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FAST FACT: VOLUNTEER FIREFIGHTERS WHEN A VOLUNTEER IS A WORKER

Municipal volunteer firefighters and Northern Fire Protection Program (NFPP) volunteer firefighters are workers under the Occupational Health and Safety Act. *Therefore the Act and regulations apply to volunteer and composite fire services. Workplace parties will need to ensure that the fire service complies with the applicable requirements such as roles and responsibilities of workplace parties, health and safety representative and joint health and safety committee.*

Volunteer firefighters are considered workers for the purpose of occupational health and safety and the roles and responsibilities of workplace parties. The rights of workers apply to volunteer firefighters (*section 28 of the occupational health and safety act*):

- Work safety (follow the act, regulations and the fire service's standard operating guidelines)
- Use and wear protective requirements and devices appropriately
- Report any hazards
- Don't engage in horseplay

Supervisor responsibilities are outlined in *section 27 of the act*. These responsibilities typically apply to anyone above the rank of Captain, including, training officers, or anyone coordinating work such as an incident commander. **Employer responsibilities** are outlined in *section 25 and 26 of the act* and would apply to the Fire Chief and Deputy Fire Chief.

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Section 32 of the act outlines the responsibilities of Director and Officers of the Corporation. In the case of volunteer fire services, the elected officials (Mayor and Council) of municipal fire services fill this role and Boards of Services fill this role for NFPP fire services.

If there are **five to nineteen members of the fire service**, then there is a requirement for the workers to select a Health and Safety Representative (*OHSA, section 8*) who does not exercise managerial functions. Some of the Health and Safety Representative duties and powers include:

- Identifying situations that may be a source of danger or hazard to the workers and to make recommendations or report their findings to the employer
- Inspecting the fire station monthly
- Obtain information from the employer about health and safety testing
- Be notified by the employer when a person is killed or critically injured in the workplace or when a worker seeks medical care and is disabled from performing their regular duties or if a worker develops an occupational illness.

If there are **more than twenty members of the fire department**, then the employer must ensure that a joint health and safety committee is put in place (*OHSA, section 9*). Some of the JHSC powers include:

- Identifying hazards and making recommendations for improvement to the employer
- Monitoring effectiveness of health and safety programs in the workplace
- Obtain information from the employer about any health and safety testing
- Monthly workplace inspection of the fire stations
- Regular JHSC Meetings
- Posting membership of the JHSC in the workplace
- Be notified by the employer when a person is killed or critically injured in the workplace or when a worker seeks medical care and is disabled from performing their regular duties or if a worker develops an occupational illness.

Many NFPP fire services are exempt from the requirement to have a certified JHSC member (Regulation 385/96 Joint Health and Safety Committees – Exemption from requirements). This would be determined on a case-by-case basis by the local Ministry of Labour Inspector (https://www.labour.gov.on.ca/english/about/reg_offices.php).

The fire service would still be required to follow the act, regulations and establish a JHSC even if they were exempt from the JHSC training requirements.