

Questions & Answers

Fire Safety Regulations

General

1. What are the new regulations that the ministry developed under the Fire Protection and Prevention Act (FPPA)?

- The ministry has developed three new regulations under the FPPA that relate to:
 - Certification of firefighters;
 - Community risk assessments to inform the delivery of fire protection services; and,
 - Public reporting on fire department response times.

2. What is the Fire Safety Technical Table (the Table)?

- The Table was established in January 2017 to identify policy gaps and challenges, and to provide recommendations to the ministry to modernize fire service delivery in Ontario.
- The Table includes municipal representation from the Association of Municipalities of Ontario (AMO), the Town of Aurora, fire associations and representatives from career, composite and volunteer fire departments from both urban and rural communities.
- The initial focus of the Table has been to inform the development of recommendations for the ministry on firefighter certification, conducting community risk assessments, public reporting of fire-related data, and other matters of collective interest.

3. Why does the government need the advice of a technical table?

- The FPPA is over 20 years old, which means there is a need to address emerging gaps and challenges related to the delivery of fire safety in Ontario, including a lack of mandatory standards related to firefighter training and certification.
- The ministry established the Table to seek input from knowledgeable stakeholders, including firefighter associations, fire departments and municipalities. The advice received from stakeholders complements the existing technical expertise of the Office of the Fire Marshal and Emergency Management (OFMEM), allowing the ministry to take into account municipal and local concerns when addressing various challenges.

4. Who has been consulted on these regulations?

- In addition to consultations with the Table and partner ministries, the proposals were posted on the regulatory registry for public comment in early 2018 – approximately 400 comments were received.

5. When would the regulations come into force?

- Mandatory certification: July 1, 2019, with some sections coming into force on January 1, 2020 and January 1, 2021.
- Community risk assessment: July 1, 2019.
- Public reporting: January 1, 2020.

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6. Do these regulations apply to fire services that operate in unincorporated territories where the province has jurisdiction?

- Yes, the regulatory requirements will apply to unincorporated territories as well as municipalities.

Mandatory Certification

1. Why is the ministry mandating that firefighters be certified?

- Numerous coroner's inquests have identified and/or recommended the need to implement mandatory certification of firefighters/fire services personnel.
- The Occupational Health and Safety Act requires employers to provide information, instruction and supervision to a worker to protect the health or safety of the worker; however there is no mandatory requirement to train to a specific standard.
- To increase public and firefighter safety by ensuring firefighters delivering fire protection services are trained and certified to National Fire Protection Association (NFPA) standards – which are best practice, internationally regarded and evidence based.

2. Why is the government using NFPA standards?

- NFPA is a body that creates and maintains consensus-based standards and codes for usage and adoption by local governments. These codes and standards are considered best practice, evidence based and are used throughout North America.
- NFPA standards are regularly reviewed and updated based on the latest information, with input from multiple sectors, including fire services, health care facilities, manufacturers, architects/engineers and others.

3. Which NFPA standards will firefighters have to certify to?

- Mandatory certification requirements will be implemented for the following firefighter roles:

Firefighter Roles and NFPA Standard	Available for Grandfathering	In-Force Date
Newly Hired Firefighters		
Suppression firefighters: NFPA 1001	Yes	July 1, 2019
Pump Operators: NFPA 1002	No	July 1, 2019
Technical Rescuers: NFPA 1006 (for 7 chapters)	No	January 1, 2021
Fire Educators: NFPA 1035	Yes	July 1, 2019
Newly Hired and Existing Firefighters		
Fire Officers: NFPA 1021	Yes	January 1, 2020
Fire Inspectors: NFPA 1031	Yes	January 1, 2020
Fire Investigators: NFPA 1033	No	January 1, 2020
Fire Instructors: NFPA 1041	Yes	January 1, 2020
Fire Dispatchers: NFPA 1061	No	January 1, 2020
Hazardous Materials Personnel: NFPA 1072	No	January 1, 2020

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4. Why are some mandatory certification requirements only applicable to new hires while others are applicable to existing firefighters?

- Based on discussions with the Table, concern was raised that a number of fire service roles are exposed to increased risk, both for the individuals performing these roles and the municipalities themselves and therefore all firefighters in these roles should be certified.

5. If a municipality has a mutual aid agreement with another jurisdiction or First Nation department who will be responsible for ensuring the firefighters are certified?

- Firefighters from other provinces, territories, countries outside Canada and First Nation fire departments will not be required to certify to NFPA standards.
- The certification regulation applies to municipalities and fire departments in unorganized territories. As such, all firefighters employed by or appointed to a fire department within these areas must be certified.

Grandfathering

6. What does grandfathering mean?

- The grandfathering program allows existing firefighters to achieve alternative compliance with specific NFPA standards based on knowledge or experience gained to December 31, 2015.
- Grandfathering has been re-opened to all fire departments in Ontario using the same requirements as the previous program in 2013/14.

7. What will be required for grandfathering?

- The grandfathering program allows existing firefighters to achieve alternative compliance with specific NFPA standards based on knowledge or experience gained to December 31, 2015.
- Grandfathering has been re-opened to all fire departments in Ontario using the same requirements as the previous program in 2013/14.
- Firefighters who wish to take advantage of grandfathering must submit an application through their fire department by September 30, 2018. Each firefighter's application must be signed by their Fire Chief, confirming the information provided is valid and that supporting documentation is available for audit. Supporting documentation includes proof of completion of Ontario Fire College courses or programs and training or in-service records.
- OFMEM maintains a repository of Northern Fire Protection Program (NFPP) firefighter training records. OFMEM will support NFPP fire departments through the grandfathering process by providing, upon request, individual firefighter training records to the department.
- Applications are reviewed and approved by the OFMEM. Fire departments will receive a list of successful applicants. Successful applicants may request a Letter of Compliance

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from their department. Fire Chiefs have the authority to sign the Letter of Compliance with NFPA Standards for their firefighters.

- Existing firefighters who do not submit an application prior to September 30, 2018 will be required to complete the necessary training and testing to achieve certification where required by the regulation (e.g., fire inspectors, fire instructors).

8. How many fire services personnel were grandfathered when the program was offered in 2013/14?

- When Ontario decided to voluntarily adopt NFPA standards in 2013/14, a voluntary grandfathering program was offered that allowed fire service personnel to gain an entry point into the certification system based on knowledge or experience for:
 - Suppression Firefighters (NFPA 1001)
 - Fire Officers (NFPA 1021)
 - Fire Inspector (NFPA 1031)
 - Fire Educators (NFPA 1035)
 - Fire Instructors (NFPA 1041)
- When the grandfathering program was first offered, the ministry received over 17,000 applications from over 350 fire services.
- Approximately 66% (i.e., 11,500) of applicants applied for and were grandfathered for two or more levels of NFPA standards based on knowledge or experience.

9. If a firefighter has been grandfathered prior to the regulation coming into force and moves to another fire department, is their grandfathering still valid?

- Yes. Grandfathering is assigned to the individual, so it would remain with them even if they move to a new department.

10. Why are all NFPA standards outlined for mandatory certification not available for grandfathering?

- Grandfathering is not available for all positions as there were no Ontario based programs in place for some positions before Ontario endorsed NFPA certification standards in 2013/14.

11. If training records are not available, could Fire Chiefs swear an oath to say somebody has completed the necessary skills and training?

- No. Training information/records or calls for service records are needed to substantiate eligibility for grandfathering. This information should already be in the firefighters' training and calls for service records that fire departments are required to maintain.

12. How much time will it take a Fire Chief to grandfather each firefighter in their department?

- Time for a Fire Chief or designate to complete the application to grandfather each firefighter in his/her department would vary as the review of training or calls to service records would be required in order to substantiate a firefighter's eligibility.

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- The training and calls for service information needed to substantiate eligibility for grandfathering should already be in the firefighters' records maintained by the fire department.

13. Who will be responsible for grandfathering firefighters in the fire departments that operate in unorganized territories?

- Fire Chiefs appointed to NFPP departments would be responsible.
- The ministry understands that some NFPP fire departments may face issues with locating and compiling the necessary records for their firefighters.
- For these cases, OFMEM would provide, upon request, individual firefighter training records or calls for service records to the department.

Internship Program

14. What does “internship” mean, as outlined in the regulation?

- The internship program would allow municipalities/fire departments to hire new uncertified individuals who would have up to 24 months, with the potential of an additional 12 months upon approval of the Fire Marshal, to become certified.
- Firefighters seeking employment as either a Fire Instructor or Fire Inspector may enter into the internship program for a period of six months (with an additional six months upon approval of the Fire Marshal) to allow them to train and become certified.
- The ministry will work with the sector and appropriate stakeholders to determine the criteria for the internship program, including acceptable duties an intern may perform under direct supervision by a qualified individual before the regulation comes into force.

Training and Testing

15. What is mandatory certification going to cost municipalities?

- Since 2013/14, many fire services have been voluntarily training to NFPA standards. There are also a number of fire departments that have voluntarily been certifying their firefighters.
- Additional costs to municipalities for mandatory certification primarily relate to training materials (i.e., study manuals) and staff compensation. This would include the potential need to pay a firefighter to take training offsite if it is not delivered in-house or for a volunteer firefighter to take time off work and attend in-house or offsite training.
- Fire departments that are training to NFPA standards would likely already have training materials.

16. How much will it cost a new recruit to become a volunteer firefighter?

- The cost for a new recruit to become certified is dependent on the level of service provided by the municipality and the location of training. As such, costs will vary.
- The cost for a new volunteer recruit to be certified to NFPA 1001, Levels I and II (exterior and interior attack) at the Ontario Fire College, would be \$130 if the recruit enrolls in the 2-Part “Recruit” (which is a blend of in-class and online learning) delivery model. It would

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cost \$325 if the recruit enrolls in the 5-Part (which is only in-class learning) delivery model.

- Costs for training at Regional Training Centres or at a College of Applied Arts and Technology/Private Career College may vary and, in some circumstances, be more costly than what is charged at the Ontario Fire College.
- In addition, there may be costs for travel and staff compensation; however, these would vary depending on the distance travelled and whether the municipality/fire department provides staff compensation.

17. How will the ministry support fire departments with training and certification?

- Ontario specific training course content produced by the Ontario Fire College will continue to be made available online and free of charge, while other instructor material through third party publishers is made available at a nominal cost (\$75-125 for study manuals that can be shared amongst students).
- Online knowledge testing will be made available at no charge which would reduce municipal travel expenses.
- The ministry will work with the Table and municipalities, especially those who represent small, northern and rural areas, to identify specific challenges and seek their input in developing an implementation model that would best address their needs in order to ensure successful implementation.

18. How will the fire departments that operate in unorganized territories be supported?

- Fire departments that operate in the unorganized territories are part of the NFPP.
- OFMEM, having oversight for the NFPP, would support the NFPP Fire Chiefs with the implementation of the regulations, including covering related costs as appropriate.

19. When will training content be made available to fire services?

- Content for fire services that choose to deliver in-house training to their firefighters is currently available online through recognized third-party publishers and through OFMEM for Ontario specific content.

20. When will online testing be made available?

- The ministry is currently working to help ensure that online testing is made available before requirements come into force July 1, 2019.

21. Will the requirement to certify to NFPA standards mean that firefighters train for incidents that they may not be dealing with in their community?

- No. Firefighters will not have to certify to NFPA standards for roles that they do not perform in their community.
- Municipalities set levels of service and provide fire protection services in accordance with their needs and circumstances.

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22. Would firefighters be required to re-train and pass a certification test every time a new edition of an NFPA standard is issued?

- No. However, it would be recommended that fire departments and firefighters review and train to any new edition of an NFPA standard to stay current in their field.

23. How many hours will it take a new recruit in a northern/rural area with no high-rise/urban issues to become certified as a volunteer firefighter?

- A new volunteer recruit would have an opportunity to spread these hours over a period of two years, or three upon approval of the Fire Marshal, if they enrol in the internship program (which will likely be the case if they are not certified before being hired).
- A new recruit training to NFPA 1001 Level 1 (exterior attack) would have to complete approximately 225 hours of training.
 - If the new recruit is enrolled in the internship program which provides 24 months, this would equate to approximately two hours of training per week with 52 weeks per year (or approximately nine and a half hours a month) over the course of a two year period.
 - Should this new recruit obtain an extension by the Fire Marshal to be an intern for an additional 12 months on top of the 24 months, this would equate to approximately one and a half hours of training per week with 52 weeks per year (or approximately six and a quarter hours a month) over the course of a three year period.
- An additional 90 hours of training is required should a recruit want to be certified to NFPA 1001 Level 1 and Level 2 (interior attack).
 - If the new recruit is enrolled in the internship program, this would equate to approximately three hours of training per week with 52 weeks per year (or approximately 13 hours a month) over the course of a two year period.
 - Should this new recruit obtain an extension by the Fire Marshal to be an intern for an additional 12 months on top of the 24 months, this would equate to approximately two hours per week with 52 weeks per year (or approximately nine hours a month) over the course of a three year period.

24. Would volunteer firefighters be expected to travel for training/testing? If so, who would be expected to cover these costs for fire departments in unorganized territories?

- In some instances, volunteer firefighters may have to travel for training and testing.
- The ministry will work with municipalities to minimize impacts such as reducing travel to take training and certification so that fire services who wish to train their firefighters locally will be able to do so.
- We will work with the Table and municipalities, especially those who represent small, northern and rural areas, to identify specific challenges and seek their input in developing an implementation model that would best address their needs in order to ensure successful implementation.

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Community Risk Assessments

- 1. Why is the ministry requiring municipalities to conduct mandatory community risk assessments?**
 - Community risk assessments will better ensure fire departments understand the unique needs and circumstances of their communities, including fire risks.
 - This will help municipalities make evidence based decisions on the provision of fire protection services in their communities.

- 2. How is the new community risk assessment different from the risk assessment some municipalities currently complete?**
 - OFMEM has promoted the completion of a simplified risk assessment to inform decisions relating to the provision of fire protection services.
 - OFMEM has found that a large portion of municipalities do complete risk assessments. Although this is occurring, there is no mandatory requirement for them to do so.
 - The new requirements in the community risk assessment regulation build on the existing simplified risk assessments that many municipalities already conduct. This would standardize the process and help ensure a consistent and robust approach to assessing community risk across the province.
 - If a municipality currently conducts an equivalent risk assessment process, the municipality, upon approval from the Fire Marshal, would not be required to complete the risk assessment as set out in the regulation.

- 3. How is the ministry planning to support small and rural municipalities that do not have the resources to complete a more comprehensive assessment?**
 - OFMEM will be providing municipalities with a risk assessment guideline that includes a sample template to assist municipalities in completing the risk assessment.
 - OFMEM will also provide support to small/rural communities who may not be able to complete the risk assessment without assistance.

- 4. When will the template be made available to municipalities and fire services?**
 - The ministry will work with stakeholders on the development of the template which will be available before the regulation comes into force on July 1, 2019.
 - All municipalities will have to complete the new community risk assessment by July 1, 2024.

Public Reporting

- 1. Why is the ministry requiring that municipalities publicly report on their response times?**
 - Under the FPPA, fire departments report information through the completion of a Standard Incident Report (SIR) to the Fire Marshal.

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- Fire departments report response times using varying definitions which results in inconsistent data that may not be properly interpreted.
- Not all fire departments report response times to their municipal councils and where they do, only some departments, typically the larger ones, report this information publicly.
- This regulation will create consistent reporting and increase transparency and accountability by providing the public with a clear understanding of what they can expect from their fire service in terms of their response times.

2. Why does the ministry have different requirements for fire trucks made up of career firefighters and volunteer firefighters?

- The public reporting regulation requirements differ for career and volunteer firefighters to recognize there are differences in the make-up of fire service delivery across Ontario and response times may vary depending on the department type.
- Fire trucks made up of all career firefighters are required to report their response times against benchmarks that have been set out in NFPA.
- Fire trucks made up of at least one volunteer firefighter would only be required to report what their response time is 90 percent of the time. They would not be required to compare these to benchmarks that have been set out in NFPA.

3. What is the process for public reporting?

- Beginning January 1, 2020:
 - Fire departments provide time stamp data to OFMEM through the existing Standard Incident Reporting system.
 - OFMEM will use this information to calculate response times and will then provide calculated response times back to fire departments.
 - Upon receiving calculated response time data, fire departments must prepare a public report. Fire departments must submit their public report to municipal council. This provides fire departments and municipalities the opportunity to explain their response times. Explanatory language will help the public understand the factors that may impact a fire department's response times.
 - Once OFMEM receives public reports from all fire departments, OFMEM will publicly post these reports on its website.

4. What evidence was used to support the response times in the regulation?

- The definitions and benchmarks for response times come from NFPA – an association that creates and maintains industry best practice, evidence based standards and codes internationally.
- NFPA standards are regularly reviewed and updated based on the latest information, with input from multiple sectors, including fire services, health care facilities, manufacturers, architects/engineers and others.

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5. Why has the ministry included medical response times as part of the public reporting regulation?

- Currently, fire departments respond to medical emergency calls. Information from these calls are reported to OFMEM through the SIR system.
- The public reporting regulation requires fire departments to report on their turnout times related to emergency medical services and travel time for a fire department unit with a first responder with an automatic external defibrillator or higher level capability.
- The ministry will be conducting a comprehensive review of the SIR and through this process, will ensure that the capability to report on the medical calls in the regulation are reported and captured accurately by fire departments.
- The public reporting regulation does not imply that firefighters have the authority to perform acts that the *Regulated Health Professions Act, 1991* does not permit them to perform.