS**. It is the responsibility of the scene commander to see that all necessary reports, i.e. NARSIS and Fire Reports are completed.

**Judiciary Committee** – Any member that has been on the department for 10 or more years.

**Hierarchy of Commanders** – Hierarchy of commanders is as follows: Fire Chief, Asst. Fire Chief, 2<sup>nd</sup> Asst. Fire Chief, Safety Officer. Followed on the fire and EMS side equally; Fire/Rescue Captains & Fire/Rescue Lieutenants,

## Hierarchy of Commanders



### ARTICLE #5 ELECTIONS

#### SECTION 1. Qualified Candidacy

The trustees shall propose a slate of candidates whose names shall be nominated together with names nominated pursuant to Article 5 Section 2 of the Constitution and by-laws. A list of qualified candidates for each office whose names will be read to the membership.

#### SECTION 2. Nomination of Officers

Nominations may be made from the floor for each office from the list of qualified candidates, during the regular monthly meeting in November of each year. Any nominee may withdraw his/her name from consideration. Should no candidate remain after such declination, nomination for said office shall be reopened prior to the annual December election.

#### SECTION 3. Election of Officers and Trustees

The Chief and Assistant Chief's shall be elected annually in accordance with WFRD bylaws. Election of officers and trustees shall be held on the third Monday in December of each year at the regular business meeting. The Trustees that are not eligible during current year at the beginning of said meeting to receive and count the ballots. Election Procedure will be as follows: After nominations the candidates that accept are asked if they have anything to say on their behalf before leaving the room. After candidates leave the room a discussion will be open to the floor. After voting and discussion the candidates shall return to the session. The tellers shall report the final count to the presiding officer who shall immediately announce the results. In an event of a tie, the President shall cast a ballot to break the tie. Members are elected to office by most votes counted. If a candidate is unopposed in an election, the President shall cause the secretary to cast one ballot for the candidate. If the Secretary is unopposed the President shall cast one ballot. Only members present and appearing on the current active list are eligible to vote. All candidates for office of Trustee shall be voted on the same ballot and the Five (5) candidates receiving the highest number of votes will be elected to the Board of Trustees. Order of balloting shall be: Line Officers, Business Officers, Trustees. The term of office shall take effect January 1st following the election.

#### **SECTION 4. Vacancy of an Office & Election to Fill a Vacancy**

A vacancy shall be filled at the next regular meeting of the Department and the election, if it is an elected position, at the next regular meeting of the Department after the nomination. Except for Fire Chief, Rescue Captain & President.

### **ARTICLE #6 REQUIREMENTS, QUALIFICATIONS, and EXCLUSIONS**

#### **SECTION 1. Executive and Operations Officers**

Any person seeking and holding any business or line office in the Department must be an Active member in good standing. This means they have met the training and attendance standards of the department for the previous year and are not in contempt of any rules or regulations. Any person seeking the office of President must have been, and still is an active member of the Department for at least five (5) years prior to his/her election. Any person seeking the office of Vice President must have been, and still is, an active member of the Department for at least three (3) years prior to his/her election. Associate members that are qualified are eligible to be business offices. Any person seeking the office of Fire Department Treasure, Rescue Squad Treasure, Fire Prevention Officer & Accident Prevention or Trustee, must be an active or associate member of the Department for at least twelve (12) months prior to his/her election.

Any person elected to a line office must be an Active member for at least twelve (12) consecutive months and be qualified as follows:

Any member desiring to be elected **Fire Chief** must first, at a minimum:

Been a line officer for at least 5 years with Wood River Fire and Rescue.

Have documentation of successful completion of Fire Fighter One training or equivalent level of experience

Or have successfully completed an EMT class or be willing to take and successfully complete or show progress in completing an EMT class in the next 12 months.

Have documentation of successful completion of NIMS (National Incident Management System) Course.

Any member desiring to be elected **Assistant Chief** must first, at a minimum:

Have served three (3) years as a line officer for Wood River Fire and Rescue

Have documentation of successful completion of the Fire Fighter One training course

Or have successfully completed an EMT class or be willing to take and successfully complete or show progress in completing an EMT class in the next 12 months.

Have documentation of successful completion of NIMS (National Incident Management System) Course.

Any member desiring to be elected **Safety Officer** must first, at a minimum:

Have served three (1) year as a line officer for Wood River Fire and Rescue

Total of 3 years of service on the Wood River Fire and Rescue

Have documentation of successful completion the Fire Fighter one training course or equivalent level of experience.

Or have successfully completed an EMT class or be willing to take and successfully complete or show progress in completing an EMT class in the next 12 months.

Must respond to a minimum of 10% of “medical only” calls (calls that do not involve a motor vehicle accident).

Have received training in an Incident Safety Officer Course

Have documentation of successful completion of NIMS (National Incident Management System) Course.

Any member who desires to hold the position of **Fire Captain or, Fire Lieutenant, Assistant Safety officers** must, at a minimum:

Have served two (2) years as a fire fighter with Wood River Fire and Rescue

Have completed the Fire Fighter One training course, or equivalent level of experience

Any member who desires to hold the position of **Rescue Captain** must, at a minimum:

Have served at least five (5) years as a member of the rescue squad

Or have successfully completed an EMT class or be willing to take and successfully complete or show progress in completing an EMT class in the next 12 months.

Rescue Captain Candidates are preferred to have Advanced EMS certification.

Any member who desires to hold the position of **Rescue Lieutenant** and or Infection Control Officer must, at a minimum:

Have served at least three (2) years as a member of the rescue squad.

Or have successfully completed an EMT class or be willing to take and successfully complete or show progress in completing an EMT class in the next 12 months.

**SECTION 2. Drivers** All drivers/operators of any Department vehicle must be qualified to fully operate all aspects of said vehicle and have a valid Nebraska State operator’s license. The Fire Chief may qualify any Active or Probationary member. The Fire Chief shall document successful demonstration of the mastery of all aspects of each vehicle that the member is authorized to drive. A list of qualified drivers shall be posted and maintained by the Fire Chief in a conspicuous place in the firehouse. All department emergency apparatus drivers shall have successfully completed a recognized Emergency Vehicle Operations course or in-house equivalent. Qualified drivers may be removed from the list for violations as listed in the department's Standard operating procedures.

### **SECTION 3. Leave of Absence /Resignation in good standing**

The Fire Chief & President may grant a leave of absence. Requests must be submitted in writing stating the reason for the request. The member shall remain on an active list but shall not vote at elections or seek office until fully reinstated. Any line officer seeking a leave of absence must resign his/her office when such leave is granted. Any leave of absence shall only be valid for a period of 12 months. Any member requiring more than a 12 consecutive month leave shall be required to resign from the department. If said person wishes to reapply to the department time served as an active member shall be added to years of service.

#### **SECTION 4. Reapplication of Members Expelled**

Expulsion - Expelled members may offer an application for membership not less than twelve (12) months from the date of expulsion. Such members shall not seek office for a period of six (6) months from date of acceptance of such application.

#### **ARTICLE #7 COMMITTEES**

It shall be the duty of the President to nominate all committees for approval by the membership except for the Trustee committee, the Application Review Committee and the Judiciary Committee. Each committee shall elect their chairman, by majority vote, unless otherwise stated. Committee members shall serve a term ending at the next annual installation of officers unless a member resigns or is removed by the President. Committees shall consist of the following, at a minimum:

##### **SECTION 1. Complaints**

Any complaint against a member of the Department shall be made in writing to the Fire Chief, Rescue Captain or President. If any Officers are involved in complaint it shall be directed to next ranking officer. A complaint may be made for violating any principal of the Constitution and By-Laws, Standard Operating Guidelines, and rules of order of the Department or any conduct that could or has subjected a member or members of the Department or the public to harm or danger. Also valid are complaints for failure to obey the command of a superior officer at a drill or emergency, or conduct, which may or has subjected Department property to damage or theft, or conduct unbecoming, or an illegal act, which relates to membership in the Department. Any member of the Department can only make such complaint. Once a complaint is received a meeting of the Fire Chief, Rescue Captain, and President shall meet and determine if charges have merit. If any of these members are involved next ranking officer for that position shall be used. If merit is determined complaint shall be forwarded to Judiciary Committee.

##### **SECTION 2. Charges**

The Judiciary Committee may by majority vote make a finding of probable cause. If such finding is made, it shall specify the charges and without comment or prejudice refer the complaint to the President of the Department or next ranking officer if President is involved. The board will notify defendant by written letter by certified mail. Once defendant is notified a date shall be determined, **in a timely matter**, to discuss charges before any action can be taken by committee.

##### **SECTION 3. Dismissal of Charges**

The Judiciary Committee finding lack of probable cause, the complaint will be dismissed.

##### **SECTION 4. Disciplinary Hearings**

Every member shall be entitled to a disciplinary hearing for any offense involving suspension or expulsion (except for failure to complete the probationary period). Disciplinary hearings shall not occur unless he/she is informed of the hearing, giving the defendant 3 days' notice to prepare.

### **SECTION 5. Setting of a Date**

The Secretary shall, not more than ten (10) days after the charges are served on the defendant, summon all the parties together on a date agreed upon. If no date is agreed upon within thirty (30) days by all parties, the Secretary shall set a date which shall be binding on all parties to try the case.

### **SECTION 6. Testimony**

The Judiciary committee shall hear all testimony and evidence. The committee will discuss and deliberate, then vote on the guilt or innocence of a defendant.

### **SECTION 7. Penalties**

If the committee decides that the charges are sustained, the committee shall then proceed to vote on a penalty. The committee shall consider expulsion, suspension, reprimand, or restitution of probation or a combination of any of listed penalties. A recommended penalty shall require a majority vote. The complainant will be notified of decision.

### **SECTION 8. Appeals**

In the event a member wishes to appeal a Judiciary Committee's decision, Trustees are to act as a Board of Appeals. The Chairperson of the Trustee's will act as the President of the Board

### **SECTION 9. Contempt**

If the defendant neglects or refuses to stand trial when scheduled, the committee will report the member guilty of contempt of the department and the penalty will be the removal of his/her department membership.

### **SECTION 10. Recommendation of Penalty**

If the committee decides that the charges are true the committee report & penalty will shall be read to the membership.

### **SECTION 11. Suspension**

**The Chief, President & Rescue Captain are the only ones that can suspend a member from *immediate active membership*. Any officer can remove a member from a scene.** If a member is removed from the scene the Fire Chief, Rescue Captain and President needs to be notified. The suspension may be made verbally and must be confirmed in writing to the accused. A written complaint, as defined in Article #8, Section 1, will be reviewed by the officers within 7 days. This will determine if the member will be suspended immediately or needs to be reviewed further. If the suspension requires further discussion a meeting will be set up with the Judiciary Committee to determine disciplinary action if needed. If any of the above does not happen the suspension will be void.

### **SECTION 12. Expulsion**

Failure to comply with a penalty shall be considered as contempt of the department. The penalty will be. removal of membership.

### **SECTION 13. Notification to Defendant**

All notices given to a defendant relating to disciplinary proceedings will be by certified mail.

## **ARTICLE #9 AMENDMENTS**

### **SECTION 1. Form**

Any addition, deletion or change to this Constitution shall be offered in writing and in the form of an amendment. All changes shall be advertised to the membership at least 30 days prior to the proposed approval vote.

### **SECTION 2. Approval by the Majority**

Amendments to this Constitution and By-laws shall be made only after approved majority of two-thirds (2/3) of the members present including any absentee ballots at a regular meeting of the Department. Signed written absentee ballots shall be accepted in the event a member will be absent during voting on by-law changes. This shall be submitted to the secretary prior to voting.

## **ARTICLE #10: RISK MANAGEMENT PHILOSOPHY**

### **SECTION A: Sexual Harassment/Bullying/Abuse**

Members of the WRVFD strictly prohibit the act of sexual harassment/bullying/abuse discrimination, in any form. No member shall take part in activities deemed sexual harassment and/or abuse discrimination, and if any member is found participating in such acts, we, the members, reserve the right to take all necessary actions to correct this behavior for the betterment of the organization. The organization will not tolerate or condone any form of abusive or discriminatory behavior on the part of its members, whether physical, mental, or emotional in respect to sex, race, ethnicity, physical or emotional handicap, age, marital status, or sexual orientation. This includes any actions not limited to sexual assault, verbal harassment, or deemed demeaning to all.

### **SECTION B: Hazing**

No member of the Wood River Vol. Fire Department shall take part in hazing activities, and if any member is found participating in such acts, we, the members, reserve the right to take all necessary actions to correct this behavior for the betterment of the organization. Hazing activities are defined as (but not limited to): any action taken, or situation created, intentionally, whether on or off organization premises or during organization functions, to produce mental or physical discomfort, embarrassment, harassment, or ridicule. Training activities are not defined as hazing.

### **SECTION C: Responsibility to Report**

If this organization becomes aware of any such conduct described in this article, The Wood River Vol. Fire Dept. will report it immediately. This can be done anonymously. If complaint is merited the forward process will follow the disciplinary procedures in Article #8.

## **ARTICLE #11 FIRE FIGHTER OF THE YEAR**

### **SECTION 1. Procedure for Establishing Fire Fighter of the Year**

There shall be a review committee that consist of The President, the Fire Chief and Rescue Captain. The review committee shall review all nominations made from any source, within the department or community. All nominations shall be made in writing to the review board. Nominations may be received at any time prior to selection. The review committee may reject any/all nominations. The review committee shall in writing describe the events leading to the selection of the member as Fire Fighter of the Year. This award can be given to any member of the department, they do not have to be a Fire Fighter. One (1) copy shall be presented to the winner and one copy filed with the dept. records.

### **SECTION 2. Qualifications for Nomination as Fire fighter of the Year**

Nominee must be an active member of the Department. The nominee shall have done something as an outstanding contribution to the Department. The event shall have occurred the previous year in which the award is to be given.

### **SECTION 3. Awards**

At the annual banquet the Fire fighter of the year award shall be presented.

### **SECTION 4. Chief's Citations**

The Fire Chief and Rescue Captain of the Department may award citations as he sees fit for extraordinary service, courage or heroism. These awards will be made at the annual banquet.

### **SECTION 5. Years of Service Award**

Length of service awards for 25 years will be a watch and for 35 years of service a clock

## **ARTICLE #12 GENDER AND NUMBER**

As used in this Constitution and By-laws words of the masculine gender include the feminine and words in the singular include the plural and words of the plural include singular where appropriate. Also, any place the word Board appears, it means Board of Trustees.