



NATIONAL WILDFIRE COORDINATING GROUP

National Interagency Fire Center
3833 S. Development Avenue
Boise, Idaho 83705

Memorandum

To: Tom Harbour
Director, Fire and Aviation Management
Forest Service

From: NWCG Chair

Date: June 7, 2006

Subject: Policy on Alcohol Use

The Forest Service requested that the NWCG develop a policy recommendation addressing alcohol use on incidents. The request was for a position of “no drinking” while on assignment. The NWCG tasked the Incident Business Practices Working Team (IBPWT) to collect information on each agency policy covering alcohol use while on assignment and clarify the current position. Attached is the IBPWT Memorandum responding to this task.

Based on the information provided by the IBPWT and the discussion regarding problems with enforcement, it was determined that NWCG would not issue a policy addressing alcohol use on incidents.

Attachment



INCIDENT BUSINESS PRACTICES WORKING TEAM

Date: April 19, 2005

To: Chair, NWCG

From: Chair, Incident Business Practices Working Team

Subject: Current Policy on Alcohol Use

The following is the working team's response to your request to identify each agency's current policy on alcohol use. There seems to be a mixed bag of policy across the agencies. While going through the research process we learned from Human Resources the reason there isn't more policy on alcohol misuse is because it is not illegal - like drugs.

The Forest Service has no policy on alcohol use specific to incidents. The following is out of the USDA General Prohibited Conduct: (d) Using an intoxicating beverage on Government-owned or leased property (except when authorized by the Office of Operations for the Washington DC complex; or by the Agency Head or designee in field locations owned by the Department; or by the Head or designee in field locations leased by the Department or controlled by the General Services Administration [GSA], upon concurrence by the lessor or the appropriate GSA official); or transporting or using an intoxicating beverage in a Government-owned or leased vehicle;

The BLM has several areas where alcohol use is addressed. One is an Information Bulletin (IB) issued by the Office of Fire & Aviation on August 15, 2003 (IB OF&A 2003-063) titled: **Policy on Zero Tolerance of Misconduct On and Off the Fireline**. This IB speaks directly to the *misuse of alcohol to the point of impacting job performance (on and off the fireline) and that such misconduct will not be tolerated*.

Another is a training/video called **Do What's Right: EEO, Conduct and the Wildland Fire Community** developed by the Office of Fire & Aviation in 2004 which again addresses alcohol use.

Chapter 2, page 18 of the Interagency Standards for Fire and Fire Aviation Operations (Red Book) the BLM states "The use of alcohol during any work period is strictly prohibited. The performance of job duties while under the influence of alcohol is prohibited. Underage personnel alcohol use is prohibited at all times."

Alaska Fire Service has the following in the "Operational Procedures, Policies and Guidelines" (aka Brown Book): **Employees will not possess, use or be under the influence of alcohol; 1) while on duty, 2) while present at incident facilities, or 3) while**

traveling in government provided transportation. Employees who fail to comply with this direction will be subject to disciplinary action.

The BLM Oregon and Washington State Director put out a memo which addresses an Interim Fire and Aviation Management Alcohol Policy (attached).

The BIA utilizes the US DOI Handbook on Charges and Penalty Selection for Disciplinary and Adverse Actions to address reporting for duty or being on duty while under the influence of alcohol or drugs.

The NPS has no policy on alcohol use specific to incidents.

The FWS has no policy on alcohol use specific to incidents.

The state of Florida has the following in the Incident Deployment & Qualifications Procedures: 12.2.14 – “The consumption, possession or transportation of alcoholic beverages, marijuana, narcotics, or illegal drugs of any kind, while on duty, while in the incident camp, government offices or quarters, while raveling in government aircraft or vehicles, or in the proximity of inmate or Job Corp personnel will not be tolerated.”

Majority of the Western States have a policy on the use of alcohol and drugs. All support zero tolerance while on fire assignment.

The Interagency Incident Business Management Handbook addresses alcohol use for casual hires. The conditions of hire on the back of the OF-288 state: **Possession of firearms, intoxicating beverages, marijuana, and all forms of addictive drugs not prescribed by a physician is prohibited. Possession of or any evidence of usage constitute grounds for immediate discharge.**

Each Single Resource Casual hired is required to adhere to established Incident Behavior responsibilities and may be released if inappropriate behavior occurs. At the point of hire they must read and sign an Incident Behavior form (PMS 935) which addresses the use of drugs and alcohol.

The Alaska Fire Service/State of Alaska includes this statement on the AD Conditions of Hire: **22. Possession, use, and/or being under the influence of intoxicating beverages while in pay status constitutes grounds for immediate discharge.**

The Southwest looked into alcohol use while on an incident and were told by legal counsel that unless they were paying people, they couldn't limit their activities (much like the closed camp vs open camp controversies). Several crews within the SW have implemented crew guidelines that require a crew member to agree and sign that they will not drink during fire season, but if challenged, the courts would probably find for the employee.

In closing I would like to add some food for thought - this has the potential for being a nightmare to write and implement; there are so many facets to address – the following are just a few to think about:

- Regular government employees, casuals, and contractors;
- Travel to and from the incident assignment;
- Pay status vs. off shift time;

➤ Open camp

/s/ *Hallie Locklear*

2 - Attachments

(Attachment 1)



United State Department Interior
BUREAU OF LAND MANAGEMENT
Oregon State Office
P.O. Box 2965
Portland, Oregon 97208



In Reply Refer to:

1400-735/9210 (OR-934/953) I

July 12, 2004

EMS TRANSMISSION 07/14/2004

Instruction Memorandum No. OR-2004-092

Expires: 9/30/2005

To: DMs, DSDs, Staff and Branch Chiefs
Attn: Fire Management Officers

From: State Director, Oregon/Washington

Subject: Interim Fire and Aviation Management Alcohol Policy

Program Area: Fire and Aviation Management in all functional areas

Purpose: The Bureau of Land Management (BLM) is firmly committed to the health and safety of our employees, the citizens we serve, and to our overall mission and reputation. The purpose of this Instruction Memorandum is to establish a no-alcohol beverage policy in government facilities. This includes all Fire and Aviation employees who are full time fire employees and those who are filling a fire function outside of their normal job duties. This policy covers any employee working in fire suppression and prescribed fire activities. This policy should be provided to all employees. Employees covered by this policy should sign the attached certification sheet and return it to their supervisor for filing in their Official Personnel Folder (OPF).

Policy/Action: This Instruction Memorandum establishes a no-alcohol policy for fire and aviation personnel assigned in various locations within Oregon and Washington. This policy covers any BLM Oregon/Washington (OR/WA) employee assigned to fire and aviation duties. No alcohol is permitted to be in possession or consumed on Government owned facilities. This includes guard stations and project camps associated with suppression and fuels treatment projects.

Alcoholic beverages will not be transported in Government vehicles.

Under-age drinking violates State law. In addition to any State penalties, violators will be subject to appropriate disciplinary action by the BLM. Providing or in any way enabling underage employees to acquire alcohol violates State law. In addition to any State penalties, violators will be subject to appropriate disciplinary action by the BLM.

BLM employees who violate this policy will be subject to immediate disciplinary action up to and including removal. Disciplinary actions will be taken in accordance with the Department of the Interior (DOI)'s Handbook on Charges and Penalty Selection for Disciplinary and Adverse Actions, and 5 CFR 752 or if applicable to direct performance, in accordance with 5 CFR 432.

Supervisors having knowledge of the activity prohibited above should take immediate appropriate administrative and/or disciplinary action. Supervisors should work with their servicing Human Resource Specialist to determine appropriate action(s). Supervisors having knowledge of violations of this policy and taking no action will be subject to appropriate disciplinary action.

It is expected that employees will report for duty fit for work. Employees who feel that they are not fit for duty for any reason will report this to their supervisor immediately. Employees are expected to take responsible action with respect to their readiness to safely perform their duties. They should not jeopardize the safety of themselves or others by reporting to work impaired to do the job. Co-workers having knowledge of another who is not ready or able to safely work should report this to the supervisor in charge. Supervisors have the responsibility to ensure that employees are fit for duty to the best of their capability.

Timeframe: This policy will be effective immediately.

Budget Impact: None.

Background: Alcohol consumption can directly affect the safety of employees and others who are working with or quartered near those who are consuming alcohol. Inappropriate conduct related to the use of alcohol can occur (e.g. - fighting, sexually inappropriate behaviors, vehicle accidents, inattention to duty, etc.) and will not be tolerated. BLM Oregon/Washington (OR/WA) State Leadership Team has determined that to protect the safety and health of employees both on and off the fire line, a "no alcohol" policy will be established for the fire and aviation functional programs as described in this policy. This is an interim policy that may be revised, or expanded, as necessary to meet the needs of the agency.

Manual/Handbook Sections Affected: Interagency Standards for Fire and Fire Aviation Operations 2004, January 2004, NFES 2724, DOI policies and guidelines on Employee Responsibilities and Conduct, 5 CFR 735, 5 CFR 2635; BLM policies on Discipline and Performance respectively 1400-752 1400-430, 370 DM 430, 5 CFR 752/430/432.

Coordination: This interim policy has been reviewed by Oregon State Office (OSO) Branch of Fire and Aviation Management; OSO Branch of Personnel Management; OSO Equal Employment Opportunity Office; OSO State Safety Manager, DOI Regional Solicitor's Office, Pacific Northwest Region; and OR/WA District Managers.

Contact: Leo Sidebotham, Chief, Branch of Fire and Aviation Management, OSO, 503-808-6590

Districts with Unions are reminded to notify their unions of this Instruction Memorandum and satisfy any bargaining obligations before implementation. Your servicing Human Resources Office or Labor Relations Specialist can provide you assistance in this matter.

Signed by
James G. Kenna
Associate State Director

Authenticated by
Heather Gisch
Computer Specialist

Attachment(s)

1 - [OR/WA Fire & Aviation Management Alcohol Policy Certification Sheet](#) - (1p)

Distribution

WO (FA-100)
WO-700 (5628MIB)
WO-720 (302LS)

(Attachment 2)

The following policy was adopted by the International Association of Fire Chiefs Board of Directors August 14, 2003: *"This policy statement is most easily described as a "zero-tolerance" standard about the use of alcohol by members of any fire or emergency services agency/organization at any time when they may be called upon to act or respond as a member of those departments.*

Basically, if someone has consumed alcohol within the previous eight (8) hours, or is still noticeably impaired by alcohol consumed previous to the eight (8) hours, they must voluntarily remove themselves from the activities and functions of the fire or emergency services agency/organization, including all emergency operations and training.

No member of a fire & emergency services agency/organization shall participate in any aspect of the organization and operation of the fire or emergency agency/organization under the influence of alcohol, including but not limited to any fire and emergency operations, fire-police, training, etc

No alcohol shall be on the premises of any operational portion of the fire department, including but not limited to the apparatus, the apparatus floor, the station living areas, etc.

Fire & emergency services agencies/organizations which raise funds by operating and/or renting social halls must provide a clear and distinct separation of facilities to help insure the zero-tolerance standard of alcohol consumption by their members who may be called upon to perform official duties

All fire & emergency service agencies/organizations should develop written policies and have procedures in place to support and enforce this policy recommendation. Included in such a policy should be provisions for blood alcohol testing of any individuals involved with any accident that causes measurable damage to apparatus or property or injury/death of agency/organization personnel or civilians.