



February 10, 2020

MFFTC Rules Process for Public Act 291 of 1966 as amended

As an organization that had members actively involved in the re-write of the Firefighter Training Council Act, we have remained fully engaged in the process to draft new rules that meets the new law. We have also provided feedback at work sessions and to our representatives on the Training Council. We recognize this is a major re-write which requires updating of the rules, placing an immense responsibility on the Michigan Fire Fighters Training Council. Our organization has maintained from the onset the law provides the framework for the rules and the rules are indeed perceived as the devil in the details. These details are entrusted to the Training Council to provide a set of rules that are standardized, achievable and meet the law.

Given the impact the rules will have on the Michigan Fire Service we are concerned with the current trajectory of the rules process and ultimately the final draft of the rules. With this in mind we feel compelled to provide a summary of the process to pass this Act and the position for the subsequent or ensuing rules.

Over the years many individuals and organizations collaborated on draft versions of a re-write for the Firefighters Training Council Act, as there was a need to update various sections of the Act brought up by a variety of situations and conditions. Through the numerous meetings, conversations and drafts Senate Bills 264 & 265 were introduced and ultimately passed during the 2017/2018 Legislative Session as Public Act 144 of 2017.

During the legislative process our organization has clearly maintained and expressed the intent of the legislation was to provide for the ability to create a set of rules that would meet the training requirements enforced by MIOSHA in Michigan Administrative Code R408.17411; known as MIOSHA Part 74. This in no way would imply an increase to the training requirements not already outlined in MIOSHA Part 74.

The premise of the re-write was to address the following:

- Establish minimum certification standards for the various fire service disciplines identified in the Act; based upon NFPA and MIOSHA Part 74.
- Establish reciprocity recognition for the various fire service disciplines identified in the Act; for both current in Michigan fire fighters and those from another state.



- Make recommendations on the category or classification of advanced in-service training programs.
- May establish continuing education, which if established would meet the requirements of MIOSHA Part 74.
- Provide a mechanism and criteria to fund MFFTC approved and registered training courses.
- Establish a disciplinary procedure specific to the conditions outlined in the Act.

The Michigan Fire Fighter's Training Council has the opportunity to establish fundamental and standardized training/certification programs that meet the NFPA Professional Qualification for each fire service discipline. The rules should focus on providing training and certification that allows for fire fighters and their employers to meet the requirements identified in MIOSHA Part 74. Through the process, it appears there is a desire to increase requirements beyond that in the Act as well as MIOSHA Part 74; with the emphasis on more training will create better fire fighters. The MAFC affirms our position is the added requirements will result in a profound detriment to the fire service as a whole and ultimately the Citizens of Michigan.

We urge the members of the Michigan Fire Fighters Training Council to focus the rules process to comply with MIOSHA Part 74 by utilizing the appropriate NFPA standards. Doing so will result in a rule set that is practical, achievable and standardized for the fire fighters of Michigan.

In an effort to affirm what has always been our position, attached you will find a Question & Answer sheet provided to the legislators during the process and a letter to the committee chair. The letter to the committee chair affirms efforts were initiated to add language that would allow for exceeding minimum standards; the proposed language was not included which affirms our position of meeting and not exceeding MIOSHA Part 74 or NFPA standards.

We urge all stakeholders to become engaged by reviewing Public Act 291 of 1966 as amended and compare it to the draft rules published on the Bureau of Fire Services Website. Once you have completed the comparison, communicate with your representatives on the Michigan Fire Fighter Training Council to ensure your ideas and desires for the rules are heard.

Respectfully,

David E. Getzbach

President

Michigan Association of Fire Chiefs



SB's 264-265 Frequently Asked Questions Michigan Association of Fire Chiefs

SB's 264-265, introduced by Sen. Jim Stamas (R-Midland) would update the Firefighters Training Council Act that has not had any significant update in 30 years. Specifically, SB's 264-265 expands the authority of the Firefighters Training Council (FFTC) to certify other firefighter designations and functions such as fire investigator, technical first responder, Hazardous Materials Response or Fire Inspector. As currently written, the bill does NOT mandate increased training requirements for individual members of a fire department from current requirements, but simply allows the local organized fire department to further educate their personnel with training certified by the FFTC if they wish.

Why is this necessary:

- The role and function of firefighters has drastically changed over the past 30 years. Their role is no longer only related to extinguishing fires but also responding to hazardous waste spills, inspections of public buildings, first responders to accidents on land and water, building or trench collapses, just to name a few. SB's 264-65 provide the Training Council, comprised of representatives from all aspects of fire response services, the authority to approve training that is in line with national standards and on-par with other requirements in other states.

How will this impact my local firefighters, their stations and my community:

- Firefighter Employment Designation (Definitions)
 - Full-Time Firefighter – employment during which an individual works scheduled shifts, is paid for all hours he or she works...
 - *No change to current PA 291 training requirements (FF1 and FF2)*
 - Part-Time – employment during which an individual is paid for all hours he or she works and works scheduled shifts but works few hours weekly than the hours necessary to be classified as full-time...
 - *No change to current PA 291 training requirements (FF1 and FF2) Part-time is not defined in current Act.*
 - Paid On-Call – employment during which an individual works on an on-call basis, is paid for all hours he or she works and only occasionally works scheduled shifts.
 - *No change to current PA 291 training requirements (FF1)*
 - Volunteer Firefighter -...an individual who is charged with the prevention and suppression of fires and who is directly engaged in the hazards of firefighting or in charge of a designated fire company or companies that are directly engaged in the hazards of firefighting on a volunteer or paid on-call basis.
 - *No change to current PA 291 training requirements (FF1)*
- Communities actively recruiting volunteer and paid on call firefighters will not incur any additional costs as PA 256 provides dedicated funding for firefighter training.
- By allowing the Training Council the authority to approve and provide certification for additional aspects of fire services, Michigan will be on par with other states and allow for reciprocity and provides a means to meet MIOSHA Part 74 requirement to be trained commensurate to their duties.



The Honorable Brandt Iden
State Representative
State Capitol
P.O. Box 30014
Lansing, MI 48909-7514

September 11, 2017

Re: SB264/SB265

Dear Representative Iden:

The Michigan Association of Fire Chiefs (MAFC) has been actively involved in the process to update PA 291 of 1966, The Fire Fighter Training Council Act. This Act sets the minimum requirements for fire fighter training, establishes the Fire Fighter Training Council and provides the authority to the Council and State Fire Marshal to establish rules that govern fire fighter training.

Several Michigan fire service organizations have worked towards modernizing this Act for many years; one reason for this long process has been balancing the need to recognize a wide range of training certifications with an understanding that the training needs vary across this state based upon the characteristics of each local community.

SB 264 is the bill that brings this balance for the Michigan Fire Service, this bill in its current form provides the necessary authority for the training council to certify various fire service disciplines to recognized national standards, while not increasing the training requirements currently established in PA 291 of 1966.

There has been a suggestion to add language to section 9 article 2B that will drastically change the dynamics of this bill. This section currently reads..... " (B) Develop and administer certification examinations, testing procedures, and reciprocity recognition for credentialing in the various fire service disciplines recognized under this act. The requirements for each fire service discipline must meet the respective professional qualifications in the current and appropriate National Fire Protection Association Standard."

The suggestion has been made to add "or exceed" after the words "must meet". The MAFC strongly opposes this suggested amendment as it will open the ability for the training council and the state fire marshal to increase the certification requirements to any level beyond the nationally recognized standards.

The MAFC believes this change is not in the best interest of the Michigan fire service, as it has the potential to increase the training requirements for initial certification beyond the nationally recognized standards. We believe training beyond the nationally recognized standard should be a local decision based upon the risk assessment and characteristics of the local community. The training council has the ability, within this bill, to establish and offer advanced training certifications without mandating them to every fire service member across the state, which we support.



In closing, we support passage of SB 264 in its current form, without the addition of “or exceed” in section 9 article B. We encourage you to contact us with any questions or concerns you may have.

Sincerely,



Mike O'Brian
President Michigan Association of Fire Chiefs

