

CAUSES FOR DISQUALIFICATION FOR FIREFIGHTER OR FIRE PREVENTION INSPECTOR APPLICANTS

The following causes will result in a **temporary disqualification** of the applicant from employment in the Arlington Fire Department until the standard is met, the applicant successfully retakes the written examination and the applicant is otherwise eligible under these Rules:

- a. Applicant has failed to comply with any of the minimum requirements or qualifications for a beginning position as established by Chapter 143 or these Rules;
- b. Applicant has failed to provide proof of completion of high school, such as a diploma, transcript, General Equivalency Diploma, or other proof which is acceptable to the Department Head;
- c. Applicant has not attained the age of eighteen (18) years at the time the position is offered to the applicant;
- d. Applicant has failed to meet all legal requirements necessary for future licensing and certification as required by the Texas Commission on Fire Protection and Texas Department of State Health Services;
- e. Applicant has failed to meet the standards prescribed by the Texas Commission on Law Enforcement, if the person is being appointed to Fire Prevention Inspector classification;
- f. Applicant has failed to provide proof of discharge for military services or a letter from a Battalion Commander or equivalent or higher, stating that the individual will ETS (Expiration Term of Service) within 90 days of employment;
- g. Applicant driver's license has been suspended within the last two (2) years;
- h. Applicant has a driving record or driving violations that are incompatible with the safe operation of emergency vehicles or which presents potential liabilities to the City of Arlington, including three (3) or more moving violations or preventable accidents in the preceding thirty-six (36) months or reckless driving within the preceding sixty (60) months;
- i. Applicant is not a citizen of the United States of America;
- j. Applicant has failed to demonstrate his/her ability to read, write, and fluently speak the English language;
- k. Applicant was unsuccessful on the written examination;
- l. Applicant has not successfully completed the physical fitness and ability test, as determined by the Department;

- m. Applicant has unsuccessfully completed a polygraph test;
 - n. Applicant has failed to receive the required approval for employment by the Commission's psychologist, psychiatrist, or medical doctor;
 - o. Applicant has failed to complete or satisfactorily meet the employment process requirements of the Fire Department, including but not limited to: missed appointments, failure to return necessary paperwork, failure to notify the Department of changes in address or telephone numbers, or has otherwise failed to complete the proper application process;
 - p. Applicant has failed to complete or obtain satisfactory results of the Interview Board process;
 - q. Applicant has admitted conduct that constitutes a Class A or Class B Misdemeanor under the Texas Penal Code, equivalent federal law, or equivalent Code of Uniform Military Justice and/or has accepted probation and/or deferred adjudication for such conduct. Temporary disqualification until the statute of limitation expires for the applicable violation and the applicant has demonstrated an appropriate improvement in judgment;
 - r. Applicant has been convicted of conduct that constitutes a Class B Misdemeanor (e.g., First Offense DWI) under state or federal law, to include the Uniform Code of Military Justice (UCMJ) or equivalent UCMJ violation within the last ten (10) years for Fire Prevention and five (5) years for Fire Suppression.
 - s. Applicant has been found to have used or has admitted to the recreational use of marijuana within the last year from time of application.
 - t. Applicant has been found to have used or has admitted to the use of methamphetamines, speed, crank, crack, or any other form of cocaine, anabolic steroids, or any other controlled substances without a prescription, or felony grade substances as defined in the Texas Penal Code within the last ten (10) years;
 - u. Applicant has been found to have abused or has admitted to abuse of legally obtained prescription medications or illegal use of prescription medication of another person. Conduct involving abuse and/or misuse of prescription medication shall be considered on a case-by-case basis with consideration given to circumstances and time of occurrence; 25 years old or less more than 4 times. 26 years old or older within the last year.
- Applicant has a history of substandard performance and/or a negative recommendation or referral from his/her fire and/or EMS training school, unless otherwise determined by the Department Head;
- v. Applicant has charges that are pending for any criminal offense, other than Class C traffic offenses;

- w. Applicant has a history of unstable work including, but not limited to, short terms of employment over the applicant's employment history; termination of employment without proper notice; dismissal from any public safety position; and/or has been disciplined, dismissed, or resigned in lieu of dismissal from any employment for inefficiency, delinquency, misconduct, or policy violations, unless otherwise determined reasonable by the Department Head; Unstable work history does not include a person having multiple jobs.
- x. Applicant has exercised poor judgment skills within the preceding five (5) years by demonstrating immaturity or poor judgment in the applicant's decision-making process, such conduct including, but not limited to: (1) attendance at parties or social functions at which controlled substances or dangerous drugs are consumed, and such activity is known or should have been known by the applicant; (2) silent acceptance of known illegal conduct by others in his presence; (3) workplace behavior/decisions that adversely affect the business or associates, with little or no objectively justifiable need for such behavior. Applicant is disqualified until judgment shows improvement;
- y. Applicant's name appears on the Inspector General (OIG) List of Excluded Individuals/Entities indicating those who have been debarred, suspended, or otherwise deemed ineligible to participate in the federal healthcare programs, managed under the U.S. Department of Health and Human Services (DHHS) (i.e. Medicare and Medicaid) until removed, regardless of whether the applicant's position will include billing;
- z. Applicant is unable to comply with Fire Department Uniform Standards; or
- aa. Applicant has a prohibited relationship: Employment of related persons to a Fire Department Division Chief, Assistant Chief, or the Fire Chief is not allowed. Employees may not be part of a hiring committee when a relative is considered for a position within the Fire Department. The provisions of this section apply to persons from outside the City workforce who are applying for employment with the Fire Department. Restrictions on persons who are already employed by the Fire Department, and who become related to another person who is employed by the City, are specified in the City of Arlington Personnel Policies.
 - i. **Scope.** For the purposes of determining a relative relationship (Nepotism) only, Fire Department employee includes probationary, regular full-time and part-time employees.
 - ii. **Relative.** The following are considered relatives under this provision:
 - (1) Any person related by blood or adoption as follows:
 - (a) mother or father
 - (b) daughter or son

- (c) sister or brother
- (d) grandmother or grandfather
- (e) granddaughter or grandson
- (f) niece or nephew
- (g) aunt or uncle
- (h) first cousins

- (2) Any person who is married to any person specified above; or
- (3) An employee's spouse and any person related to the employee's spouse as specified above.

iii. **Disclosure.** All persons applying for employment are required to disclose any relative serving as the Mayor or as a Council Member and any relative who is employed by the City.