

Norman Professional Firefighters

Butch Crawford, President

Dennis Mitchell, Secretary/Treasurer

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DATE: February 7, 2005

TO: Brad Gambill, City Manager

FROM: Butch Crawford, President IAFF 2067

SUBJECT: Grievance (Hair and Grooming Policy)

This grievance is forwarded to the City Manager as per Article 8 section 1 step 3 of the Collective Bargaining Agreement FYE-05.

On October the 27th Deputy Chief Fulligim give us a Grooming policy for review by the membership. At that time I ask him for consultation on this issue and I also requested that he revise the Policy to include both men and women. He said he had the information on women in his office and could do that. After that I spoke to the Fire Chief and we set a consultation date for December 17, 2005.

The Union was prepared to accept the new policy that we had reviewed with women added into it when we came to the consultation on the 17th. During the consultation one of the Union members that was present said that Deputy Chief Fulligim told him that a compromise to the more restrictive policy might be just to say if you pass the SCBA fit test administered by the Department, that would be sufficient. The Fire Chief said, "That doesn't matter anyway cause he was going to revoke the first draft of the grooming policy and were going to issue a even more restrictive one base on something the Fire Chief was told by the Deputy Chief". The Fire Chief then showed me a OSHA guideline that did not back up what the Deputy Chief was saying. We told the Fire Chief that we had documentation showing the guidelines for Hair grooming in relationship to the SCBA face seal and what was a safety issue and what was a personal preference issue. The Fire Chief then said for us to bring our documentation and that he would have the DC bring his.

On January the 3rd I sent the Fire Chief a memo saying that the Union had it's documentation and was ready to meet with him again on this issue as per our previous agreement.

I did not receive a response from the Fire Chief until January 19th at which time I received the new more restrictive policy in the Union mail slot at fire station #1. This only gave me (2) weekdays to review the policy before your intended effective date of January 24th.

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This action to force conditions not of a safety nature but of a Personal preference nature violates the current collective bargaining agreement Article 6 section 2 (past practice) and also the Oklahoma Fire and Police Arbitration Act, 51 O.S. Section 51-101 (All rights, privileges, work rules, regulations, policies, and procedures of the Fire Department, which are not included in this agreement, shall remain in full force unless and except as modified or changed by the specific terms of this Agreement, or by mutual agreement of the parties during the term of this agreement).

The solution is to withdraw the current imposed policy and consultate a agreement with the Union as per Contract or adopt the Deputy Chiefs recommendation that if you pass the SCBA seal fit test then your hair is sufficiently trimmed to meet the safety standards that are recognized by OSHA, NFPA, IFSTA, ISI and Other Fire Departments in our locality. The organization that we purchased our new SCBA's from administered the fit test and everyone passed it with the mustaches that we have been wearing for at least 15 years prior. Unless the Fire Chief can show a written safety violation, not someone's opinion we stand on this as a clear past practice.

In accordance with the CBA Article 8 step 3 you have (10) days (excluding Saturdays, Sundays, and Holidays) to render your decision. Thank you in advance for your attention to this matter.

Xc: Gala Hicks, Human Relations Director