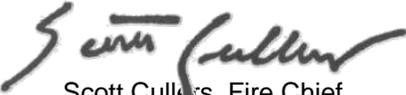




**City of Winchester  
Fire & Rescue Department  
STANDARD OPERATING PROCEDURE**



<b>Section:</b>	Administration	<b>SOP:</b>	1.4
<b>Subject:</b>	Probationary EMT/Firefighter Applicant Disqualifiers	<b>Executed:</b>	August 17, 2011
		<b>Revised:</b>	
<b>Approved:</b>			
 Scott Cullers, Fire Chief			

**PURPOSE**

To establish applicant disqualifiers for entrance level positions within Winchester Fire and Rescue Department (WFRD).

**SCOPE**

This policy shall apply to the position of Probationary EMT/Firefighter as advertised in the job announcement.

**POLICY**

- A. Each applicant’s background will be examined and scrutinized on an individual, yet equal, basis with respect to the extent and nature of the applicant’s past criminal history, age of the applicant at the time of the offense, amount of time that has elapsed since the applicant’s last criminal offense, and the applicant’s conduct since the criminal activity.
- B. Areas of concern will be evaluated using the applicant’s Supplemental Application, completion of a full background investigation, and/or administration of a pre-employment polygraph examination.
- C. The list of disqualifiers herein is not intended to be an exhaustive listing; an applicant may be disqualified due to other concerns raised during the application and selection process.
- D. The applicant must demonstrate the ability to be proficient in reading, writing, and speaking the English language in order to effectively communicate with the public.
- E. The applicant must not have any physical or mental impairment that would limit them or render them unable to perform the duties of the position for which he/she is applying.

## **PROCEDURE**

### **General**

- A. All background investigations shall be performed by approved contract vendors or the Winchester Police Department or as may be assigned by the Fire Chief, Human Resource Director or his/her designee.
- B. Pre-employment polygraph and background investigation results shall be kept confidential and maintained in accordance with applicable local, state, and federal laws and guidelines.
- C. City of Winchester Human Resources will be consulted, as necessary, on a case-by-case basis.

### **Absolute Disqualifiers**

- A. Applicant fails to submit the required documentation and/or by the deadline for the position as advertised in the job announcement.
- B. Applicant does not meet the required qualifications as advertised in the job announcement.
- C. Conviction of any felony.
- D. Conviction of any crime involving the sexual or physical abuse or exploitation of a child, elderly, infirm or disabled adult; sexual misconduct with a child; making or distributing child pornography; using a child in a sexual display; incest with a child; or assault on a child, elderly, infirm or disabled adult.
- E. Conviction of any crime involving financial exploitation.
- F. Conviction of any crime including abuse, neglect, theft from, or financial exploitation of a person entrusted to the applicant's care or protection in which the victim is a patient or is a resident of a health care facility.
- G. Conviction of any crime involving sexual misconduct or morals and decency.
- H. Conviction of any crime involving arson, the incendiary burning of property, and/or threats to bomb, burn, destroy or in any manner damage any place of assembly, building or other structure, or any means of transportation.
- I. Conviction of two or more alcohol- or drug-related driving offenses or being classified as a habitual offender as related to alcohol- or drug-related driving offenses.
- J. Permanent revocation of license or certification by any state EMS office or other recognized state or national healthcare provider licensing or certifying body.
- K. Conviction of illegal sale of or possession with intent to distribute any illegal drug.

## **Additional Disqualifiers**

- A. Conviction of any Class 1 or Class 2 misdemeanor in the Commonwealth of Virginia or any other state within the last five (5) years.
- B. Accumulation of more than six (6) demerit points on a Virginia Driver's License or the equivalent on another state's license within the last 12 months, regardless of any mitigating actions taken (e.g., driver improvement course, etc.).
- C. Any conviction for calling or summoning, by telephone or otherwise, any ambulance, or fire-fighting apparatus, or any person who maliciously activates a manual or automatic fire alarm within the last five (5) years.
- D. Any conviction of driving under the influence of drugs or alcohol; assignment to an alcohol safety action program or driver alcohol rehabilitation program; refusal to take breath or trace tests; reckless driving; eluding police; hit and run; operating on a suspended or revoked license; racing; or leaving the scene of an accident within the last five (5) years.
- E. Illegal possession or use of marijuana or any derivative thereof within the last two (2) years.
- F. Illegal possession, use, distribution, or sale of Schedule I or II controlled substances (Code of Virginia § [54.1](#)) within the last five (5) years.
- G. Use of any steroids without a prescription within the last five (5) years.
- H. Use of any non-medical inhalant within the last five (5) years.

## **Military Service History**

- A. An Other Than Honorable discharge from any military service shall be evaluated on a case-by-case basis.
- B. Any court-martial conviction/Article 15 proceedings under the Uniform Code of Military Justice shall be evaluated on a case-by-case basis.

## **Other Factors: Areas of Additional Scrutiny**

Additional factors that may also be taken into consideration include but are not limited to:

- A. Ongoing disciplinary or enforcement action from any state EMS office or other recognized state or national healthcare licensing or certifying body.
- B. Cheating on any examination or testing involving the position for which the individual has applied.

- C. Untruthfulness, the intentional withholding of information, deliberate inaccurate and incomplete statements on any application or paperwork involved in the selection process for the position for which the individual has applied.
- D. Reduction of charges as result of a plea agreement or other form of sentencing as a disposition prior to conviction in any aforementioned criminal or driving categories.
- E. A pattern of driving behavior, which shows a disregard for local and or state law as well as repeated violations and traffic accidents.
- F. Erratic work record or poor work ethic.
- G. Unfavorable employment or personal references.
- H. Any pattern of alcohol, drug, or stimulant abuse.