

Allied Radio Matrix for Emergency Response System (ARMER) Standards, Protocols, Procedures

Document Section 7	Compliance and Conflict Resolution	Status: Complete
State Standard Number	7.2.0	
Standard Title	Response to Non-Compliance	
Date Established	03/31/2001	SECB Approval: 05/26/2016
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1. Purpose or Objective

The purpose of this standard is to describe the consequences of non-compliance with ARMER Standards, Protocols, and Procedures.

2. Technical Background

- **Capabilities**
- **Constraints**

3. Operational Context

The Statewide Emergency Communications Board (SECB) is charged with setting standards and determining protocols and procedures for the smoothest possible operations between and among users of the ARMER system. A Regional Emergency Communications Board (ECB)/Emergency Services Board (ESB) is also charged with setting standards and may set more stringent criteria regarding non-compliance issues; however, a Regional Radio Board may not set less stringent criteria.

REVIEW BODY

ROLE

Operations and Technical Committee (OTC)	Peer review, fact finding, recommend action
Operations and Technical Committee (OTC)	Endorse/ sign-off on action
Statewide Emergency Communications Board (SECB)	Approval or disapproval of recommended action

4. Recommended Protocol/ Standard

Consequences of failure to comply with these standards, protocols, and procedures fall into three categories of non-compliance:

- a. **If an imminent threat** is perceived to affect the system that cannot wait for formal action by a committee, the following individuals would be empowered to take immediate, corrective action at their discretion, and the appropriate Regional ECB/ESB will be notified:
 - Statewide Emergency Communications Board Chair and Vice Chair
 - Operations and Technical Committee (OTC) Chair and Vice Chair
- b. **Moderate to high potential for serious adverse affect** on participants and/or non-participants of the ARMER system.
 - **First violation**

Written order to immediately stop the non-compliant practice. Either the SECB Chair or owner agency of affected Systems/Sub-System may send this letter, with a copy to the OTC Chair in both cases. The governing body of the violating agency shall be notified of the violation.
 - **Failure to correct problem and respond within 30 days or 2nd offense within 180 days**

Suspension of user access on the ARMER system to the extent of time determined by the SECB Chair and the OTC Chair.
 - **Failure to respond within 60 days or 3rd offense within 180 days**

Revocation of user access on the ARMER system. This action must be recommended by the OTC and requires approval of the SECB.
- c. **Low potential for adverse affect** on participants and/or non-participants of the ARMER system:
 - **First violation**

Written warning calling attention to the non-compliant practice. The violator is asked to stop the non-compliant practice(s) or apply for a formal waiver or variance within 30 days. (See State Standard 1.5.0) The SECB Chair or owner agency may send the warning, with a copy to the OTC in both cases. The governing body of the violating agency shall be notified of the violation.
 - **Failure to respond within 30 days or 2nd offense within 180 days**

Written order to immediately stop the non-compliant practice or be subject to suspension or revocation of user privileges. The SECB Chair or the owner agency may send this letter, with a copy to the OTC Chair.
 - **Failure to respond within 60 days or**

Suspension or revocation of user privileges

3rd offense within 180 days

on the ARMER system. The specific penalty must be recommended by the OTC and requires the approval of the SECB and the OTC.

- d. The OTC will be the first review body for discovery or report of non-compliance.

All participants of the ARMER system, whether full or limited, have the right to appeal a procedure, a decision, or a sanction set forth by the OTC Chair or Vice Chair or the SECB Chair or Vice Chair.

5. Recommended Procedure

Non-compliance may come to the attention of various personnel as a result of routine monitoring, an audit, a report, complaint from radio users, or other sources. Regardless of how the issue arises, as soon as there is awareness of non-compliance:

- The individual discovering non-compliance is obliged to immediately report it to their Local System Manager or Administrator. If local management fails to resolve the situation within a reasonable time, the System Manager or Administrator will notify the OTC Chair and the SECB Chair.
- Concurrently, the System Manager or Administrator will notify the OTC Chair of the non-compliance.
- If the matter is determined to be urgent by either the OTC Chair or the SECB Chair, it will be placed on the next OTC agenda.
- Should immediate action be required, the non-compliant agency will be notified of:
 - The required action. This will include a request to explain the reason for non-compliance.
 - The date the matter will come before the OTC.
 - Their rights to request a variance or waiver and, ultimately, to appeal (See State Standard 7.3.0).
- The SECB will hear the issue and recommend corrective action or consequences.
- These will be communicated to the violator within ten days.
- The Local System Manager or Administrator will follow up to ensure that all next steps and/or corrective action has been completed within the time frame established.
- The SECB Chair will review results, follow up with the Local System Manager- or Administrator on next steps, study trends/impact, and take action if appropriate.

6. Management

The SECB Chair will manage this process. Any action taken by staff shall be reported to the SECB and shall be subject to review and/or appeal.