

# *The* **Bulletin**



*Publication of the Illinois Firefighter's Association, Inc.*

**Volume 73, Number 3**

**May - June 2019**

**FIRE LINE - DO NOT CROSS**

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## **Fire Officials Lobby Day at Capitol**



**Beecher Fire Chief Joe Falaschetti , Stegar Fire Chief Nowell Fillion, IFA President John Swan, IFA Board Member Mitch Althoff, IFA Lobbyist Margaret Vaughn, South Chicago Heights Fire Chief Chad Vliestra, Springfield Fire Marshal Chris Richmond and Crete Fire Chief Mike Waterman.**

The Bulletin is published digitally every other month and placed online at [www.illinoisfirefighters.org](http://www.illinoisfirefighters.org).

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## **Bulletin Deadlines:**

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## **Mission Statement**

Dedicated to the advancement of the Fire Service by providing leadership. The Illinois Firefighters Association will proudly support the health and welfare of 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:

Our Annual Fire College is just around the corner, the 6th thru the 9th of June. This year is going to be very special with free hotel rooms. You must first register at IFSI and attend all the classes to be eligible for a free room. Remember to register early before the free room funds run out. As you may know, nothing is free, the free rooms were made possible by a grant from our State Fire Marshal. I keep reminding you that this is the longest running Fire College in the nation. We are seeing a rise in attendance at Fire College and I expect it will continue if IFSI receives another grant from our State Fire Marshall. What a benefit for you and your fire department in reducing your cost to attend. With the rising cost of attending Fire College with lodging, travel expenses and tuition, it was prohibiting many firefighters from attending this

great training event. When you see our State Fire Marshal, please tell him "Thank You!" and ask him to continue with this grant, it is helping so many firefighters around this state.

In legislation this year, we have been working very hard in assisting with the negotiations with Senate Bill 37. It has been very controversial and the impact of that bill has a major effect on many fire departments. Our lobbyist Margaret Vaughn has been working very hard with other special interest groups in trying to reach an agreement or have this bill killed in committee. This bill, no matter which way it goes, will not make everyone happy. It was introduced by the AFFI and is basically a pension bill but has a much broader impact on other issues. What this bill did bring out, though, was the importance of trying to get our presumption legislation passed for all firefighters in Illinois. I believe I stated this earlier that the state of New York and Georgia passed cancer presumption legislation last year. This was one of the big issues that were brought out during discussions made in the negotiations with Senate bill 37. When part-time firefighters are employed by a secondary fire department, who carries that risks of presumption? There were many other different issues brought up as well. By the time you read this article, you may know the outcome of this bill.

This has not been a good year with the loss of another firefighter, this one from Christopher, Illinois. We extend our sympathy to the family, friends, department and the community. This again shows the dangers we face every day in the Fire Service. I know we all want to go home each day and we rely on our training and fire equipment to help keep us safe. For those firefighters that gave the ultimate sacrifice, this alone should inspire others to continue to train in expanding your knowledge, experience and skill levels. Also, become a leader showing the way and mentoring others to be the best that they can be.

In recent years, the Fire service has broadened the leadership roles to encompass everyone. No one is an island onto themselves in the Fire Service. It is a team effort and our brother/sisters keeper. IFSI has great leadership classes available and you can tailor those classes to your needs.

The Medal of Honor Ceremonies will be here in a couple of days at our capital in Springfield. If you have never attended the ceremony in the past, you may want to attend next year. It is a time of reflection for those who passed on and honor those who made the ultimate sacrifice.

So, *"Train Smart, Be Safe"*

*God Bless*

*John Swan President*



# LEGISLATIVE UPDATE

By Margaret Vaughn, IFA Legislative Lobbyist



## SB 194, PENSION CLEAN-UP BILL PASSES SENATE

**SB 194 sponsored by Sen. Dale Fowler (R-Mt Vernon) and Rep. Dave Severin (R-Benton) passed the Senate unanimously. The bill is an initiative of IFA and SB 194 would change the law so that firefighters working for municipalities whose population grew over 5000 as a result of the 2010 census and went from the IMRF to the Downstate Pension Fund, can still maintain their Tier 1 status. The bill passed the House Pensions Committee and is scheduled for final passed before the full Houses.**

## IFA LEADS FIGHT AGAINST SB 37 SECONDARY FIRE SERVICE EMPLOYER PENSION FUND PAYMENTS

**Sponsored by Sen. Melinda Bush (D-Grayslake) and Rep. Larry Walsh (D-Joliet) SB 37** requires a unit of local government of 5,000 or more inhabitants that employs a firefighter who is a full-time firefighter in a different downstate firefighter pension fund to make specified contributions of 17 percent annually of that firefighter's salary and requires the firefighter to make contributions of 9% of their own salary that primary department's

**IFA was adamantly opposed to this legislation and IFA Lobbyist Margaret Vaughn has been heading up ongoing conference calls with other opposing fire and municipal officials and organizing lobby days for fire officials to meet with key legislators and Pension Committee members.**

The bill was initially passed out of the Senate Pensions Committee with the idea that it would be brought back before it advanced further in the Senate, with amendment that would remove over 90 percent of the opposition. Unfortunately, that did not happen and the bill passed the full Senate with the idea that it would continue to be worked on in the House. There were over 400 registered opponents against the bill in the House and IFA Lobbyist Margaret Vaughn was asked to speak on behalf of the opposition at the House Pensions Committee hearing. Committee members asked the proponents to bring the bill back with an agreed amendment that would reflect the actual percentage these primary employers are paying for occupational disease and non-duty disability. The numbers produced through the Department of Insurance for nearly 3000 firefighters, showed this being just under 1%. **At press time we are not sure what the bill's outcome will be for the spring session but we thank the IL Association of Fire Protection Districts and all the fire and municipal officials who joined forces together on this issue which could have a crippling impact on fire safety budgets, property taxes and ultimately lead to privatization.**



**IFA Lobbyist Margaret Vaughn Coordinates Capitol Visits with South Suburban Fire Officials:** Beecher Fire Chief Joe Falaschetti, Markum Inspector General Anthony Reece, Wilmington Fire Chief Tim Zlomie, IFA Lobbyist Margaret Vaughn, Markum Fire Dept Deputy Chief Anthony Mazziotta, Country Club Hills Deputy Chief Robert Kopec and Tinley Park Fire Chief Forest Reeder.

**Below is a run down of some of the other legislation impacting the fire service.**

### **HB 841 First Responder Endangerment - House Sponsors Rep. Kathleen Willis and Frances Ann Hurley**

**Creates the offense of first responder endangerment under the Criminal Code. Provides that a person commits the offense when he or she knowingly creates a dangerous condition and intentionally conceals the dangerous condition in a commercial property under his or her management or operational control and the dangerous condition is found to be the primary cause of the death or serious bodily injury of a first responder in the course of his or her official duties. Provides that a violation is a Class 4 felony. The bill passed the House but has been stalled in the Senate Assignments Committee.**

## The Bulletin

### **HB 2141- FIRE CHIEF QUALIFICATIONS - House Sponsors Rep. William Davis-Debbie Meyers-Martin**

Amends the Illinois Municipal Code and Fire Protection District Act. Removes the requirement that a person with a minimum of 10 years' experience as a firefighter may not be appointed a fire chief for more than 180 days if the experience is not at the fire department from which the appointment is being made. Provides that a person not meeting any of the 4 specified qualifications for a fire chief may be hired as fire chief for up to one year on the condition that the person obtain one of the applicable certifications within one year of appointment. **The bill passed got stalled in the House and did not advance.**

**HB 2215 – FIRE SERVICE LABOR MOVEMENT LINK on OSFM WEBSITE – Sponsored by Rep Lance Yednock (D-Ottawa) and Sen. Tom Cullerton (D-Addison).** The bill requires OSFM to supply a link to an educational program or literature on the History of the Fire Service Labor movement. Firefighters excluding volunteers and paid-on call are required to complete the training. **The bill passed the House and is being amended further in the Senate.**

**HB2473 - FIRE PROTECTION DISTRICT CONTRACTS** House Sponsors Rep. Kathleen Willis/Senate Sponsor: Sen. Linda Holmes Amends the Fire Protection District Act. Provides that a board of trustees may enter into contracts for supplies, materials, or work involving an expenditure in excess of \$20,000 through participation in a joint governmental or nongovernmental purchasing program that requires as part of its selection procedure a competitive solicitation and procurement process. **The bill passed the House and is awaiting final passage in the Senate.**

### **HB 2766 - SUICIDE PREVENTION for FIRST RESPONDERS- House Sponsors Rep. Frances Hurley/Senate Sponsor: Terry Link**

Creates the First Responders Suicide Prevention Act. Provides that emergency services personnel and public safety personnel may refer any person to an employee assistance program or peer support counselor within the emergency services provider or law enforcement agency, or if those services are not available within the agency, to another employee assistance program or peer support counseling program that is available. **The bill passed the House and is being amended further in the Senate.**

**April 10th IL Fire Officials Legislative Reception at Abe Lincoln Hotel** – Left to Right: Fire Caucus Chair Rep. Kathleen Willis (D-Addison), IL Fire Safety Alliance President Chief Jim Kreher, IFA President, State Rep. Marty Moylan (D-DesPlaines), Rep. Theresa Mah (D-Chicago), IFA Lobbyist Margaret Vaughn and IFA Board Members Mitch Althoff.



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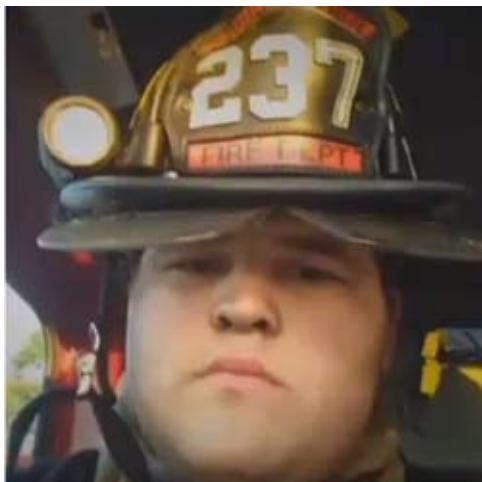
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Watch future issues for more info

# Line of Duty Death



An Illinois firefighter died battling a multi-alarm fire at a two-story commercial building early Sunday, May 5, 2019.

The fallen Christopher firefighter was identified as Kody Vanfossan, 24. Vanfossan was the grandson of Christopher Mayor Gary Bartolotti, and he had been fighting the blaze with his father.

More than 17 fire departments responded to the fire, which broke out at around 3:30 a.m. at a vacant furniture store. A mayday call was issued for Vanfossan after the steps he was on in the rear of the building collapsed about an hour into the response,

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## Help needed at 2019 Illinois State Fair

Each year, the IFA sponsors a day in the Illinois Fire Services Association tent at the state fair. Help is needed staffing the tent on Saturday, August 17. It takes a lot of help for all of the people that go through the tent. If you or any other members of your department are available to work that day, please contact Chairman Bob Reason at least 45 days prior to the day for the IFA day at the State Fair, August 17, at the phone numbers or email below, so that he can get enough parking passes and admission tickets mailed to you prior to the work date.

Robert Reason, Director  
State Fair Committee Chair  
Phone: 309-265-6472  
E-mail: [breason@sbcglobal.net](mailto:breason@sbcglobal.net)





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## California Casualty has Illinois Firefighters Covered

From Chicago to Carbondale, car break-ins are on the rise. As the weather warms, criminals will be looking for more cars and trucks with valuables left inside. Victims are angry knowing that someone violated their property. Worse yet, many are learning that their auto insurance didn't cover the items taken from their vehicles.

California Casualty knows the terrible feeling when a purse, weapon or other valuable item has been taken from a vehicle. As the preferred auto and home insurance provider for the Illinois Firefighters Association, California Casualty offers special features for IFA members. One of those benefits is personal property coverage for items taken from your vehicle.

While most insurance companies only cover theft from your vehicle through homeowners or renters insurance, California Casualty auto policies provide up to \$500 if your wallet, non-electronic materials or other important possessions are stolen from, or damaged in, your covered car or truck. This includes turnout gear and uniforms that you purchased.

It's that type of coverage that convinced IFA to partner with California Casualty. IFA members also qualify for these other outstanding benefits:

- \$0 deductible for damage to vehicles parked at work
- Free pet injury protection (up to \$1,000)
- Free ID theft defense and resolution
- Policies that cover you when you loan your vehicle to someone or rent a car
- Fallen Hero Survivor Benefit – which waives the insurance premiums for the current year and following year for the spouse or partner of a fallen firefighter

California Casualty also gives back to firefighters in meaningful ways:

- \$7,500 Garage Makeover, [www.contest4heroes.com](http://www.contest4heroes.com)
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## The Bulletin

Bruce Rauner, Governor

Matt Perez, State Fire Marshal



## Office of the State Fire Marshal

The use of barricade devices on school doors has become a hot button issue and the subject of Illinois Senate Bill 1371. When the OSFM contemplates the issue of school security, we considered not only how to provide increased safety during an active shooter situation, but also how to provide this added security without creating other risks. As school administrators know, the people most likely to commit violence on school grounds are the students themselves. Students are also much more likely to be the victim of a violent assault than to be involved in a school shooting.  
(<https://www.bjs.gov/content/pub/pdf/iscs18.pdf> )

Allowing barricade devices that do not meet NFPA or Illinois State Board of Education requirements could give any student the ability to lock a room with potential victims inside and prevent school staff or first responders from entering the room. Promotional videos for some barricade devices even depict law enforcement officers, using currently assigned tools, who cannot breach the doors to which they are applied. When looked at in this context, that is a frightening image and, ironically, this knowledge could actually aid in the planning of an assault.

The desire to react quickly, and within budgetary restrictions, can lead to choices that may solve one problem but inadvertently create others. The demand for increased security precautions needs to be balanced with requirements for egress, fire protection, and accessibility. A code compliant locking mechanism provides increased safety, would be cost effective to install, would not impede egress, could easily be opened from the outside by school staff or first responders with no special tools or knowledge, and could be engaged simply and quickly to eliminate any delay in securing the room. This is an option I am willing to stand behind in the effort to protect Illinois residents from the dangers they are most likely to face.

This code compliant option was also supported by the Illinois Terrorism Task Force - School Safety Working Group established in 2018. This group consisted of representatives of law enforcement from local, county and Illinois State Police, local and state fire service, the Illinois State Board of Education, the Chicago Public School District, the Illinois Law Enforcement Training and Standards Board, regional superintendents, assistant superintendents, the Illinois Association of School Administrators and the Illinois Association of School Boards. The final recommendations document from this working group, which takes a much larger scale view of safeguarding our schools, can be found at:  
<https://www2.illinois.gov/sites/sfm/SFMDocuments/Documents/ITTFSchoolSafetyWorkingGroupRecommendations.pdf#search=illinois%20terrorism%20task%20force>

I would encourage you to read through the document as it contains many recommendations designed to curtail school violence and, more specifically, I would draw your attention to "Recommendation #7 – Priority List for Hardening of School Facilities" which in part recommends installation of a uniform, interior door locking system that is compliant with applicable codes. The use of barricade devices was thoroughly discussed in the working group and it was decided they should not be part of the recommendations.



## 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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# New requirements for secondary employers being considered by Illinois General Assembly

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

Fire departments that hire part-time firefighters may be on the hook for pension contributions if the Illinois General Assembly adopts Senate Bill 37 ("SB 37") that is currently under consideration. SB 37 seeks to amend the firefighters' pension fund provisions in Article 4 of the Illinois Pension Code to require secondary employers of firefighters to make specified contributions to the primary employer's pension fund. The stated objective of the legislation is to ensure that a primary employer's pension fund receives compensation for the additional liabilities and risks to which its firefighters are exposed during part-time employment with other fire departments.

Under the proposed legislation, a unit of local government that has established a pension fund under Article 4 of the Pension Code and employs a full-time firefighter shall be deemed a primary employer with respect to that full-time firefighter. In contrast, any unit of local government of 5,000 or more inhabitants that employs a firefighter while that firefighter continues to earn service credits as a participant in a primary employer's pension fund under Article 4 shall be deemed a secondary employer. Any such firefighter shall be deemed a secondary employee firefighter.

In order to ensure that the primary employer's pension fund receives additional compensation for the risks and liabilities associated with its firefighters performing part-time work at other fire departments, SB 37 imposes certain reporting and pension contribution requirements on secondary employers. The bill has undergone some amendment as it passed through the Senate and arrived in the House this spring. Thus, it is possible that additional changes may occur in the proposed legislation if it becomes law. However, the following is a summary of the bill's requirements based on the version of the bill pending in the House as of May 9, 2019:

**Annual Report.** A secondary employer is required to prepare an annual report accounting for all wages and salaries paid to all secondary employee firefighters it employs during the fiscal year and provide a certified copy of the report to the primary employer no later than 30 days after the fiscal year in which the wages were paid.

**Pension Contribution.** The secondary employer shall contribute an amount equal to 17.5% of the total wages and salaries paid to each secondary employee firefighter to the primary employer's pension fund. This contribution shall be made concurrent with the certification of the annual report.

**Secondary Employee Deduction.** The secondary employer shall deduct an amount equal to 9.455% of the salaries and wages paid to each secondary employee firefighter it employs. This deduction amount shall be paid to the primary employer's pension fund concurrent with the certification of the annual report.

In the event the secondary employer fails to transmit the required pension fund contributions for more than 90 days after the due date, SB 37 authorizes the Illinois State Comptroller to intercept State funds that are due to the secondary employer and remit those funds to the primary employer's pension fund.

SB 37 further grants standing to the primary employer and its pension fund to enforce the pension funding obligations of the secondary employers and secondary employee firefighters under the bill and clarifies that the legislation shall not be construed to allow part-time firefighters to qualify for benefits or credible service for employment as firefighters for secondary employers.

The bill has been significantly lobbied – both for and against – by potentially impacted parties, including fire protection districts that would be required to make payments to primary employer pension funds. If the bill becomes law, impacted fire service agencies may see fundamental changes in how they deliver fire protection services to their communities.

**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.



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