

## Knowing Your Rights Can Save Your Job.

If you find you're being asked questions that might result in disciplinary action or criminal prosecution:

- Ask if you are at risk of disciplinary action.
- Ask for union representation before responding to any questions.
- Insist that any statement be tape recorded.
- Don't volunteer to take a lie-detector, alcohol or drug test.
- Don't reveal any personal financial information without a court order.
- Make note of physical or verbal abuse, threats, extortion or any other attempt to compel your answers.

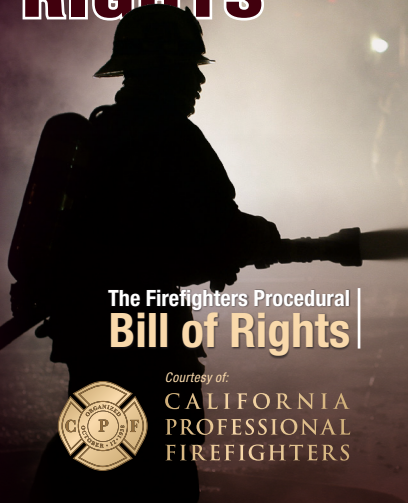
## Non-Waiver Statement

If you're compelled to make a statement or answer questions in violation of your right to representation or any of the rights listed above, **demand that it be recorded and read the following:**

*"I am making this statement involuntarily, in compliance with a direct order made under penalty of sanction and/or termination. In compelling my statement without representation, you are in violation of the California Government Code, Sections 3250 through 3262, and are subject to civil penalties prescribed by law. I do not waive any of my rights under this law, our current union contract, any other local, state or federal law, or my right to remain silent under the Fifth and Fourteenth Amendments of the United States Constitution."*

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# KNOW YOUR RIGHTS



The Firefighters Procedural  
**Bill of Rights**

Courtesy of:



**CALIFORNIA  
PROFESSIONAL  
FIREFIGHTERS**

## You Have The Right ...

- To know if you are under investigation
- To representation before answering any questions
- To tape record any questioning
- To have copies of all recordings and transcripts
- To a written offer of immunity from criminal prosecution
- To be questioned on-duty at a reasonable time
- To be reassigned only to another normal department job during any probe
- To review and sign any adverse comment in any personnel-related file before it's submitted
- To attach a response to any adverse comment before it's submitted

**NEVER ANSWER QUESTIONS  
WITHOUT REPRESENTATION**

## Before Any Questioning, Your Employer MUST...

- Tell you if you're under investigation for misconduct
- Tell you if your responses could result in discipline
- Tell you the nature of any possible charges
- Tell you who will be conducting any investigation
- Tell you who will be interrogating you
- Offer you written immunity from criminal prosecution
- Authorize tape recording of any inquiry

*The Firefighters Procedural Bill of Rights gives first responders the strongest on-the-job protections in California. Its signing in 2007 capped a 20 year struggle by California Professional Firefighters to bring these strong workplace protections to first responders.*

### **ALWAYS ASK:**

“Can this lead to disciplinary action?”  
If the answer is “YES,” ask for representation

## Your Employer May NOT ...

- Force you to answer questions without representation
- Interrogate you off-duty without compensation
- Subject you to physical or verbal abuse
- Subject you to threats or promise of reward
- Compel you to take a lie-detector test
- Discipline you for refusing to take a lie-detector test
- Search your private space without court order, unless you are present or give consent
- Force you to reveal personal financial data, except by law or court order