



GENERAL DEPARTMENT

25.1 GENERAL CONDUCT AND BEHAVIOR

- 25.1.1 Members shall not violate their Oath of Office. They shall obey all laws, regulations, orders, commands, and instructions governing members of the uniformed force. Such obedience shall be prompt, implicit and unqualified.
- 25.1.2 Officers shall be just, dignified and firm in effecting discipline and compliance with the Regulations, and when necessary, take required disciplinary action in accordance with such Regulations.
- 25.1.3 Members shall conduct themselves at all times in a manner that will not bring reproach or reflect discredit upon the department. Members in uniform, on or off-duty, attending or participating in an event, such as a Parade, Memorial Service, Plaque Dedication, or other similar events; are to conduct themselves appropriately and adhere to and follow all requests and orders of higher ranking officers of the department. Any act or omission in violation of this Regulation of the Uniformed Force will result in disciplinary action.
- 25.1.4 On-duty members shall not, except in performance of duty or to procure the meal, enter any place where intoxicating liquors are manufactured or sold.
- 25.1.5 Members shall comply with the provisions set forth in AUC 202 titled Substance Policy: Drugs/Alcohol.
- 25.1.6 Members in uniform shall not occupy a seat to the exclusion of other passengers, when using public transportation.
- 25.1.7 Members shall not, except while on Department business or visiting places of public worship, wear uniforms or any part thereof, at any place of amusement, entertainment, places of public assembly, court appearances, political related activities or events, without the approval of the Chief of Operations.

- 25.1.8 Members shall not engage in any activity that may be instrumental in arousing religious, racial, or any other hatred, whether by actions, speech, writings, or dissemination of materials. Members shall not discriminate against anyone based upon his/her race, color, creed, sex, age, national origin or affectional preference. Members shall not engage in any activity, whether by actions, speech, writing, or dissemination of materials, that constitutes or may cause sexual harassment as defined in Title VII of the Civil Rights Act of 1964 and Mayoral Directive 80-5.
- 25.1.9 Members shall not neglect or shirk any duty, or absent themselves from quarters, fires or other assignments, without proper permission. Members shall obtain permission to leave quarters in accordance with Section 15.1.9 of these Regulations.
- 25.1.10 Members shall not knowingly make a false official entry, statement, report or record.
- 25.1.11 Members shall not congregate outside quarters unless assembled for drill or other departmental activities.
- 25.1.12 Members in uniform shall not engage in picketing activities of any kind.
- 25.1.13 Members shall not handle apparatus or equipment in a careless or reckless manner.
- 25.1.14 Members shall not carry, possess, store or use any firearm while on Department duty or on Department property. Members holding the rank of Chief Fire Marshal, Deputy Chief Fire Marshal, Supervising Fire Marshal and Fire Marshal, are exempt from this regulation.

25.2 CONTRIBUTIONS, SOLICITATIONS

- 25.2.1 Members shall not sell or distribute tickets, nor shall they sell or solicit advertisements for events of any kind without the prior written approval of the Fire Commissioner. Such events include, but are not limited to, unit anniversaries, sporting events, memorial runs, tournaments and the like. Approval will not be granted unless it is specifically stipulated that tickets and/or advertisements will be sold only to members and their families.

- 25.2.2 Members shall not solicit or contribute, or cause to be solicited or contributed, any money or other valuable article to be used in connection with any event, including those mentioned in 25.2.1, or with any matter affecting the Department, without the prior written approval of the Fire Commissioner. This does not apply to money collected for house assessments, company commissary, dues of official Department organizations, or other authorized purposes.
- 25.2.3 Members shall not gamble or promote gambling while on duty or in any Departmental premises or vehicle.
- 25.2.4 Members on eligible lists for promotion shall not offer, directly or indirectly, any gratuities to persons or members for the purpose of creating a vacancy to expedite promotions.
- 25.2.5 Members shall not solicit or accept any compensation, reward or consideration for services performed in the line of duty, or any gift or donation as a member of the Department, without written approval of the Fire Commissioner.
- 25.2.6 Members shall not allow their names to be used by any person or firm or corporation, except in connection with duties of an official capacity, without written approval of the Fire Commissioner.
- 25.2.7 Members shall not recommend the name of any person, firm or corporation interested in the sale of fire appliances, or in the remedying of violations of law.
- 25.2.8 Members shall not sanction use of their names or photographs in connection with any printed article, nor with an advertisement of any kind, without written approval of the Fire Commissioner. This shall not prohibit use of photographs in connection with printed accounts of members participating in rescue and other work at fires, or in connection with the history of members appointed or promoted.
- 25.2.9 No member shall make, possess, or present a facsimile of any official badge or identification card. Members shall not use official Department badges under any circumstances to elicit consideration of a personal nature or circumvent regulations or laws. Facsimile of badges may only be possessed by members with the approval of the Fire Commissioner when the badge is part of permanent plaque or trophy.
- 25.2.10 Members shall not lend, sell, or give away any Department property, except that Department property may be loaned to members of other city departments.

- 25.2.11 Overtime, time off, cash payments or other forms of consideration that are in excess of the considerations authorized by the Department are prohibited.

Officers making any unauthorized promises shall be subject to disciplinary action and in addition they will be held personally liable for any consideration which may accrue to other members because of the failure of the officer to obtain proper authorization before promising compensation or compensatory time off in excess of officially prescribed amounts.

25.3 DEPARTMENT ROUTINE RESTRICTIONS

- 25.3.1 Members shall consider official business of the Department as confidential. They shall not impart any information which has not been published in department orders, nor permit persons not members of the Department to have access to, or make a transcript of, a Department record, except as follows:

- A. Under due process of law.
- B. As directed by, or with written approval of the Fire Commissioner.

This shall not prohibit discussion of Department routine with visitors.

- 25.3.2 Members shall not discuss for publication matters concerning the Department, without approval of the Fire Commissioner, except as otherwise provided for in Regulations.
- 25.3.3 Members shall, when answering telephones, indicate unit number, rank and name. Members calling shall identify themselves in like manner.
- 25.3.4 Members shall not visit headquarters of their superior officers without permission of intermediate commanding officers. If permission is denied, members may forward a request for an interview either through official channels or by mail, stating briefly the purpose of the interview.
- 25.3.5 Members shall not use official letterheads, envelopes or stationery, except for transaction of Department business.

25.4 LEGAL PROCEEDINGS

- 25.4.1 Members shall not violate any law. Members shall not commit assault or engage in an altercation while in uniform, on duty, or in any Department workplace or vehicle.

- 25.4.2 A member who is arrested or issued a desk appearance ticket shall immediately notify the officer on duty of the member's assigned unit. Such notification shall include the nature of the charges, date, time, and location of the occurrence. This obligation is not fulfilled by informing a union trustee or attorney.

On the member's next tour of duty, or next return date at the Bureau of Health Services, the member shall complete the Arrest of Member Report (Form BP-66) and shall forward the report to the Bureau of Personnel. Officer on duty shall make immediate notification to the Bureau of Investigations and Trials as required by A.U.C. 268A section 3.

- 25.4.3 A member who becomes involved in any criminal proceeding, or in civil proceedings involving any governmental agency, shall immediately forward to the Bureau of Personnel a report recording all pertinent information.

The member shall forward a separate report for each subsequent or continued appearance and said report shall include adjournment date or the certificate of disposition of the proceedings.

- 25.4.4 Members who are sentenced to jail terms must notify the Bureau of Personnel of the term of the sentence and the date it is to commence. Notification must be made prior to commencement of the sentence. Officers shall carry such members as absent without leave unless otherwise authorized in writing by the Fire Commissioner or designee.

- 25.4.5 When it is reported that a criminal offense has been committed by a member, the officer on duty shall immediately notify the deputy and battalion chiefs on duty. The deputy chief shall telephone particulars to the notification desk and the Office of the Inspector General (212) 825-2406.

- 25.4.6 Members must comply with lawful notice, process or subpoena requiring them to appear before any court or judge, any legislative committee or any officer, board or body authorized to conduct any hearing or inquiry regarding the property, government or affairs of the city or included within its territorial limits. Section 1123 of the New York City Charter requires termination of employees who fail or refuse to do so.