



Recommendations to help Fire Departments better understand and prepare for the exposures associated with Cadet Programs.

Cadet or Junior Firefighter Programs: Managing a Successful Program



Connecticut Interlocal Risk Management
Agency 545 Long Wharf Drive, 8th Floor
New Haven, Connecticut 06511
www.CIRMA.org

December 2020

Introduction

The volunteer fire services have relied on Junior, or “Cadet”, Firefighter programs to establish a well-educated and sustainable pool of candidates for their organizations for years. In many cases, the Cadet Programs have been in place since the inception of the organization and have thus been wholly ingrained in the fabric of the department. These programs allow minors (youth ages 14 through 17) to learn about volunteer firefighting, train with experienced firefighters and, in some situations, assist at fire scenes in a limited capacity.

What is key to the success of the program is striking a balance between 1) encouraging efforts to educate and recruit young people into firefighting and 2) protecting minors from potentially dangerous situations. Department heads must keep in mind that child labor laws prohibiting minors from engaging in hazardous work and limit work hours still apply to these programs. Furthermore, while the Cadet Firefighters are volunteers, they, like adult volunteers, may be considered representatives of the volunteer fire department (VFD) for purposes of liability and Workers’ Compensation in some cases¹.

The purpose of this white paper is to highlight how organizations can better manage the exposure of having a Cadet Firefighter Program within their entities. Additional resources, such as the Department of Labor (DOL) Guidance Letter on Cadet Firefighter Programs, are included in this document for further education and direction. With the information contained in this White Paper, executive leadership will be able to continue promoting safety and education of the fire service while effectively servicing their community.

Risk Exposures

The goal of Cadet Firefighter Programs is to provide a safe, yet meaningful experience for the youth of our communities. These programs are to be viewed as instructional and educational activities for the Cadet, while also assisting our volunteer departments as a recruitment and retention tool. Executive leadership must keep in mind that there are operational and non-operational exposures that should be considered in order to maximize the long-term success of the program.

Operationally, these programs were not intended to replace the immediate need for fire personnel, nor place Cadet members in an occupational position of firefighting. Placing the Cadets in a position of fire suppression or rescue activities would not only endanger the safety of the minor, it also may violate labor guidelines issued by the Department of Labor (DOL). These guidelines are contained in the Department of Labor Guidelines section of this document.

In addition to operational exposures, executive leadership should also be mindful of non-operational activities in order to maintain a safe and welcoming culture. Non-operational risk refers to conduct not directly related to responding to calls for service. Examples of claims related to non-operational activities may include harassment, bullying, and workplace violence, just to name a few. It should be noted that, in order to effectively address this exposure, active, senior, and Cadet members of the department should be engaged.

Addressing both types of risk are critical to mitigating an organization’s liability and, thus, aid in maintaining the success of the program for the long term. In an attempt to ensure that municipalities are prepared to address these liabilities, the organization should establish firm guidelines and consequences for failure to follow the aforementioned. Key considerations that should be contemplated to be put in place are included in this document for organizations to reference.

Recommendations

It is the intent of these programs to provide a safe, yet meaningful experience for the youth of our communities while building a potential pool of candidates for the future of the organization. These programs are to be viewed as instructional and educational; specific guidelines should be followed to help avoid potential pitfalls. The establishment of organizational By-Laws that address these specific guidelines and provide guidance for candidates on what activities Cadet members can and cannot perform is critical.

Establishing the time frame of the program and indicating what skills Cadets may participate in, including both training and operational situations, will be driven by local Department of Labor guidelines (see below).

¹ This document does not provide guidance on how Workers’ Compensation, General Liability, or other lines of insurance coverage respond to incidents involving Volunteer Firefighters. Please contact your claims representative with questions on how coverage applies to Volunteer Fire Departments.

This is critical to ensure that we reduce the liability for injury to the organization and avoid violation of State Department of Labor laws.

Consider including a provision to provide for proper personal protective equipment to ensure that all Cadets or junior members are afforded a safe working environment while meeting the state required minimum standard set by the JHA. (OSHA 29 CFR 1910.132 / NFPA) Regular training should be made available to the Cadet member in compliance with applicable OSHA standards, as well as State and Federal mandates (e.g. Preventing Sexual Harassment).

Each member of the department, inclusive of actives and cadets, should have a basic understanding of what his or her role is in the Cadet Program, as well as the purpose of the program in general. In doing this, the organization establishes clear directive on the roles and responsibilities of its members. In addition to the training topics listed above, members should also be trained on the overview of the Cadet program and how to effectively and respectfully integrate cadet members into the culture of the firehouse. Examples of this type of training can include, but is not limited to, Bullying Awareness, Workplace Violence, Cultural Awareness and Diversity Training, and Inclusivity Training.

Maintaining communications with the cadet's educational facility that the participants attend to assure State required levels of mandated education are being met and maintained. As part of the educational process, students should be monitored at a minimum quarterly, to ensure that their development both internal (departmental education) and external (personal school education) are meeting a sufficient GPA (grade point average) and be maintained on a regular basis.

Department of Labor Guidelines

The Department of Labor (DOL) initially issued a guidance letter for cadet/junior firefighters in 2004. That year representatives of the Commission on Fire Prevention and Control, the Connecticut Fire Chiefs Association, and DOL met to further develop the guidelines. On October 25, 2006 and DOL Commissioner Patricia H. Mayfield issued a new guidance letter that includes the following:

All cadets under the age of 18 are prohibited from:

1. Driving any fire department vehicle in an emergency;
2. Performing interior fire suppression in structures or vehicles or in wildland fires, except grass fires;
3. Entering a confined space as defined in federal regulations;
4. Responding to hazardous material fires, spills, or other events that may expose a minor to hazardous material exceeding a threshold set in federal regulations (allows for small motor vehicle fuel leaks);
5. Performing firefighting "overhaul" duties (i.e., checking to see that an under control fire has not spread, which may include ripping open walls or similar activities);
6. Operating a personal vehicle with blue emergency lights;
7. Performing ice rescue activities;
8. Any activity that involves the risk of falling six or more feet; and
9. Activities including using a self-contained breathing device or cutting torches, filling air bottles, operating aerial ladders, and any duty involving hose lines with a diameter greater than 2.5 inches (except five- to six-inch drafting suction lines).

Cadets who are 16 and 17 years of age are permitted, between 6:00 a.m. and 12:00 midnight, to do the following:

1. Take part in supervised training;
2. Respond to emergencies on fire department vehicles, after proper training;
3. Fight grass fires, after proper training;
4. Perform search-and-rescue operations, not including structural fires;
5. Enter a fire structure after the fire is out and the incident commander has declared the structure safe;
6. Perform traffic control duties after proper training;
7. Drive emergency vehicles under 10,000 pounds in nonemergency mode, after proper training;

8. Pick up hoses and clean up fire scenes after the incident commander has declared the area safe;
9. Use pneumatic- or power-driven saws, shears, Jaws-of-Life type devices, and other power tools only during training;
10. Operate certain pumps at fire scenes; and
11. Handle charged hose lines up to 1-3/4 inch in diameter.

Cadets who are 14 and 15 years of age are permitted to volunteer only between the hours of 7:00 a.m. and 10:00 p.m. and may only do the following:

1. Take part in supervised training;
1. Observe exterior firefighting activities, while under supervision;
2. Clean up at a fire scene, only outside the structure and only after the incident commander declares the scene safe;
3. After proper training and turning age 15, ride on fire department vehicles responding to emergencies;
4. Receive training and instruction that does not involve fire, smoke (except theatrical or latex smoke), toxic or noxious gas, or hazardous materials;
5. Respond to incidents no later than 7:00 p.m. and remain on-scene no later than 10:00 p.m.;
6. Attend meetings that end no later than 10:00 p.m.; and
7. Wear protective equipment that readily identifies them as “minor firefighters.”

Conclusion

These programs are a vital part to the longevity of the volunteer and stability of the career fire service in the State of Connecticut. Without these programs, we would potentially see an even sharper decline in the interest of Emergency First Responders in our state. It is imperative that we protect the youth and potential future employees of our organizations and understand the importance of establishing, maintaining and monitoring rules and regulations

The Connecticut Interlocal Risk Management Agency, CIRMA, is Connecticut's leading provider of municipal risk financing and risk management services. A member-owned and governed agency, CIRMA provides high quality insurance for municipalities, school districts, and local public agencies. CIRMA operates two risk pools, the Workers' Compensation and the Liability-Auto-Property pool. It also provides Heart & Hypertension claims services and claims administration and risk management services to self-insured municipalities. CIRMA's financial strength enables it to provide assured rate stability, open availability, and expert risk management and claims services.

Cadet or Junior Firefighter Programs: Managing a Successful Program

© 2020 Connecticut Interlocal Risk Management Agency.

All Rights Reserved. This publication or any part thereof may not be reproduced, transmitted, or stored in any type of retrieval system by any means, electronic or mechanical, without prior written consent of the Connecticut Interlocal Risk Management Agency (CIRMA). This publication is intended for the exclusive use of the members of CIRMA and for the employees of its members.

This publication is intended for general purposes only and is not intended to provide legal advice. If you have questions about particular legal issues or about the application of the law to specific factual situations, CIRMA strongly recommends that you consult your attorney.