

The **Bulletin**



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Mission Statement

Dedicated to the advancement of the Fire Service by providing leadership. The Association will proudly support the community of firefighters in Illinois through education, training, benefits and information networking at the local, state and national levels.

President's Message



Dear Fellow Firefighters,

The new year is off and running. The elections are over and our new elected officials are seated in the 100th General Assembly. What does this mean to the Fire Service? We have the responsibility to educate them on the need to continue to support us through the Fire Marshal's Office. As you may know, programs were cut out of the Fire Marshal's Office budget this past year. This has a big impact on the Fire Service around this state. Many departments were disappointed that the Small Equipment Grant Program was not funded. The Fire Truck Revolving

Loan program is now so close to be self supportive. We seemed to have gone backwards again. That is why we must continue to educate our representatives and our administration about these vital programs and maintaining a strong Fire Marshal's Office. This is another reason why our Association pushed to review the recommendations for the legislative needs and funding for the fire service of Illinois. This came out of the Blue Ribbon Committee report which was revised in 2002. The Illinois Fire Services Association, which we are a member, has taken on the responsibility to bring this back to the forefront. After reading that old report, many of the recommendations are still in need of addressing. I will be going to meet with the other fire service organization in a few weeks to discuss this year's new legislative initiatives. We are hoping to assign these to each one of our legislators so they can carry them through the process. In this coming session, we hope on getting the Tire Purchase Bill passed for volunteer firefighters, we are also hoping to get a \$500.00 Tax Credit passed. This should help tremendously in the retention and recruitment of volunteer firefighters around this state.

On another note, I am strongly asking everyone to join to the Nation Volunteer Fire Council (NVFC), if you are not already a member. Every state is pushing their fire service to get members to join. This organization is our biggest supporter nationally. We would not be enjoying the fruits of their efforts if it would not be for them. They have initiated most of the AFG and Safer grants that we enjoy today and many other programs that support our cause. If your not a member, please go on line and join. You should also registered with the NVFC through their recruitment and retention portal. You can do this by going on <http://portal.nvfc.org> and work your way through to get you started. They are also drafting legislation on the national scale, to develop a national registry for firefighters that have developed cancer. As you may know cancer is a big issue with firefighters and this will help track our statistics in cancer. This information will be able to help identify the need for stronger support to prevent, treat and create benefits for those who have been affected with this disease. I know in Illinois, the IAFF has this benefit of presumption as a career firefighter. So why is it that volunteers do not enjoy that same type of benefit. We face the same exposures as our counterparts. Our voice must be heard to make that change possible and to do that this registry should sound that need.

We are in the winter months, now, and I am asking everyone to be on guard for winter conditions. Roadways and traveling during emergencies or just walking and working on the fire ground can be dangerous. Slips and falls contribute to most injuries. Take the extra time needed to be safe and be aware of defensive driving during these difficult times.

So, "Train Smart and Be Safe"

God Bless

John Swan President IFA



LEGISLATIVE UPDATE

By Margaret Vaughn, IFA Legislative Lobbyist

NEW LEGISLATURE SWORN IN JAN. 11

In the last few days of the old General Assembly, Senate President Cullerton and Senate Minority Leader Christine Radogno tried to pull together a compromise proposal to address the Governor's demands for Workers Comp Reform, pension reform and term limits, in order to move forward with a state budget. Their proposal included an income tax increase, new casinos and term limits on legislative leadership positions, to name a few but with only a day and a half to get it passed before the new General Assembly was sworn in, it was not feasible to get enough votes. Though certain areas such as education and the fire training and safety were funded through June 30, 2017 many other areas, including high education and social services were not and lawmakers face a big mess on their hands as the new session begins without a budget.

FIRE SERVICES LEGISLATIVE DAY SET FOR WEDNESDAY MARCH 8th

Once again IFA is joining forces with other fire services organizations to host IL Fire Services Day in Springfield. Fire officials will visit with their legislators during the day at the Capitol and the day will be topped off with a legislative reception at the Abe Lincoln Hotel that evening from 6:00 p.m. to 8:30 pm. With the retirement of Rep. Don Moffitt and the influx of some many new faces at the Capitol, it is important that we built a rapport with the new legislators and this is a great opportunity to do so. A block of rooms is being held at the Abe Lincoln Hotel (217) 544-8800 until Feb. 21st under IAFPD. Please let me know if you can make it (mvaughn@springnet1.com or 217-280-0206), so I can schedule some legislative visits and meet you at the Capitol.

BILL DEADLINE

The bill introduction deadline is February 10th which means in the next few weeks thousands of bills will be introduced which I will be reviewing and putting on our watch list. The deadline for passage out of Committee in the chamber the bill was introduced is March 31st. April 28th is the deadline to pass it out of the full chamber in which it was introduced and May 26th is the deadline for it to have passed both the House and Senate. That being said, amendments can be added to bills at any time during this period and can be scheduled for a committee hearing with only an hour's notice so it can be a pressure cooker.

IFA LEGISLATIVE PRIORITIES

IFA will be spear heading legislation to be introduced by Rep. Terri Bryant (R-Murphysboro) to allow volunteer firefighters to purchase tires for the personal vehicle at the discounted state purchasing rate. We will also be looking at a legislative solution to require fire protection for unincorporated area that are not covered by either a FPD or municipal department when property owners refuse to be annexed in. We are looking to remedy the situation by charging a fee for services rendered to respond to the call which they would be required to pay. In addition, we are also looking at requiring a property owner in an unincorporated area to show to show verification and proof fire protection coverage in order to purchase property insurance.

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Pictured: St. Jude patient Damien

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Support the Illinois Fire Sprinkler Coalition



Become a Built For Life Fire Department for Free Home Fire Sprinkler Advocacy Resources

More than 2,500 U.S. Fire Departments have been recognized as Built For Life Fire Departments by the Home Fire Sprinkler Coalition (HFSC). Each has made home fire sprinkler education a focus of their community outreach and have received free tools to help get them started. With the right information and tools, more fire departments can teach about this life-saving technology. To help, HFSC has developed free resources to simplify any department's sprinkler outreach.

Every Built For Life Fire Department will receive a Fire and Sprinkler Burn Demo Kit, educational outreach materials, a certificate of participation, Built For Life Fire Department window decals, Built For Life baseball caps and much more.

Being recognized as a Built For Life Fire Department can be as simple as adding fire sprinkler messages and materials to existing outreach, or as comprehensive as establishing an education program for local builders and developers. Fire departments must simply agree to implement at least one community outreach activity in: (1) Public Awareness and Public Education, (2) Targeted Outreach to a Key Audience, and (3) Evaluation.

Become educated about the current status of home fire sprinkler issues in Illinois by visiting **www.HomeLifeSafety.com** and then become an HFSC Built For Life Fire Department at **www.HomeFireSprinkler.org** for home fire sprinkler advocacy resources.



Scan with your smartphone to sign up your fire department for the Home Fire Sprinkler Coalition's Built For Life Fire Department Program



For more information go to:



www.HomeLifeSafety.com



www.HomeFireSprinkler.org

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Chaplain's Corner

The Joy of Serving

"What happened to all your joy?" That question, recorded in the Bible, was asked by Paul of the Tarsus to the Christians in one of the towns to which he had brought the gift of faith. As a fire chaplain in a time of increased mental illness including depression, PTSD, and suicide amongst firefighters, I can hear the words of the prophet Joel ringing in my ears: *"Surely the joy of firefighters is withered away!"* Indeed, mental illness amongst firefighters is real and must be recognized, destigmatized, and treated with all the support and professional resources that can be brought to bear on the situation. But...before any firefighter displays the signs and symptoms of mental illness or is diagnosed and enters treatment, there is a promise from God that I offer from the words of this blessing: ***"May the God of hope fill you with all joy and peace as you trust in him."*** Every firefighter is invited to receive the gift of faith by which he/she may reach out and apprehend the fullness of joy that is freely given. It is by faith that we firefighters recognize and rejoice in the involvement and activity of God personally and powerfully at work in our fire service experience. Here are some examples:

There is joy in knowing by faith that God has called you to the fire service. Whatever pathway you took to land in your fire service assignment, it was the personal call of God that brought you there.

There is joy in knowing by faith that God is working His own redemptive purposes in and through you as you serve. He is using every fire service experience and every emergency response to reveal to you His purpose in redeeming a broken world and His purpose in redeeming our broken lives.

There is joy in knowing by faith that God's presence is always with you in the station, at training, enroute to a call, on the scene – and everywhere in between. In fact, a promise from God states, *"You will fill me with joy in Your presence"*.

There is joy in knowing by faith that God has surrounded you with a fire service family in a bond of heartfelt support and camaraderie. The more that family shares expressions of faith together, the deeper that support and camaraderie grows.

There is joy in knowing by faith that God will grant you strength and humility that you may reflect His character as you serve. He can be trusted to give you courage and wisdom so that you may both face risk and act safely.

There is joy in knowing by faith that God will help carry your accumulated stress as you cast it upon Him. You are promised that *"the peace of God will guard your heart and mind"* as you do so.

There is joy in knowing by faith that God's perfect will and eternal love can be trusted in the face of challenge, illness, injury, loss, and even death. We are granted a time to hurt and a time to grow, a time to grieve and a time to heal. That's why Paul was able to say, *"in all our troubles my joy knows no bounds."*

We are promised that *"the joy of the Lord is our strength"*. The extended absence of that joy rooted in faith can certainly erode our strength to serve and can sometimes lead a firefighter down a dark descending spiral of mental illness – and if you are there please reach out and access all the support and professional resources made available to you. The blessing stated above is worth repeating and is my prayer for each of you: ***"May the God of hope fill you with all joy and peace as you trust in him."***

Kevin Coffey, IFA Chaplain (815-457-2007, kc9526@yahoo.com)

Department Spotlight

Edge-Scott FPD

A Culture of Community Service

IFA member Edge-Scott FPD firefighters are focused on giving back to the community for all the support they have received. This year they partnered with Walmart in Urbana to conduct a two-day winter boot and warm sock drive to raise awareness and fulfill needs in the community. They advertised on Facebook, the station message board, in-store announcements, and word-of-mouth. They asked customers shopping in the store to purchase and donate a pair of children's boots. The response on the first day was so overwhelming that the Walmart sold out of children's boots! They quickly changed gears on the second day and asked customers to purchase and donate warm children's socks. The response of the community was amazing! The winter boot goal was for 50 pairs – at an average cost of \$18 per pair. The Edge-Scott firefighters collected 46 pairs before the Walmart shelves sold out. Then they collected approximately 1200 pairs of socks. As a bonus several people purchased and donated winter coats. There was also cash donated over the two-day event from customers and the firefighters themselves which was used to purchase stocking caps, scarves, and gloves. The estimated \$3000 worth of donated items were distributed to assist children through the following organizations: Courage Connection (Urbana), Vineyard Church (Urbana), Crisis Nursery (Champaign), Bless A Child Outreach Program through Meadowbrook Community Church (Champaign), and St. Thomas Church (Philo).

Edge-Scott FPD Chief Steve Thuney said that the Edge-Scott firefighters have a strong history of raising funds and supporting the community. For years they held a bowling-for-food drive through which they were able to donate food to the Eastern Illinois Food Bank. When Chief Thuney was chief of nearby IFA member Carroll FPD the firefighters there held several fund raising events to support the Mills Breast Cancer Center at Carle Hospital. Both departments also have a history of participating in the MDA fill-the-boot campaign.

Firefighter Makayla Dulaney stated, "This winter as an Edge-Scott Fire Dept. probationary firefighter, I had the opportunity to assist with the 2016 Christmas Boot and Sock Drive for children in our community. I had the pleasure to deliver donations to Crisis Nursery, which was very surprised and thankful for the donations!" What a great introduction for a new firefighter to the spirit and culture of community service that IFA member departments such as Edge-Scott FPD are known for!



This winter as an Edge-Scott Fire Department probationary firefighter, I had the opportunity to assist with the 2016 Christmas Boot and Sock Drive for the children in our community. Tonight I had the pleasure to deliver donations to Crisis Nursery, who was very surprised and thankful for the donations! Thanks to Ms. Sharnell for being so receptive and giving me a full tour of the facility!





We like to thank Edge-Scott Fire Dist. of Urbana. They held a winter boot drive and donated 16 New boots, packages of socks, hats and gloves for the residents of Courage Connection. Board member Jenny Hall accepted the donation on behalf of the agency.





Five Ridiculous Reasons You Need More Liability Insurance

You've worked hard for your home, vehicles, and other possessions. All that hard work could be in jeopardy because of a lawsuit. You hope it never happens, but you could be sued for an auto crash that you or family member caused or for an accident at your home.

Anyone can sue for just about any reason, and here are five examples from the list of most ridiculous lawsuits of 2016 showing why you need to be prepared:

5. A mother and son who sued the Educational Testing Service and the College Board over a typo that gave New Jersey students five extra minutes to take the SAT test.
4. A California woman who sued SoulCycle workout bicycles and the instructor for "gross negligence" after she fell off the stationary cycle at a gym. The woman claims she suffered catastrophic injuries from the pedals which continued to hit her in the ankle.
3. An Indiana man who sued over a printer he bought on Craigslist for \$40 because he claimed it was broken. The original suit was tossed out because the litigant had thrown away the printer. He refiled in March of 2015 requesting damages for fraud, breach of contract and emotional stress. A special judge ruled in his favor, awarding \$30,000. That ruling was eventually overturned by an appeals court because the man who sued is known to be a repeated, flagrant, and continuing abuser of Indiana lawsuit laws, but not before thousands of dollars in lawyer's fees.
2. A woman who filed and won a \$161,000 lawsuit after she walked into a bucket truck lift while texting. Video surveillance showed there were warning cones and she had walked past it three times before the incident. Phone records confirm that she was sending a message at the time.
1. A California woman who filed a suit against Fresh, Inc. over their Sugar Lip Treatment balm. She claimed the company conned consumers into thinking there was more balm in the tube than there actually was. The case was thrown out after the amount of balm measured up to what the package stated.

You can read the entire list of ridiculous lawsuits at <http://www.facesoflawsuitabuse.org/>.

While all of these are worst-case scenarios, lawsuits do happen and they could be costly. If someone were hurt because of an accident you caused, you could be sued for their medical bills, loss of income and other damages. These are real verdicts or settlements from recent cases:

- \$7.2 million settlement on behalf of three people injured in a collision with the driver of a pickup truck
- \$3.2 million verdict on behalf of a child killed when a man driving more than 60 miles per hour in a 25 mile per hour zone struck the family vehicle

The Bulletin

- \$1.5 million for a man who suffered a back injury requiring surgery as the result of an automobile accident
- \$1.2 million settlement on behalf of a police officer hit by an underinsured driver while finishing paperwork at a traffic stop
- \$1.1 million on behalf of a 26 year old motorcyclist who was struck by a left turning automobile operated by a 16 year old driver.

You can also be sued if someone slips and falls at your home or your dog bites them.

All this goes to prove that you need to protect yourself. Your auto, homeowners or renters insurance provide some liability protection from lawsuits. However, if you are a high earner, have a lot of assets, or have inexperienced drivers in the house, you should consider an umbrella policy that can give you \$1 million or more of coverage.

People sue; that's why it's a good idea to contact a California Casualty advisor at 1.800.800.9410 or visit www.calcas.com/personal-umbrella to check that you have adequate liability limits on your auto, home and renters insurance, and to investigate whether an umbrella policy is right for you.

This article is furnished by California Casualty, providing auto and home insurance to firefighters for over 40 years. Get more information at 1.800.800.9410 or www.calcas.com/IFA.

**Plans are underway for
Conference 2017
Tentative dates:
October 19 - 22, 2017**



To-Do List

Get everything ready
for tomorrow

Eat a healthy breakfast

Set alarm for
tomorrow morning

Boost Your Health: Start a Morning Routine.

For more tips just for firefighters
visit www.MyCalcas.com/Fire

Liability concerns for a volunteer fire chief

by James G. Wargo
Ottosen Britz Kelly Cooper Gilbert & DiNolfo, Ltd.

Does a volunteer fire chief have more liability exposure than a fire chief who is an employee of a local fire department? Generally, no. To the extent a volunteer fire chief performs services for a fire department operated by an Illinois unit of local government, he or she will be deemed an “employee” of the local unit of government or local public entity and will be afforded the immunities and defenses under the Local Governmental and Governmental Employees Tort Immunity Act (“Tort Immunity Act”) (745 ILCS 10/1-101 et seq.). Full-time and part-time fire chiefs employed by governments are entitled to the same tort immunities.

Tort liability for local public entities and public employees is generally governed by the Tort Immunity Act. The purpose of the Act is to protect local public entities and public employees from liability arising out of the operation of government. A “local public entity” is defined under the Act to include various units of local government such as fire protection districts, municipalities, counties, townships, and school districts (745 ILCS 10/1-206).

The Act also defines the term “employee” to include a volunteer of a local public entity (745 ILCS 10/1-202). The Act further defines a “public employee” to mean an employee of a local public entity (745 ILCS 10/1-207). As such, a volunteer fire chief is considered an employee of a local fire department and entitled to the immunities and protections under the Tort Immunity Act.

While local public entities and public employees may be liable in tort, the Tort Immunity Act limits this liability by providing various immunities and defenses regarding numerous specific governmental functions. Specifically, Article V of the Act provides a number of immunities and defenses related to fire protection and rescue services. In particular, any local public entity that has undertaken to provide fire protection service, neither the local public entity nor any of its public employees is liable for any injury resulting from a failure to suppress or contain a fire or from any failure to provide or maintain sufficient personnel, equipment or other fire protection facilities (745 ILCS 10/5-102).

In addition, the Act provides that neither a local public entity, nor a public employee acting within the scope of his or her employment, shall be liable for an injury “caused by an act or omission of a public employee while engaged in fighting a fire” except for any injury caused by the willful and wanton conduct of such public employee (745 ILCS 10/5-103(b)). Similarly, the Act provides immunity protections for a public entity and a public employee acting within the scope of his or her employment for an injury caused by the “negligent operation of a motor vehicle or firefighting or rescue equipment, when responding to an emergency call, including transportation of a person to a medical facility” except for any injury caused by the willful and wanton conduct of such public employee (745 ILCS 10/5-106).

While the protections of the Tort Immunity Act are broad, various provisions of the Act, including those

referenced above, exclude immunity protection for willful and wanton conduct by public employees. The term “willful and wanton” conduct is defined under the Act to mean “a course of action which shows an actual or deliberate intention to cause harm or which, if not intentional, shows an utter indifference to or conscious disregard for the safety of others or their property” (745 ILCS 1-/1-210).

To the extent a claim is instituted against a public employee based on any injury allegedly arising out of an act or omission occurring within the scope of his or her employment, the local public entity must defend, pay, or indemnify the public employee for all costs and judgments associated with the action except for any portion of a judgment representing an award of punitive or exemplary damages (745 ILCS 10/2-302).

In short, a volunteer fire chief is considered an employee of the respective local public entity for which he or she performs volunteer services, and entitled to the immunities and protections provided under the Tort Immunity Act, just as any fire chief who has been hired as a full or part time employee compensated with salary for his or her work.

***James G. Wargo** is an associate with the law firm of Ottosen Britz Kelly Cooper Gilbert & Dinolfo, Ltd. in the firm's Naperville office. Mr. Wargo concentrates his practice in the areas of municipal law and general litigation. He has experience with police departments, fire departments and fire protection districts on various issues.*

Don Moffitt appointed to state Agriculture Department post

So much for retirement.

The longtime legislator, who stepped down from his post Wednesday as the second-longest-serving Republican in the state House, was tapped by Gov. Bruce Rauner on Friday as the assistant director of the Illinois Department of Agriculture. Gov. Bruce Rauner made the appointment calling Moffitt “uniquely qualified” for the job, citing the combination of his vast experience in state and local governments with his being a life long farmer. Moffitt also served on the agriculture and conservation committee last year.



Moffitt, of Gilson, is a lifelong farmer and served in the House starting in 1993 with a stint as the top GOP member of the body’s agriculture committee. Early in his career he also served as a high school agriculture teacher. Moffitt often cited spending more time with family as the reason for stepping down, but never ruled out taking another government job.

The appointment had long been rumored. Moffitt declined to answer a question about it at a January 2015 event in Peoria. The Agriculture Department is led by another former state representative with ties to farming, Raymond Poe of Springfield.



Illinois Firefighters Association

Prescription Assistance Program / Community Health Initiative

- You are likely overpaying for your prescriptions even if you have a low insurance co-pay. The Illinois Firefighters Association offers you the opportunity to purchase your prescription at the guaranteed lowest price by comparing your insurance co-pay price to a negotiated discount price through the Discount Drug Network (DDN). *Pricing examples are on the back of this page.*
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