



# ***CHIEF'S FILE CABINET***

*Ronny J. Coleman*

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## **Exception To The Rule**

Rules are made to be broken. At least that's what I've heard throughout most of my life. Yet, we in the fire service are probably some of the best rule makers that ever came down the pike. We have rules and regulations and we have regulations that protect occupancies, we have rules about rules. And the problem is that the more rules we have the more likely there will be an exception to that rule.

There are essentially three strategies that we can employ with regard to exceptions. The first is that we can absolutely refuse to grant any. This is the rigidity position. The other is we can keep the rules in place, but not enforce them at all and therefore everything is an exception to the rule, that's called the stupidity position. The third strategy is to recognize that rules are written for a reason and only authorize the exceptions under a given set of circumstances that is called a flexibility position.

The rigidity position probably causes more conflict in the fire service than any other single behavioral position. Absolute refusal to consider exceptions, forces a host of activities upon us that are undesirable. First and foremost is conflict. Sending the message that there is no such thing as an exception to the rule, means that the only way that people are ever going to achieve anything that is different than that is to oust you and your rule along with it. This is a power brokering position that some people enjoy. Right up until the moment in which they don't enjoy it at all.

Failure to discipline an organization so that it lives within its own rules is anarchy. There are organizations that function that way. Everything is sort of up for grabs. As a direct result, there is a different form of conflict. It is conflict over individual interpretation of what is meant by a particular set of guidelines.

This leaves us with strategy number three which is to live by the rules and recognize exception.

Before continuing this column, maybe we should need to define what we mean by rules. It makes no difference what we call it, anytime that we put down in writing that we expect people to behave a certain way, we can classify that as a rule. For example, there are rules and regulations we operate the fire suppression division of our department. There are fire codes and building codes in which we use to operate the fire prevention side of our department. There are rules and regulations we use to operate the personnel system within our organization. You can call almost anything a rule as long as it has the following consequences. A rule is anything that describes a requirement that is compulsory. The contrast to a rule is enabling processes. This is when individuals are given the authority to do something without having to check with anyone.

Just for sake of this discussion, let's talk about fire code rules. Is everything that is written in a fire code meant to be enforced to the letter? If you think the answer to that is yes, there is a high degree of possibility that there is potential for conflict. The reason is pretty simple. There is no way that you can ride a fire code that covers every single contingency that must be addressed.



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There are three strategies that you can use to deal with exceptions as it relates to fire code enforcement. They are; find out the facts, examine the alternatives, document the result.

Finding out the facts is just exactly what it sounds like. Whenever you are faced with a set of circumstances that don't quite fit the rules, sit down and examine all of the facts. Not the opinions, mind you, but the facts. Almost all rules are written based upon a given set of assumptions. And, while it is unlikely that we can find all of those assumptions contained within the documents that we review, we should be able to form some sort of conclusion as to what the intent was. Then, once you have obtained all of the facts regarding any specific exception to a rule, list them all. They provide the most fundamental thing that you need for the exception to any rule and that is the reason.

Examination of the options includes a wide range of potential. One of the options of course, is to stick to the rule. Whenever this occurs, one must be alert to the fact that the intent of the rule must be iatrical to that decision. If we go to almost all of the fire codes that we have in this country, there is a provision that allows for alternative methods and materials. Examination of alternatives requires a great deal more insight into fire protection than just the reading of a code. Therein lies one of its problems as a strategy. It does require more work. An individual who does not desire to perform more work simply can go back to the rule and say no. But, if we recognize the fact that exceptions are almost always limited to the individual circumstances described in our findings of fact, we can often define alternatives that may only be used once, but are legitimate.

This leads us to the third element of the strategy and that is documentation. If you have an exception to the rule, write down all of the facts and your analysis. Write down all of the alternatives that were reviewed and finally, document the decision to authorize a specific solution.

One useful technique in doing this is creating a book within a fire prevention bureau entitled, *Interpretations, Exceptions, and Conditions*. This is a form of institutional memory that allows a department to keep track of how to cope with exceptions to the rule. It eliminates what I call management folklore that begins to occur in organizations when exceptions are granted based upon individual translations that never get into the codebooks. These can actually be numbered sequentially and provided in a logical place where they can be references whenever another exception to the rule occurs.

The purpose of this strategy is to not create a set of circumstances where exceptions become the rule. To the contrary, when that happens, you have a problem. If I can shift gears just for a few moments back to fire department rules and regulations, my personal feelings are that when exceptions become more predominant than the rule itself, than its time to change the rule. I have actually done just exactly that.

Opening up an organization to the possibility of exception is frightening to many types of authoritative individuals. Often, when you ask them the question of can we do something a different way, they only have one answer, "No!" And if you ask them the reason why, their standard answer is, "because I said so." If that doesn't work they often say, "Because the book says so." In either case, the organization does not benefit from rigidity. It definitely does not benefit from ignoring this problem and allowing anarchy to prevail.



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Flexibility then has a corollary responsibility. If an entity follows through on providing exceptions to the rule in a responsible way, everyone benefits.

It may even add a new word to our lexicon: Maybe!