

**TIPPERARY COUNTY COUNCIL
FIRE & RESCUE SERVICE**



TERMS and CONDITIONS for RETAINED PART-TIME FIREFIGHTERS

(County Council means Tipperary County Council)

CHARACTER

A Firefighter must be of good character. The County Council may make whatever enquiries it considers necessary to satisfy this condition including Gardaí Síochana vetting. Firefighters must be prepared at all times to act with a keen and responsible approach to both training and such other duties as may be assigned to them.

CITIZENSHIP

Candidates must, by the date of any job offer, be:

- a) A citizen of the European Economic Area (EEA). The EEA consists of the Member States of the European Union, Iceland, Liechtenstein and Norway; or
- b) A citizen of the United Kingdom (UK); or
- c) A citizen of Switzerland pursuant to the agreement between the EU and Switzerland on the free movement of persons; or
- d) A non-EEA citizen who is a spouse or child of an EEA or UK or Swiss citizen and has a stamp 4 visa; or
- e) A person awarded international protection under the International Protection Act 2015 or any family member entitled to remain in the State as a result of family reunification and has a stamp 4 visa; or
- f) A non-EEA citizen who is a parent of a dependent child who is a citizen of, and resident in, an EEA member state or the UK or Switzerland and has a stamp 4 visa.

AGE

Persons seeking employment as Retained Part-Time Firefighters must be not less than 18 years on the latest date of receipt of completed application forms. A birth certificate must be submitted to the County Council as proof of age, and compliance with the above is required before a person is to be engaged as a recruit.

RETIREMENT

The normal retiring age is 55 or sooner if found medically unfit to continue in employment as a retained firefighter. However, firefighters who would be physically capable of working beyond the preferred age of 55 have an extended optional period in which to exit the service subject to certain conditions. Such firefighters have the option to continue working for a defined limited period subject to compulsory annual medical assessment measured against agreed standards. The maximum age limit is 62 and no extension will be provided beyond the date of the firefighters 62nd birthday.

SUPERANNUATION

Membership of the Single Public Service Pension Scheme is Compulsory for all retained fire service personnel who commenced employment on or after 1 January 2013. He/she will be required to make superannuation contributions based on his/her pensionable earnings as a retained firefighter. The option to avail of the

Retained Firefighters Non Pensionable Gratuities Scheme no longer applies to new entrants appointed on or after 1st January, 2013.

GENERAL

The position is on a retained basis and the employment is part-time. Members are free to resign from the Service should they wish to do so on submission of one months notice.

HEALTH

A firefighter shall be free from any defect, disease, physical or psychological condition, and must be in a state of health such as would indicate a reasonable prospect of ability to render regular and efficient service.

MEDICAL EXAMINATION

Before recruitment, in order that conditions as to health may be ascertained, a candidate shall undergo such medical examination (which may include x-ray and/or other special tests) as the County Council consider necessary. The medical examiners will be nominated by the County Council. The candidate must comply, at his/her own expense, with such remedial requirements as the County Council consider necessary.

A firefighter shall -

- (1) at any time, if requested by the County Council, undergo such medical examination(s) by medical examiner(s) as nominated by the County Council, *and*
- (2) attend medical examinations as requested as per the requirements of the 'Occupational Health Scheme for Members of the Retained Fire Service' issued by the Local Government Management Board (now LGMA) to all Fire Authorities.

Payment of medical examiner(s) fees may be made by the County Council in its absolute discretion for the above examinations. The firefighter must comply, at his/her own expense, with such remedial requirements as the County Council considers necessary.

Retention as a firefighter will depend upon receipt of satisfactory reports by medical examiner(s) and to the general condition above as to health.

An operational firefighter must maintain a good level of physical fitness and shall partake in the Occupational Health Scheme as detailed in the "Retained Firefighter's Agreement with Local Government's Management Services Board on revised pay and conditions of Employment - 1999".

EDUCATION

A candidate must have attained a suitable level of education to enable him/her to undergo successfully the appropriate training, and to perform satisfactorily as a firefighter.

PROBATION

From the date of commencement as a recruit firefighter, there shall be a period of one year during which the recruit firefighter shall be on probation. Such period of one year may be extended at the absolute discretion of the County Council. The recruit shall not become an operational firefighter at the end of the period of probation unless the County Council is satisfied that the firefighter has been satisfactory in all respects.

TRAINING

During the probationary period a recruit shall attend and pass

- (1) Retained Firefighter Recruits course,
- (2) Breathing Apparatus Initial Wearers' course, and
- (3) Any other course that the County Council may deem necessary.

Failure to successfully complete such courses will terminate the recruit firefighter's employment.

In the event of a person being unsuccessful in the initial recruit course for any reason other than a medical condition (confirmed by the Fire Service Occupational Health practitioner) that prevented the person from successfully completing the course, Tipperary Fire & Rescue Service will not afford an opportunity to repeat the course to that individual.

Personnel who do not successfully complete a Breathing Apparatus Initial Wearers Course within the 12-month Probationary Period may be given a second chance and afforded an opportunity to repeat the course. This is dependent on the report from the Course Director as to the mitigating circumstances that prevented the individual from successfully completing the first course. Repeat opportunities for Breathing Apparatus Initial Wearers Course will be considered on a case by case basis and should not be considered an automatic right upon failing to successfully complete the first course. Where a repeat opportunity is made available, an extension of the Probationary Period may be necessary. No further opportunities will be given to persons failing to successfully complete the second course where such an opportunity has been provided.

DRIVERS LICENCE On appointment a recruit firefighter shall possess a current full category B licence or if a holder of a provisional category B licence he/she shall obtain a full category B licence within a maximum of 6 months from date of appointment. Ideally he/she shall possess a category class C licence.

All firefighters, on appointment, will be expected to procure and maintain a Class C licence in accordance with Tipperary Fire & Rescue Service's Driving Policy.

He/she will co-operate fully with all Advanced Driver Training and associated assessments/re-assessments conducted by County Council or any agents acting on their behalf. He/she will cooperate fully with all additional driver training required to obtain licencing categories other than B and C as may be required for fire service duties.

DRILLS/ TRAINING

A firefighter shall attend and participate in regular drills (not less than 85 %) in their respective stations and shall undergo from time to time, courses and further training as required or deemed appropriate by the County Council. The location(s) of the training shall be decided by the County Council and adequate advance notice shall be given to firefighters.

Drill Training shall be held at such frequency as decided by the County Council and in accordance with the Tipperary Fire & Rescue Services Training Programme and in accordance with appropriate National Syllabus and Guidance.

A firefighter shall be provided with a minimum of 100 hours training per annum comprising of at least 80 hours of regular scheduled training night/drill activities and 20 hours of block release as per "Retained Firefighter's Agreement with Local Government's Management Services Board on revised pay and conditions of Employment - 1999".

He/she will co-operate with any new training regimes for fire-fighters/fire officers including out of station, mid week or week-end training as decided by Chief Fire Officer.

The level of training to be successfully undertaken by a firefighter shall be such as to enable him to carry out competently and effectively, the various operations required in the Fire Service, including the operation of communications systems, driving appliances and vehicles, and the operation of pumps, lifts, ladders, rescue and emergency equipment, hydrant testing, etc., and such other matters and requirements as may arise from time to time.

A firefighter shall be expected to acquire a level of training and knowledge as to enable him to interchange with and act as substitute for all personnel at an equivalent rank in the Fire Service of the County Council. The County Council has discretion to act-up a firefighter to an officer position if it is required.

RESIDENCE

A firefighter must reside and work within a reasonable proximity to the fire station (this is set as being within an average of 8 minutes travel time of the relevant fire station). On receipt of a fire or other emergency call they should be in attendance at the station within an average of four minutes. In the event of a firefighter changing his/her address or his/her place of employment, written notification of this shall be forwarded by the firefighter to the Chief Fire Officer. The firefighter's position will then be reassessed in the light of his/her availability for service as a retained firefighter and if it is the opinion of the County Council that his degree of availability is not compatible with services as a firefighter, his/her employment may be terminated.

AVAILABILITY

Written evidence from the employer as to availability must be provided and the County Council in its sole discretion, shall decide as to whether the availability as so evidenced is acceptable; self-employed must also provide written evidence as to availability. Such written evidence must cover a candidate's availability for initial training and for fire and other calls, drills, training and such other duties which the firefighter may be required by the County Council to perform.

Personnel on changing employment or if unemployed on entry shall be required to provide a letter of consent from their new employer. Should a member be unable to obtain confirmation of release from their employer, the County Council reserves the right to terminate the employment of the member.

If the County Council deems a firefighter's attendance to be unsatisfactory, it may terminate the firefighter's service.

DUTIES

A firefighter, as and when required, shall perform such duties as are assigned to him/her from time to time and without prejudice to the generality of this requirement, a firefighter, as and when required by the County Council, shall perform watchroom duties, driving duties and the operation of pumps, lifts, hoists, ladders and means of escape, rescue equipment, hydrant testing etc. and other duties as directed by an authorised officer of the County Council either verbally or in writing.

ATTENDANCE at DRILLS and FIRE/EMERGENCY CALL OUTS

In the case of fire/emergency call outs, the firefighter shall attend within the "maximum attendance time" which shall be set for each station by the Chief Fire Officer. The "turnout time" and "maximum attendance time" shall be set in accordance with "Retained Firefighter's Agreement with Local Government's Management Services Board on revised pay and conditions of employment - 1999". There is a liability on firefighters to attend calls. This is the basis on which a retainer is paid. The onus of arranging to receive a call out alarm shall rest with members. A pager/alerter whose care & battery condition is the responsibility of the firefighter is issued to each firefighter to enable him/her receive notification of emergency calls.

Where the Chief Fire Officer considers that a firefighter is not fulfilling the above attendance standards which he/she considers reasonable in all of the circumstances, the Chief Fire Officer will have the right to withhold the retainer payment as follows;

- 50% in the 1st quarter,
- 100% in the 2nd quarter within any 12 months.

Any further failure to meet the above attendance standards may be dealt with through disciplinary procedures.

**PERSONAL
PROTECTIVE
EQUIPMENT
(PPE)**

Appropriate PPE is issued to each firefighter upon successful completion of all relevant training in accordance with Tipperary Fire & Rescue Service's PPE Policy.

In addition each member receives an annual clothing allowance which is subject to periodic review.

REMUNERATION

- (a) Rates of payment will be in accordance with scales approved from time to time, and will consist of retaining fees and fees for attendance at fires and training,
- (b) Members shall be required, except during sick leave of normal employment, to attend not less than 85% of all drill training, and 100% of all incidents for which they are on 'first call' in each quarter year, in order to qualify for receipt of retaining fee and clothing allowance.

Possible Average Annual Earnings €25,000 to €30,000

ANNUAL LEAVE

Annual leave shall be provided in accordance with the organisation of Working Time Act, 1997 and shall be taken in accordance with the requirements of this Act. Holiday Pay will be paid accordingly as per agreed national guidelines as issued by LGMA and /or DOELG. Annual Leave for firefighters up to Sub Station Officer rank shall be managed by the station officer. In the case of the station officers, annual Leave will be managed by senior officers. Overall compliance with Tipperary County Council annual leave policies and procedures will be reviewed by the Chief Fire Officer in consultation with the HR Department as specific issues or circumstances arise. Personnel will be required to participate in the rostering of holidays at the commencement of each quarter to ensure that the appropriate number of personnel approved by the station officer will be available for duty in accordance with the 1999 Retained Firefighters Agreement.

Approvals for annual leave will have due regard to work demands and operational requirements and will be subject ultimately to a minimum crew being available at all times. It is at the discretion of the station officer or a senior officer to approve or refuse an annual leave application made by a firefighter or station officer respectively. A firefighter has a right of appeal of a decision to refuse an annual leave application and must do so to a senior officer. A station officer has a right of appeal to the Chief Fire Officer. Firefighters are expected to avail of their annual leave during the current leave year. It will be possible to carry forward a maximum of five days annual leave to the following leave year and all applications for carrying forward annual leave shall be submitted to a senior officer for approval and shall be monitored by the HR Department.

SICK PAY

Where a member becomes incapacitated as a result of serious illness or injury, retainer fee shall be paid for twelve weeks on receipt of a medical doctor's report. The retainer fee may be extended to six months at the discretion of the Chief Fire Officer depending on the merits of the case and the applicant's attendance records. Extended sick leave would generally only be extended to a member on one occasion only.

Any absence on sick leave must be reported to the station officer/officer in charge or on his/her absence the rostered senior officer on the first morning of illness stating the type and expected duration of the illness. Where a firefighter is absent due to sickness, a certificate from a qualified medical practitioner must be submitted on the third day of a continuous absence and on a weekly basis thereafter. A medical certificate must be submitted immediately following any day's sick leave in excess of seven uncertified days in any 24 month rolling period. A medical certificate of fitness to return to work must be submitted prior to resuming operational duties after all periods of certified sick leave exceeding 7 days duration.

Persistent incidents of frequent intermittent sick leave absences may be investigated and such investigation may include referral to an independent medical advisor. If it is found that abuse/mis-use of the scheme has taken place, entitlements to paid retainer fees during sick leave may be revoked or any other sanction in accordance with the Council's Grievance and Disciplinary Procedure may be applied.

INSURANCE All personnel are covered by an insurance policy in relation to injury at work in the fire service.

GENERAL Each employee must adhere to all conditions of Service for Retained Part-time Firefighters as set out in 1973 Agreement & Retained Firefighters 1999 Composite Agreement respectively. He/she must comply with the terms of the attached document entitled "Regulations for Fire Brigade Personnel" and any subsequent updates/revisions to these regulations.

GRIEVANCE & DISCIPLINARY PROCEDURES For the majority of employees the question of Grievance & Disciplinary Procedures will never arise. The County Council's Grievance & Disciplinary Procedures shall be followed to ensure that on exceptional occasions when grievances need to be resolved or disciplinary action has to be taken, it is exercised in a fair and reasonable manner and with due regard to the rights and responsibilities of all parties concerned.

HEALTH & SAFETY Tipperary County Council is committed in its role in protecting the Safety, Health and Welfare of firefighters in accordance with the obligations contained in the Safety, Health and Welfare at Work Act, 2005.

The Council 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 unacceptable or reasonably practicable level.

Firefighters have legal obligations in relation to Safety, Health and Welfare at Work and are required to follow instructions/guidelines contained in the County Council's Parent Safety Manual and in the Tipperary Fire & Rescue Services' Safety Manual/Brigade Orders/Standard Operational Guidance and associated documentation and be familiar with the contents contained therein.

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

STAFF REPRESENTATION Tipperary County Council recognises the trade unions SIPTU and UNITE as having negotiating rights for firefighters. Firefighters are bound by agreements made on their behalf with the trade unions through the industrial relations process.

COUNTY COUNCIL RECORDS A firefighter shall not remove any records belonging to the Council from the Council's premises or equipment at any time without proper advance

authorisation. A firefighter shall return to the Council upon request and in any event, upon termination of employment, all records belonging to the Council in his/her possession or under his/her control.

**USE of
ELECTRONIC
EQUIPMENT**

Tipperary County Council provides many telecommunications, computing and network resources for use by staff in the pursuance of their duties. A firefighter is obliged to comply with County Councils Communications Systems Policies governing the use of all telecommunications and electronic equipment.

EQUALITY

Tipperary County Council is committed to a policy of equality of opportunity in its employment practices. The County Council is committed to the maintenance of a working environment free of all forms of harassment including sexual harassment.

The County Council will not tolerate discrimination or harassment on the grounds of gender, marital status, family status, age, religion, sexual orientation, race or nationality, disability or membership of the travelling community.