

# Proposed Firefighter Certification Regulation

Presented to: Municipal Representatives

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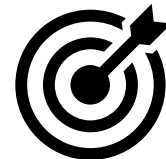
# Purpose

1. To provide an overview of the proposed Firefighter Certification regulation, which is currently available for review and comment on the [Ontario Regulatory Registry](#) until February 28, 2022; and,
2. To address questions related to the proposed regulation.

# Firefighter Training and Certification: Current State

- The *Fire Protection and Prevention Act, 1997* (FPPA) does not set minimum standards for firefighter training and certification (See Appendix A). Municipalities, as the employer, are required to provide information, instruction and supervision to protect the health and safety of workers under Section 25(2)(a) of the *Occupational Health and Safety Act, 1990*.
  - **Ontario Regulation 379/18: Firefighter Certification**, which established mandatory National Fire Protection Association (NFPA) certification requirements for firefighters in ten specific roles, was revoked in 2018 prior to coming into force.
- Training practices vary across fire departments in municipalities and territories without municipal organization in Ontario.
- Ontario provides certification testing for 45 National Fire Protection Association (NFPA) levels of certification and is accredited through the International Fire Service Accreditation Congress (IFSAC) and the Pro Board.
- There is a lack of flexibility in NFPA testing practices.
  - Prerequisites under the current model do not allow for flexibility or customization of training to local needs and service levels, resulting in training pressures on volunteer fire services.

**Goal:** To develop a standardized approach to firefighter training, which **protects firefighters and increases public safety** while providing flexibility for the local needs and service levels of municipalities across Ontario.



# Key Considerations for Firefighter Certification



## Protecting the Health and Safety of Firefighters

In the absence of provincial regulations specific to firefighters, they might not have the appropriate level of training to meet risks associated with service levels established in their municipality.



## Level of Service

Stakeholders have raised concerns about minimum standards that would require training beyond the level of service being delivered, as well as exposure to liability if all firefighters are not certified to the minimum standard.



## Addressing Legacy Provisions

Proposal would enable current fire service personnel to be certified to their current level and consider any time required for municipalities to adhere to the regulation.



## Modernization of Firefighter Training

Proposal would create opportunities to better support training delivery and certification including the option to certify firefighters to higher standards.

# Overview of the Proposed Regulation

The Ministry of the Solicitor General is proposing to file a regulation under the FPPA to establish mandatory certification requirements for fire protection services.

Mandatory Certification	Exceptions	Transition (Legacy Provisions)
<ul style="list-style-type: none"><li>▪ Municipalities would ensure that a firefighter is certified to the prescribed NFPA job performance requirements to perform certain fire protection services (e.g., firefighter exterior attack).<ul style="list-style-type: none"><li>○ The certification must be provided by the Fire Marshal, or an accreditation from the International Fire Safety Accreditation Congress (IFSAC) or a Pro Board seal for full NFPA standards.</li><li>○ The prescribed compliance deadline for most fire protection services is July 1, 2026 (e.g., firefighter exterior attack) and July 1, 2028 for technical rescue services (e.g., rope rescue operations).</li></ul></li></ul>	<ul style="list-style-type: none"><li>▪ There are proposed exceptions for new firefighters (&lt; 24 months) who are operating under the supervision of a firefighter certified to the required standard for a prescribed fire protection service as well as for firefighters who are temporarily assigned to perform a different fire protection service and are operating under the supervision of a firefighter certified to the standard for that service.</li><li>▪ Firefighters would not be required to automatically re-certify if the corresponding certification requirements are subsequently updated or changed.</li></ul>	<ul style="list-style-type: none"><li>▪ There would be a time-limited opportunity (until September 30, 2023) for fire departments to apply for a letter of compliance based on existing firefighters' previously completed training and existing skills and knowledge.<ul style="list-style-type: none"><li>○ This process would only be available for fire protection services that do not require full NFPA certification and to firefighters who have been providing those services for a minimum number of years (2-4 years, depending on the service).</li><li>○ The Office of the Fire Marshal would set out the required information for fire departments to submit.</li></ul></li></ul>

# Overview of the Proposed Approach

Level of Training	NFPA Standard	Minimum Level for Full-Service Departments	Additional Level Available via OFM ASE	Ontario-Specific Standard	
Firefighter	NFPA 1001	Level II	N/A	Exterior Firefighter	Interior Firefighter
Fire Officer	NPFA 1021	Level I	Level II, III and IV	Team Lead – Exterior	Team Lead - Interior
Pump Operators	NFPA 1002	Chapter 5	N/A	Pump Operator	
Hazardous Materials	NPFA 1072	Operations	Awareness, Technician and Mission Specific	Haz Mat Operations added to Exterior/Interior	
Auto Extrication	For Ontario-Specific Standard Only			Auto Ex (FFII JPRs) added to Exterior/Interior	
Senior Fire Officer	Optional Certification (not in Regulation)			Senior Fire Officer I	Senior Fire Officer II
Level of Training	NFPA Standard	Minimum Level	Additional Level Available via OFM ASE	Notes	
Fire Inspector	NFPA 1031	Level I	Level II and III	<b>For Section 2</b> - Fire Department must certify staff that work in these roles on a regular/expected basis (e.g. normal job assignment) to the minimum level AND increase to additional levels based on job roles and responsibilities. For Example:  Live Fire requires lead instructor to be trained to NFPA 1041 Level II Inspections of Flammable/Combustible liquids properties requires NFPA 1031 Level II Calltaker/Dispatcher requires NFPA 1061 Level II	
Fire Investigator	NFPA 1033	Chapter 4	N/A		
Fire Life Safety Educator	NFPA 1035	Educator I	Educator II and PIO		
Training Officer	NFPA 1041	Level I	Level II and III		
Emergency Communicators	NFPA 1061	Level I	Level II		
Incident Safety Officer	NFPA 1521	Chapter 5	N/A		

# Overview of the Proposed Approach, cont.

Level of Training	NFPA Standard	Minimum Level		Additional Level Available via OFM ASE	Section 3 Notes
Common Passenger Vehicle Rescue	NFPA 1006	Awareness	Training only, not required to Certify (see Section 3 Note)	Operations and Technician	<p><b>For Section 3</b> – Any Fire Department that expects to respond to any technical rescue emergency calls should <b>train</b> their firefighters to minimum of Awareness Level (<b>however, they do not have to certify via ASE</b>).</p> <p>Additionally, any firefighters that operate at a higher level at these calls would be required to be <b>certified</b> to the applicable level (operations or technician based on response levels)</p> <p><b>This includes NFPA 1072</b> – Haz Mat as well (although it is listed in Section 1 for clarity)</p>
Heavy Vehicle Rescue	NFPA 1006	Awareness		Operations and Technician	
Surface Water	NFPA 1006	Awareness		Operations and Technician	
Swift Water	NFPA 1006	Awareness		Operations and Technician	
Ice Water	NFPA 1006	Awareness		Operations and Technician	
Trench Rescue	NFPA 1006	Awareness		Operations and Technician	
Confined Space	NFPA 1006	Awareness		Operations and Technician	
Structural Collapse	NFPA 1006	Awareness		Operations and Technician	
Rope Rescue	NFPA 1006	Awareness		Operations and Technician	

# Implementation Considerations

Input from municipal and fire safety stakeholders (see Appendix B) informed the proposed regulation, including the implementation considerations.

Flexibility	Training
<ul style="list-style-type: none"><li>▪ The proposed approach would provide flexibility to meet local training needs based on the level of fire protection service set by municipal council.</li><li>▪ If the local level of service exceeds the minimum standard set out in the proposed regulation, the Office of the Fire Marshal would continue to provide certification to full NFPA standards at <b>no cost</b>.</li><li>▪ Municipalities that require assistance in reviewing their Establishing and Regulating bylaw and level of service are encouraged to contact their Fire Protection Adviser at the Office of the Fire Marshal.</li></ul>	<ul style="list-style-type: none"><li>▪ Many fire departments already train to a higher standard than the proposed minimum certification requirements.</li><li>▪ Fire departments would continue to train according to the local level of fire protection service.</li></ul>

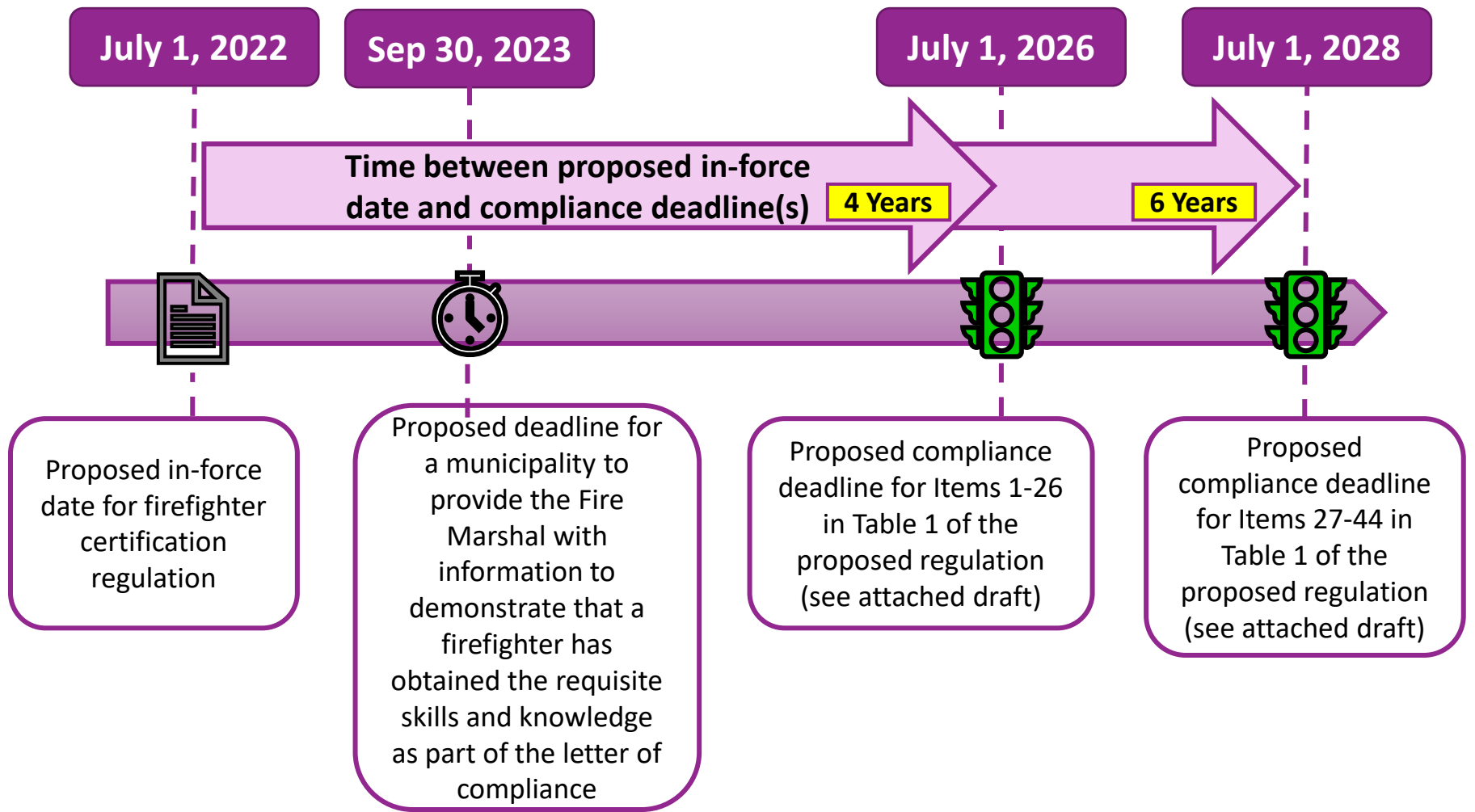


# Implementation Considerations, cont.

Compliance	Administration
<ul style="list-style-type: none"> <li>▪ Staggered timelines are proposed to help ensure fire departments have sufficient time to:               <ul style="list-style-type: none"> <li>○ Certify new firefighters (2026 for most fire protection services; 2028 for technical rescue).</li> <li>○ Submit “legacy” applications for eligible firefighters (would be able to apply until September 2023).</li> </ul> </li> <li>▪ To meet the new requirements in the proposed regulation, municipalities and their fire departments are encouraged to plan out the next four to six years of training.</li> <li>▪ The FM has the power to monitor, review and advise municipalities respecting the provision of fire protection services. This includes designated OFM sections monitoring/reviewing the requirements of minimum certification.</li> <li>▪ The OFM would take a phased approach to enforcement:               <ul style="list-style-type: none"> <li>○ Review concerns with the Fire Chief,</li> <li>○ Address concerns with the CAO,</li> <li>○ Failing the above points, the FM would consider additional options to communicate to the public.</li> </ul> </li> <li>▪ The Fire Marshal reserves the right to:               <ul style="list-style-type: none"> <li>○ Use enforcement measures available under the FPPA</li> <li>○ Refer the issue to the MLTSD given the potential impact to firefighter health and safety</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>▪ Some administrative costs are estimated based on the potential value of time it may take municipal fire departments to:               <ul style="list-style-type: none"> <li>○ Familiarize themselves with the regulation.</li> <li>○ Maintain training records.</li> <li>○ Complete one-time legacy applications (estimated one hour per application).</li> </ul> </li> <li>▪ The estimated range (between \$290 to \$1400 per fire department) would depend on the size of the department and number of legacy applications for eligible firefighters.               <ul style="list-style-type: none"> <li>○ This estimated cost range does not capture any associated training costs which are expected to be minimal as most fire departments are anticipated to already be training to the service level established by their municipality.</li> </ul> </li> </ul>

The Office of the Fire Marshal is developing resources to support implementation.

# Timeline for Proposed Regulation



## Next Steps

- The Office of the Fire Marshal to review feedback received through multiple technical briefings (i.e., All Fire Chief Town Hall sessions) with municipal Fire Chiefs and continue to address any comments/questions received about the proposed regulation.
- Ministry to review and incorporate feedback on the proposed Firefighter Certification regulation received through the Ontario Regulatory Registry.

# Questions and Discussion