



INCIDENT BUSINESS PRACTICES WORKING TEAM

To: Jim Stires, Chair NWCG

Date: September 16, 2003

Cc: Paul Broyles, S&HWT
Bob Leaverton, IOSWT
Mary Anne Ward, FS
Dale Fabian, FS
Terry Brown, FS
Marc Gress, BLM
Rick Willis, FS

From: Incident Business Practices Working Team

Subject: Contracted Resources Incident Behavior and Casual Hires (AD's)

The IBPWT presented a variety of issues relative to contracted resources. One of those issues dealt with incident behavior. The NWCG agreed to support and implement the following information as a standard. The IBPWT sent the draft language to the field for final review and comment. The field response has been reviewed and changes made to the language based on this input.

Please distribute this through your process so it can be implemented in the 2004 season. If you have questions or need additional information, please do not hesitate to contact myself or another working team member.

Sincerely,

/s/ Tory Majors

TORY MAJORS
Chair, IBPWT

INCIDENT BEHAVIOR

Contract Resources

Contractors and/or contractor employees are required to adhere to established Incident Behavior responsibilities and may be released if inappropriate behavior occurs.

Contract provisions, including Emergency Equipment Rental Agreements (EERA), will be amended to reflect the following policy:

It is extremely important that inappropriate behavior be recognized and dealt with promptly. Inappropriate behavior is all forms of harassment including sexual and racial harassment. **Harassment in any form will not be tolerated.** Non-prescription unlawful drugs and alcohol are not permitted at the incident. Possession or use of these substances will result in the contractor being released from the incident. During off-incident periods, personnel are responsible for proper conduct and maintenance of fitness for duty. Drug or alcohol abuse resulting in unfitness for duty will normally result in the contractor being released from the incident.

[Sexual harassment is defined as unwelcome sexual advances, request for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, (2) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual, or (3) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment].

When the vendor signs the contract/agreement they are agreeing to comply with all the terms and conditions. If they fail to do so they are in contract default and their right to proceed may be terminated.

Casual Resources

1. Organized Crews.
The sponsoring agency is responsible to identify Incident Behavior expectations and document consequences for inappropriate behavior in crew agreements, ensure Incident Behavior expectations are provided to organized crew personnel, and establish documentation procedures.
2. Single Resource Casuals.

Hiring Units are responsible to provide the Incident Behavior form to single resource casuals, ensure the casual signs the form, retain the original form, and provide the casual with a copy.

The decision to adopt the above facilitates the need to communicate the policy throughout the agencies, and at a minimum should be incorporated in the following courses or documents:

1. Firefighting Training Course (S-130)
2. Interagency Incident Business Management (S-260)
3. Annual Fireline Refresher Training
4. 2004 Pay Plan for Emergency Workers (USFS and DOI versions)
5. Contract provisions, including Emergency Equipment Rental Agreements (EERA), National Contracts
6. Casual Crew Agreements

The adoption of the Incident Behavior form will require the submission of the form to the NWCG PMS process. The Interagency Incident Business Management Handbook will be updated during the 2004 revision to reflect this policy.