

## **Cavan County Council**

### **Fire Service**

## **Terms of Engagement for Retained Firefighters**



### **Position**

This position is on a retained basis.

The employment is part-time, and membership of the Fire Service is voluntary. Members are free to resign from the service should they so wish on submission of one month's notice.

### **Single Public Service Pensions Scheme and Superannuation Contributions**

In accordance with the 'Public Service Pensions (Single Scheme and other Provisions) Act 2012' membership of the Single Public Service Pension Scheme is **Compulsory** for all Retained Fire Service personnel who are deemed to be new entrants for the purpose of the Single Scheme and who commenced employment on or after 1<sup>st</sup> January 2013.

A new entrant Retained Firefighter appointed on or after 1<sup>st</sup> January 2013 will become a member of the Single Public Service Pension Scheme and be required to make superannuation contributions based on his/her pensionable earnings as a Retained Firefighter.

It is noted that the option to avail of the Retained Firefighters Non Pensionable Gratuities Scheme no longer applies to new entrants appointed on or after the 1<sup>st</sup> January 2013.

### **Pension Abatement**

If an appointee has previously been employed in the Civil or Public Service and that appointee is entitled to or in receipt of a pension from the Civil or Public Service or where a Civil/Public Service pension comes into payment during the appointee's re-employment that pension will be subject to abatement in accordance with Section 52 of the Public Service Pensions (Single Scheme and other Provisions) Act 2012.

Please note: In applying for this position you are acknowledging that you understand that the abatement provisions, where relevant, will apply. It is not envisaged that the employing Department/Office/Body will support an application for an abatement waiver in respect of appointments to this position.

### **Character**

A firefighter must be of good character. Cavan County Council may make whatever enquiries it considers necessary to satisfy this condition. 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**

A Firefighter must be not less than 18 years on the first day of the month in which the latest date for receiving application forms occurs. The normal retirement age is 60. A birth certificate shall be submitted to Cavan County Council as proof of age.

## **Terms**

A Firefighter is bound to adhere to the “Regulations for Fire Brigade Personnel” as laid down by Cavan County Council Fire Service. The “Regulations for Fire Brigade Personnel” form an integral part of firefighters terms of employment and as such have been incorporated into this contract document.

## **Qualifying Criteria**

- Persons appointed shall reside and work within a ‘five minutes’ travel time from their local fire station or upon approval by the Chief Fire Officer within a reasonable distance of their fire station to enable them to function effectively. On receipt of a fire or other emergency call they should be in attendance at the station within five minutes.
- Persons appointed will be required to be on call for a minimum of 24 weeks per annum, on a 24-hour basis, seven days a week.
- Applicants shall possess adequate literacy and numeric skills to allow them to carry out their duties in a competent and safe manner (based on the information provided on the application form, applicants may have to undertake literacy and numeric skills test as part of the selection process).
- Applicants who are successful shall be prepared to undertake any Fire Service training courses deemed necessary to refresh and/or enhance their capability to carry out their role in a competent and safe manner.

## **Retirement**

On reaching 60 years of age or sooner if found to be medically unfit, a firefighter

shall cease to hold office. The maximum age limit of 60 years may be lowered by Cavan County Council should the normal age of retirement in employment generally be lowered and in such case, the age lower than 60 years shall apply.

### **Health**

A firefighter shall be free from any defect, disease, physical or psychological condition that may adversely impact on their duties 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 or promotion, in order that conditions as to health may be ascertained, a candidate must undergo such medical examination (which may include x-ray and/or other special tests) as Cavan County Council considers necessary. The medical examiners will be nominated by Cavan County Council. The candidate must comply, at his/her own expense, with such remedial requirements as Cavan County Council considers necessary: -

An Operational Firefighter shall-

- (1) at any time, if requested by Cavan County Council, undergo such medical examination(s) by medical examiner(s) as nominated by Cavan County Council.

And

- (2) undergo a regular medical examination by a medical practitioner nominated by the Council as required under the terms of the agreed Occupational Health Scheme for Firefighters.

Payment of medical examiner(s) fees will be made by Cavan County Council in its absolute discretion for the above examinations. Any defects discovered pertaining to a medical examination will not be remedied at Cavan County Council's expense.

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 through regular exercise and shall partake in the Occupational Health Scheme For Members of the Retained Fire Service as issued by the Local Government Management Services Board in July 2005.

### **Education**

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

### **Probation**

A Firefighter shall be on probation for a period of one year from the date of commencement of employment. Such period of one year may be extended at the absolute discretion of the Chief Executive.

The Firefighter shall cease to hold the post at the end of the probationary Period unless Cavan County Council is satisfied that he/she has been satisfactory in all respects and the Chief Fire Officer has certified that the service of the person is satisfactory.

### **Training**

During probation a firefighter shall attend and pass;

- 1) a three week recruit training course,
- 2) a two-week breathing apparatus initial wearer's course and
- 3) obtain Class C full Drivers Licence
- 4) any other course that Cavan County Council may consider necessary.

Failure to successfully complete such courses, will result in termination of the firefighter's employment. Unless there are exceptional mitigating circumstances, as determined by the Chief Fire Officer, firefighters will be permitted one opportunity to pass the Recruit Training course and the Breathing Apparatus Initial Wearers course.

### **Drills and Further Training**

A firefighter shall attend and participate in drills and shall undergo from time to time, courses and further training as required or deemed appropriate by Cavan County Council. The location(s) of the training shall be decided by Cavan County Council and adequate advance notice shall be given to firefighters.

Drills / Training shall be held at such frequency as decided by Cavan County Council and in accordance with appropriate National syllabus and the training nights schedule issued on a quarterly basis by Cavan County Fire Service.

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

The level of training to be successfully undertaken by a firefighter shall be such as to enable him/her to carry out competently and effectively the various operations required in the fire service, including the operation of communication 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/her to

interchange with and act as substitute for all personnel within his/her unit at operational level in the fire service of Cavan County Council.

### **Employer's Consent**

Before appointment, applicants shall be required to submit in writing, confirmation of their employer's consent to their release to attend fires and emergencies during normal working hours. Self employed must also provide written evidence as to availability prior to appointment.

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 fire authority reserves the right to terminate the employment of the member.

### **Attendance**

There is an obligation on a firefighter to attend at alert/fire calls and at training nights / drills. This is the basis on which a retainer is paid. The onus on arranging to receive an alert/fire call shall rest with the firefighter. A pager / alerter whose care and battery condition is the responsibility of the firefighter is issued to each firefighter to enable him/her receive notification of emergency calls.

Firefighters who will be absent for duty (*i.e. unavailable to respond to a call-out*) for any reason during any period of time must inform and seek approval from their Supervising Officer for this absence/proposed absence in accordance with the procedures laid down. If approved, it is the duty of the applicant to register this information in the 'unavailable for call-out' book and/or board in their station and/or an electronic computerised attendance management system.

Firefighters shall adhere to and participate in any rostering arrangements laid down by the Chief fire Officer.

Notwithstanding such other disciplinary action which Cavan County Council may apply, failure to attend or participate in 85% of scheduled training nights / drills and an acceptable number of incidents as determined by the Chief Fire Officer in any quarter of a year, without good cause, shall result in the firefighter forfeiting his/her right to full payment of the retaining fee for that quarter.

In the case of alert/fire-call, 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 Management Services Board on revised pay and conditions of employment - 1999”.

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 first quarter,

100% in the 2<sup>nd</sup> quarter within any 12 months.

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

### **Annual Leave**

Your annual leave entitlement will be calculated in accordance with the Organisation of Working Time Act, 1997 and S.I. No. 473 of 2001 Organisation of Working Time (Records) (Prescribed Form and Exemptions) Regulations, 2001.

The present annual leave entitlement is 28 days per annum. One day’s annual leave is equivalent to 24 hours.



Each firefighter will be issued with an individual annual leave sheet at the start of the leave year or in the event of an electronic computerised leave system being put in place within your fire station, your annual leave entitlement will be allocated at the start of the leave year on the system and updated accordingly when annual leave has been requested, approved and taken.

Annual leave for firefighters up to Sub Station Officer rank shall be managed by the Station Officers. In the case of the Station Officers, annual leave will be managed by Senior Officers. Overall compliance with Cavan 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.

All applications for annual leave must be made **in advance** of the leave being taken and must be signed and dated by both applicant and approver unless the application is submitted using the County Council's electronic computerised leave system, where this facility has been implemented within the fire station.

You 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.

Firefighters are required to avail of a minimum block period of fourteen days (2weeks) annual leave in each year.

Firefighters are required to inform their Station Officer early in the annual leave year of their proposed dates to comply with this requirement while Station Officers are required to inform a Senior Officer.

Where an electronic computerised annual leave system is not provided within a fire station the annual leave sheets for firefighters shall be held in the 'Annual

Leave – Record folder’ kept in the fire station. This folder containing each of the individual annual leave sheets of all the crew members shall be readily accessible to all firefighters and be available for inspection by a Senior Officer at any time.

Annual leave entitlement will be applied for in minimum of a full day blocks of time from 24:00hrs (midnight) –to 24:00hrs (midnight) on any given day.

All firefighters who wish to take annual leave in excess of two days shall where possible submit their completed leave sheet application **at least seven days in advance** to their Station Officer for approval. In the absence of the Station Officer, firefighters shall submit their annual leave application sheet to the Sub-Station Officer for approval. In the case of a Station Officer, application shall be made to a Senior Officer in advance.

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.** The granting of annual leave may in exceptional circumstances be suspended during periods of exceptional pressure or shortage of crew numbers. Such circumstances may be taken into account in the approval of carryover of leave at year end. It is up to 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 the right of appeal of a decision to refuse an annual leave application and must do so to a Senior Officer. A Station Officer has the right of appeal to the Chief Fire Officer.

Payment of annual leave / public holiday pay to firefighters will be made in accordance with the provisions of the Organisation of Working Time Act.

Firefighters are not required to attend at incidents while on annual leave and will not be paid for attending an incident while on annual leave. Only in exceptional circumstances where there is an unexpected shortage of crew members or other extenuating operational reasons and approval is obtained from a Senior Officer in advance, will there be a deviation from this. Missing a call or a training night / drill while on annual leave will not affect a firefighter's attendance percentages.

Leave sheets must be returned to Fire Service H.Q. at the end of each quarter and after the end of the leave year. Staff in Fire Service HQ will update the leave taken by each firefighter quarterly. The updated status of annual leave will then be returned to each Station Officer to discuss with each firefighter to ensure that annual leave is being managed in accordance with requirements.

#### Carry forward of Annual Leave

Firefighters are expected to avail of their annual leave allowance during the current leave year. It will be possible to carry forward a maximum of five days annual leave to the following leave year. All applications for carry forward annual leave shall be submitted to a Senior Officer for approval. This will be monitored by the HR Department.

Where, in exceptional circumstances, a firefighter is unable to take his/her annual leave allocation due to the operational needs of the fire service and has greater than the permissible maximum five days to carry over to the next leave year, a flexible and reasonable approach will be taken by fire service management in addressing the situation. Such situations will be addressed on a case by case basis and will be referred to a Senior Officer for consideration and recommendation.

Where balances of annual leave are not taken in accordance with the above provisions, the annual leave balance may be forfeited.

Where, in exceptional circumstances, a firefighter has exhausted his/her annual leave entitlement in the current year, he/she may apply to borrow up to a maximum of 5 annual leave days from the following year. Such an application must be made in writing and must be approved by a Senior Officer in advance. The leave, if approved, will be deducted from their leave entitlement in the following year or may be taken as unpaid leave in the current year (i.e. loss of retainer for the period concerned in excess of the annual leave entitlement).

Failure to comply with the provisions of this policy may lead to the implementation of disciplinary procedures in accordance with Cavan County Council's Grievance and Disciplinary Procedures.

### **Sick Pay**

Payment for absence on sick leave is normally granted to firefighters in line with the relevant Public Service Sick Leave Scheme in place and any nationally issued guidelines pertaining to retained firefighters. Cavan County Council's Sick Leave Procedure applies to all employees including retained firefighters.

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 also 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. Frequent and intermittent absences may be defined as short-term absences that are normally sporadic and attributable to minor ailments, in many cases unconnected. Often the employee will only be absent for a maximum of a week but more often for single days. Absence of this nature may result in an investigation. Such an 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.

### **Residence**

Persons appointed shall reside and work within a five minutes' travel time from their local fire station or upon approval by the Chief Fire Officer within a reasonable distance of their fire station to enable them to function effectively. On receipt of a fire or other emergency call they should be in attendance at the station within five minutes.

Personnel prior to changing residence shall be required to obtain written consent from the Chief Fire Officer. A change of residence or place of employment which would place him/her outside these limits will mean automatic termination of employment.

You shall be required to report for duty to the fire station in its present location, or in the event of change of location to such new location as may be decided by the

Fire Authority. Changes in the location of the fire station will not result in payment of disturbance money or other compensation.

### **Duties**

Each employee must comply with the terms of the attached document entitled “Regulations for Fire Brigade Personnel” and any subsequent updates / revisions to these regulations.

Notwithstanding the specific duties set out in the attached supporting document, a firefighter shall carry out such duties as set out by the Chief Fire Officer from time to time and as directed by him/her or another Cavan County Fire Officer. All instructions shall be acted upon promptly and with due regard for the safety of both members of the public and other fire service personnel.

You will report to the Chief Fire Officer or the person designated by the Chief Fire Officer to be your supervisor.

When rostered on duty you must remain within convenient proximity of the fire station. Failure to respond promptly to fire or other calls shall, at the discretion of the County Council, result in termination of service.

The Firefighters duties shall include:

- A Firefighter shall carry out any other tasks as may be required by an Officer from time to time.
- A Firefighter shall participate in all training initiatives as required.
- A Firefighter shall participate in the preparation of the holiday roster with the rest of the crew within the fire station at the beginning of each quarter.

- A Firefighter shall report any injuries, accidents or incidents to the Officer in Charge.
- A Firefighter shall comply with organisational policies and procedures.

### **Clothing**

The issue to each employee shall be: -

- 1 No. Firefighter's Helmet – issued once or replaced if damaged.
- 1 No. Firefighter's Tunic – generally issued once in five years.
- 1 No. Firefighter's Turn-Out Overtrousers – generally issued once in five years.
- 1 No. High Visibility Surcoat to be worn over tunic at all road based incidents or as directed by the Incident Commander– generally issued once in five years.
- 1 No. Pair of Firefighter Boots– generally issued once in five years.
- 1. No. Pair of Firefighters Gloves - generally issued once in two years.
- 2. No. Firefighter's Flash hood – generally issued once in five years.

The above equipment shall be stored in the Fire Station. Each employee shall be responsible for his/her issue of clothing etc. and items lost or damaged due to his/her default shall be replaced at their expense by deduction of the cost from fees or wages due. The above equipment shall be maintained in a clean and serviceable manner at all times.

### **Remuneration**

In relation to training and courses etc. (excluding training nights /fire drills) provided after recruitment, a firefighter taking part in courses lasting one day and upwards shall be paid a standard hourly rate in lieu of wages except in the situation where a firefighter's normal weekly wage is in excess of the standard hourly rate. If payment in excess of the standard hourly rate is claimed by any firefighter during his/her attendance at a training course, he/she will be required

to produce from his/her employer a certificate indicating the rate of pay he/she normally receives before any payment in excess of the standard hourly rate is paid. Cavan County Council will not be liable for making any adjustment between employer and employee in relation to wages.

A firefighter shall be paid at the appropriate approved national rates of fire and drill fees and retainer fees.

### **Health and Safety**

Cavan County Council acknowledges its role in protecting the safety, health and welfare of firefighters. The authority 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 acceptable or reasonably practicable level. The authority will implement safe work systems and methods to protect the safety, health and welfare of firefighters. Cavan County Council understands the legal obligations and its commitment to comply with the Safety, Health and Welfare at Work Act, 2005.

You have a legal obligation in relation to health, safety and welfare at work and are required to follow instructions / guidelines contained in the Council's Safety Regulations / Safety Statement/ Safety Manual/ Brigade Instructions. You are obliged to familiarise yourself with the contents of the Council's Safety Regulations / Safety Statement/ Safety Manual/ Brigade Instructions.

### **Staff Representation**

Cavan County Council recognises the trade union SIPTU as having negotiating rights for firefighters. Firefighters are bound by agreements made on their behalf through the industrial relations system.

### **Confidentiality**

A firefighter shall not discuss or disclose any information of a confidential or sensitive nature relating to Cavan 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.

### **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**

Cavan County Council provides many telecommunications, computing and network resources for use by staff in the pursuance of their duties. A firefighter is entitled to use telephones, the internet, email, fax machines, photocopiers and other equipment for work-related activities as appropriate and to facilitate the efficient exchange of useful information. A firefighter is obliged to fully comply with the organisational policy governing the use of all telecommunications and electronic equipment.

### **Equality**

Cavan County Council is committed to a policy of Equality of Opportunity in its employment practices and has a positive action programme in place as part of realising this policy. Cavan County Council is also committed to the maintenance of a working environment free of all forms of harassment including sexual harassment.

Cavan 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.

### **General**

Conditions of employment shall adhere to relevant National Agreements for Retained Firefighters.

### **Disciplinary Action and Dismissal Procedure**

For the majority of employees the question of Disciplinary Action or Dismissal Procedures will never arise. Cavan County Council's Disciplinary Action and Dismissal Procedure shall be followed to ensure that on exceptional occasions when 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 the parties concerned.

**All applications must be made on the official Application Form.** Application Forms are available from the Human Resources Department, Cavan County Council, Farnham Centre, Johnston Central Library, Farnham Street, Cavan **Tel. 049-4378653/8631** or **email [jobs@cavancoco.ie](mailto:jobs@cavancoco.ie)** or on **web [www.cavancoco.ie](http://www.cavancoco.ie)**

The latest date for the receipt of completed Application Forms is **5.00 pm on Friday 26<sup>th</sup> January, 2024**

**Completed application forms should be emailed to [jobs@cavancoco.ie](mailto:jobs@cavancoco.ie)**

**Please note application forms will be accepted by email only and will not be accepted in hard copy**

Any claim in relation to the late receipt of Application Forms will not be entertained unless such claim is supported by a certificate of evidence of postage from the appropriate postal authority.

**Note:**

Applicants are reminded that any attempt by themselves or by any persons acting on their behalf directly or indirectly by means of written communication or otherwise to canvass or otherwise influence in the applicants favour any employee of the County Council or persons nominated by the Chief Executive to interview or examine applicants, will automatically disqualify the applicant for the position they are seeking.

**Data Protection:**

All of the information you provide during the process will only be used for the purpose of progressing your application, or to fulfil legal or regulatory requirements if necessary.

We will not share any of the information you provide during the recruitment process with any third parties for marketing purposes or store any of your information outside of the European Economic Area. The information you provide will be held securely by us and/or our data processors whether the information is in electronic or physical format.

We will use the contact details you provide to us to contact you to progress your application. We will use the other information you provide to assess your suitability for the role you have applied for.

**Cavan County Council is an equal opportunities employer**