

The **Bulletin**



Publication of the Illinois Firefighter's Association, Inc.

Volume 68, Number 6

November - December 2014

FIRE LINE - DO NOT CROSS FIRE LINE - DO NOT CROSS FIRE LINE - DO NOT CROSS FIRE LINE - DO NOT CROSS

*We wish you all a SAFE
and Happy Holiday Season!*



The Bulletin

November - December 2014 Vol. 66 Number 6

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Bulletin Deadlines:

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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,

Our conference was a big success with our attendance increasing by almost twenty percent. I heard many good comments on the classes that were given and the hands on training. I had a little concern about the hotel accommodations and them doing remodeling during the conference. I know we are all firefighters and are able to work around challenging conditions, so we adapted and continued our mission. I hope that everyone has gained a little more knowledge and practical training from this conference. Now that this conference is over, we must start organizing for next year. Next year will be very special conference, being our 125th conference on October 15 - 18, 2015. We are looking into doing something very special for this conference. Get the word out now and tell the other firefighters, so they can put it on their calendar.

I also want to welcome newly elected director, John Schott, to the executive board of the IFA. I believe he is one of the youngest board members we have ever had on this board. I look forward to working with him and all of the other board members in this coming year.

Well, the election is over and this will bring changes to our state's leadership at the highest level. We must work hard to inform the new leadership that the fire service stands strong. Our fire marshal has been a great asset to us and has shown his ability to support us fully. I think we all know that it is not the political party you belong to that makes you a good leader, it is the person that can do the job and meet the mission for which he is asked to do. Our Fire Marshal has done that and more. I also know that we may not always get what we ask for and we must be prepared changes. Looking back a few years, the Fire Prevention Fund had sweeps that left it almost broke and the Cornerstone training fund was eliminated. We fought to get that funding back and we sure do not want to go back to those days. We do not need general revenue funds to meet the mission of the Fire Marshal's Office. With good leadership and recognition, showing that the fire service is a vital function of this state, we will prevail in meeting our needs. I am asking all of you to ask your local legislators if they belong to the Illinois Fire Caucus. If we are to get our message out, this would be a good start for them to belong. We are very fortunate in Illinois to have a great Fire Service and we need to keep it that way.

Christmas is right around the corner and winter weather is also upon us. This brings in new concerns about fire safety, not only in the public venue, but in the fire service, too. Slips and falls are always a big concern having to do our job in these conditions. It also brings a greater risk in driving apparatus. Remember twenty-five percent of us are killed and injured driving to and from those emergency calls. Let's take the extra time to be a defensive driver and gear ourselves for the changing environment. We all want to come home after the call and that also means the firefighters that maybe riding with you.

God Bless and be Safe

John Swan President IFA



LEGISLATIVE UPDATE

By Margaret Vaughn, IFA Legislative Lobbyist

NEW GOVERNOR WILL IMPACT AGENCY LEADERSHIP

With the election of the first Republican Governor in 12 years, there will be many changes in the leadership and administration at the state agencies including the Illinois Department of Public Health, Capitol Development Board, Office of the State Fire Marshal, etc. The Democratically controlled House and Senate are still veto proof though and many of the Agency Directors have to win Senate approval however many can serve as an “Acting Director” indefinitely and do so. What of the hottest issues the Governor Elect Rauner will face after being sworn in is the increased budget shortfall that will begin in January as a result of roll back of the state income tax rate begins.

HB 5485 – STAFFING BILL PASSES DURING VETO SESSION

The controversial staffing bill passed the Senate during the Fall Veto Session. The controversial measure, which is an AFFI initiative, had passed the House last spring but had been in the Senate. After a major lobbying push by the IFFI to insure the measure would reach Governor Quinn’s desk before he left office, the bill passed the Senate Nov. 20th. The bill allows staffing capacities to be determined by an arbitrator if agreement cannot be reached by labor and management. Many chiefs fear this will lead to budget challenges resulting in potential layoffs.

IFA PARTICIPATES IN IL FIRE SERVICES ASSOCIATION SUMMIT

IFA President John Swan and I represented IFA at the IFSA Summit held October 30th at the Illinois Fire Service Institute. IL Fire Services Association voted to unanimously support IFA’s Initiative to require all phone companies to install the required primary and secondary back-up 911 lines at the fire station at no cost, so they will automatically be routed if the regular 911 lines go down. Several IFA members brought this issue up during the Saturday Morning Legislative Roundtable at the IFA Conference. In some parts of the state, when 911 lines go down, fire department have no choice but to send a firefighter to sit for hours in the parking lot of the phone switch building to access the 911 line through the Knox Box and then alert the dispatcher back at the station when calls come through. It is unconscionable to think that life and death calls have to be answered in such a primitive manner when the situation could be easily prevented by the phone company.

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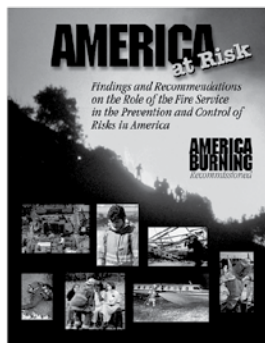
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D I D Y O U K N O W ?

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www.usfa.fema.gov



Report Finding #2 - The Application and Use of Sprinkler Technology

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For a copy of the "America Burning, Recommissioned" Report and other information, call NIFSAB toll-free at 866-2NIFSAB (866-264-3722) and visit www.firesprinklerassoc.org.

NIFSAB

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Chaplain's Corner

Kevin Coffey - IFA Chaplain

Merry Christmas IFA Fire Departments!

There are so many ways that IFA fire departments celebrate Christmas amongst themselves and within their communities. Decorating the station and rigs, leading the town parade, Christmas caroling, family and community Christmas parties, seasonal fire safety presentations, fund-raising and gift-giving to families in need, “keep the wreath red” campaigns, and the list goes on... However it is that your fire department celebrates, I know that it is just an extension of the Christmas spirit that inspires you all year round – the spirit of giving, the spirit of being there for people in need, the spirit of self-sacrifice, the spirit of celebration in the goodness of God.



East Dubuque Santa Dispatch



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Coal City Santa Sleigh



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And, of course, I wouldn't be the chaplain if I didn't remind us all of the source of that deep and rich spirit of Christmas:

"While they were there, the time came for the baby to be born, and she gave birth to her firstborn, a son. She wrapped him in cloths and placed him in a manger, because there was no guest room available for them. And there were shepherds living out in the fields nearby, keeping watch over their flocks at night. An angel of the Lord appeared to them, and the glory of the Lord shone around them, and they were terrified. But the angel said to them, "Do not be afraid. I bring you good news that will cause great joy for all the people. Today in the town of David a Savior has been born to you; he is the Messiah, the Lord. This will be a sign to you: You will find a baby wrapped in cloths and lying in a manger." Suddenly a great company of the heavenly host appeared with the angel, praising God and saying, "Glory to God in the highest heaven, and on earth peace to those on whom his favor rests." When the angels had left them and gone into heaven, the shepherds said to one another, "Let's go to Bethlehem and see this thing that has happened, which the Lord has told us about." So they hurried off and found Mary and Joseph, and the baby, who was lying in the manger. When they had seen him, they spread the word concerning what had been told them about this child, and all who heard it were amazed at what the shepherds said to them. But Mary treasured up all these things and pondered them in her heart. The shepherds returned, glorifying and praising God for all the things they had heard and seen, which were just as they had been told."

Merry Christmas to you all. Stay safe and God Bless You!

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



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YOUR 2015 IFA BOARD OF DIRECTORS



Seated (left to right): John Schott, Secretary Treasurer Kerry Federer, President John Swan, Vice-President Terry Ford, Kevin Schott. Standing (left to right) Bob Reason, Jeff Bryant, Sr., Ron Mulach, Ed Myers, Joe Heim, Gary Turnbaugh, Jeff Stuck, Joe Mandarino. Not Pictured: Bill Offerman, Ed Allsman.

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Illinois Fire Service Institute Updates

Jim Keiken, Deputy Director



Mark Your 2014 Training Calendar

Program	Start	End	Location
F0729 - Incident Safety Officer (Revised)	12/20/2014	12/21/2014	Somonauk Fire Department, Somonauk IL
All Hazard Liaison Officer	1/6/2015	1/7/2015	Wood River
Management 3	1/9/2015	1/25/2015	St. Louis AirPort
Instructor I	1/16/2015	2/1/2015	Illinois Fire Service Institute
F0455 - Strategy and Tactics for Initial Company Operations	1/17/2015	1/17/2015	Lake Sara Community Building, Effingham IL
Winter Fire School	1/24/2015	1/25/2015	Illinois Fire Service Institute
Training Program Manager -	1/26/2015	1/30/2015	Illinois Fire Service Institute
Excelling as a Manager or Supervisor Workshop	2/1/2015		Illinois Fire Service Institute
This schedule is subject to change or additions			

For more information on upcoming classes visit our web site @ <http://www.fsi.illinois.edu/>

I went to the chiropractor the other day and was struck by some similarities between them and fire service training. A chiropractor often is where you go once you have a problem or issue. Training is often focused at a problem or an issue that has been found in an individual or an organization. Chiropractor's goal is to bring the spinal column into alignment for healthier pain free movement. Training is often focused at aligning skills and performance in a specific area or weakness of a firefighter, crew or organization to assure safe operations. When you start a chiropractic treatment you are looking for immediate improvement, in the end it often takes more time to get the results you want. Also sometimes you don't get all the way you back to where you think you should. Often in training we expect everyone to get it the first time, that said to get everyone to the same level of proficiency, it takes time and sometimes everyone doesn't get the level we would like.

If you have read any of the posters or signs in a chiropractor's office or listened to them, they advocate the need to regular adjustments prior to issues or injuries to maintain health. Regular training and preparation of firefighters prior to issues occurring helps to assure proper performance when you need it. Regular practice and adjustment in firefighter's skills and knowledge provided the confidence that they need to be ready for whatever will occur. A chiropractor looks at the body in its entirety as a whole being. Strength in one area and weakness in another leads to injuries, you must have balance to be healthy. Firefighter training needs to be looked at as a whole package. Strength in one area and weakness in another leads to issues. Firefighters have to be masters of all basic skills and knowledge not just some otherwise issue will occur.

Chiropractors are subject matter experts on the joints and movement of the body. They study and train so they can utilize the correct technique or manipulation to address a problem. They make small adjustments in one area of the body to correct issue in another area. Training officer must be subject matter experts. They must train and develop their knowledge and abilities to not only expertly demonstrate a skill or explain in detail the information they are teaching. They also must be able to tweak information and make adjust in the student's skills to assist in the student achieving mastery of the skills and knowledge.

As we finish 2014 year and move into 2015 have you developed a plan to maintain your firefighting health and balance. IFSI's 2015 calendar is out and the schedule is on the web site. Now is the time to commit and develop the pro-active strategy to improve you training and education for 2015. Now is the time to select those area that may not be your strengths and commit to invest the time and energy to strengthen yourself. It's time to make adjustments and develop the alignments to be an effective, safe and healthy firefighter.

Ebola Awareness online – Available in Early December

This training is designed to help answer the many questions related to the Ebola virus. The training then moves on to provide instruction for first responders on how to handle potential or known Ebola incidents. Finally the training incorporates Skills Demonstrations and check-off sheets to assist you and document your practical training. Much of the information that is provided is directly from the Center for Disease Control (CDC). You should also check with your local EMS departments to make sure you comply with any protocols they may have. The Ebola virus epidemic is ever evolving. Every agency should use the “Resources” section provided to obtain the latest and most up-to-date information.

Rope Rescue Operations Blended – Available Late February

Rope Operations Online Blended offers the traditional Rope Operations course a “Blended” Delivery format. This course is delivered for 8 weeks. During that time students will have weekly online studies combined with practical sessions on the final weekend of the course.

Weekly studies include viewing online presentations, weekly chat sessions, student activities and quizzes. Students are also provided with presentations that provide step-by step directions on how to perform rope operations skills. Students use this instruction to practice and become proficient prior to the practical sessions.

This course offers weekly live interactivity with their instructor via the online classroom page.

This course is FEMA approved and may also eligible for certification with ProBoard. The scope of this course is to prepare local responders to operate as a local member of a regional team within the NIMS at a CBRNE (Chemical, Biological, Radiological, Nuclear, or Explosive) WMD Event requiring statewide response that has resulted in the need for a low-angle rescue. This course provides those personnel with the basic knowledge and skills needed to perform rescues using rope systems. The class will cover the use of rope, rope equipment, hardware, construction of mechanical advantage systems, belay and safety systems, anchor systems, and patient packaging. Special consideration will be given to the policies of standard-making agencies such as OSHA, ANSI, NFPA, and others.

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The Illinois Fire Service Institute Regional Representative can be your important link to bringing State Fire Academy training to your Fire Department.

Helping Firefighters do their work through Training, Education, Information and Research

Three new laws address fire service annexation and consolidation

*by Vladimir Shuliga, Jr.
Ottosen Britz Kelly Cooper Gilbert & DiNolfo, Ltd.*

In recent years, the reorganization or consolidation of fire departments has been a hot topic in the fire service. In just this past year, Illinois legislators enacted three laws addressing fire service reorganization through consolidation, annexation or dissolution. Two of the laws amended the Illinois Municipal Code and the Fire Protection District Act, while the other created a new law, the Regional Fire Protection Agency Act.

Dissolution of a Municipal Fire Department

Public Act 98-0666 was signed into law on June 25, 2014, and becomes effective January 1, 2015. It amends provisions in both the Illinois Municipal Code and the Fire Protection District Act, providing for the dissolution of a municipal fire department. The amendments now require a municipality serving 500 or more residents to seek voter approval prior to ceasing operations.

The language of the ballot question can be found in Section 15b of the Fire Protection District Act. (70 ILCS 705/15b). A municipal department seeking to dissolve its fire department operations submit the ballot question to a voter referendum. If a majority of voters approve the dissolution of the services, the court must enter an order discontinuing the fire department. On the other hand, if the question does not receive the number of votes necessary, the department presumably cannot discontinue services.

If, however, the dissolution of the municipal department is approved, employees of the dissolved department retain any rights provided by any applicable collective bargaining agreement or retirement plan. The amendment also makes reference to employee rights provided by the "Personnel Code." The Personnel Code is a set of Illinois statutes providing for a system of personnel administration under the Governor of Illinois. (20 ILCS 415/2) It is unclear what rights municipal firefighters would be granted pursuant to the Personnel Code, but if there are any, they would be specifically retained following the dissolution of a municipal department.

Based on this provision of the Fire Protection District Act, the district or municipality which would provide emergency services to the area formerly served by the dissolving department does not need to accept or approve the dissolution. Furthermore, this recent amendment does not address the process of wrapping up the business of the dissolving department. It is unclear what happens to the rights, duties, powers, assets, properties, liabilities, indebtedness, obligations, bonding authority, or taxing authority held or owned by the dissolving department.

Dissolution and Consolidation of a Fire District

Public Act 98-1003 was signed into law on August 18, 2014, and also becomes effective January 1, 2015. This law amends Section 3 of the Fire Protection District Act by adding a new subsection. (70 ILCS 705/3(a-5))

This amendment also provides a referendum mechanism for the dissolution of a fire district. Section 3(a-5) allows voters of an existing fire protection district to file a petition with the court

requesting a ballot referendum to simultaneously dissolve the current fire protection district and consolidate the territory into an adjoining fire protection district. Again, the language for the ballot question is provided in the statute itself.

With this amendment, however, the board of trustees of the adjoining district must accept the territory of the dissolving fire district by resolution. Only then will the court issue an order dissolving the former district and consolidating its territory with the adjoining district. On the effective date of that order, the adjoining district assumes all of the rights and obligations of the dissolved district.

Regional Fire Protection Agency Act

The Regional Fire Protection Agency Act was signed into law by the Governor on August 26, 2014 and became effective on that date. (50 ILCS 741/1 et seq.) It “establishes procedures for the creation of Regional Fire Protection Agencies that encompass wider service areas by combining existing fire departments and extending service areas of these departments into under-served geographic areas.” (50 ILCS 741/5(a)) The Act applies to both fire protection districts and municipal fire departments. A Regional Fire Protection Agency (“RFPA”) may be formed by filing voter-initiated petitions for the purposes of integrating existing service areas of contiguous units of local government providing fire protection services with the circuit court for the county in which the greater part of the RFPA is located. (50 ILCS 741/5(b))

The Act specifies that it does not prohibit a unit of local government from entering into an intergovernmental agreement (IGA) to merge, consolidate, or otherwise cooperate with another unit of local government. However, only those IGAs which were entered into pursuant to the process outlined in the Act will have the powers and benefits provided by the Act. (50 ILCS 741/60) Therefore, the Act specifies that the burdens and benefits of the Act do not apply to units of local government that have entered into consolidation agreements for the delivery of fire protection or emergency medical services unless the specific mechanism outlined in the Act is followed. (50 ILCS 741/7)

Section 25 describes the process for creating a RFPA. (50 ILCS 741/25) The process is predicated on the filing of a petition to form a RFPA signed by a specified number of voters within each of the units of local government included in the RFPA. The petition must be filed with the circuit court of the county in which the greater part of the proposed RFPA is located. The court then evaluates whether the petitions meet all of the requirements set forth in Section 25 of the Act. One of the requirements of the petition is that it must identify petitioners from each unit of local government to serve on the “Joint Committee.” The Joint Committee plays a vital role in establishing a RFPA. If the court determines that the petition has met all of the requirements set forth in the Act, the court then assigns a “Special Mediator” for the purpose of negotiating the terms of an IGA between all of the interested parties identified as the “Joint Committee.”

The composition, qualifications, duties, and responsibilities for the Special Mediator and Joint Committee are listed in Section 25. The essential terms for the IGA are also listed in Section 25. Home rule municipalities must comply with terms of an approved IGA. (50 ILCS 741/65) If there is no agreement on the terms of the proposed IGA, the court will dismiss the petition. If at least two of the original units of government and three Joint Committee members agree on terms of the proposed IGA, the petition may proceed, with non-concurring entities being dismissed. If the court finds, by a preponderance of the evidence, that the petition is supported by a proper IGA,

the court shall enter an order certifying the proposition to the proper election officials, who shall submit the question of the creation of the proposed RFPA to the legal voters of each included unit of local government at the next election. Thus, the petition itself is only a method of bringing the question of whether to form an RFPA before the voters of the affected area. If a majority in each unit of local government included within the boundaries of the RFPA vote in favor of its establishment, then the court would issue an order stating that the RFPA has been approved.

Once an RFPA is formed, it may enforce the terms of the IGA against its members. (50 ILCS 741/40) In order to do so, the RFPA would seek court intervention. A court may order “the interception of or turning over of: (1) monies deposited or to be deposited into any fund of the defaulting unit of local government; or (2) grants or other revenues or taxes expected to be received by the unit of local government from the State, county, or federal government, including taxes imposed by the governmental unit pursuant to a grant of authority by the State, such as property, sales, or use taxes or utility taxes.”

A RFPA must commence operations no later than 90 days after the date of the election unless an alternative date is agreed to by the terms of the IGA. (50 ILCS 741/45) The RFPA will be governed by a five-member Board of Trustees, with each trustee being a resident of a unit of local government comprising the RFPA. Trustees’ representation on the Board is to be in proportion, as nearly as practicable, to the number of residents of the RFPA who reside in each unit of local government in relation to the total population of the RFPA. Section 45 also addresses retention of component department identities for historical purposes, establishment of a unified chain-of-command for the RFPA, transfer of duties from component units of local government to the RFPA, employee procedures to be used, as well as limitations on impact of revenue. The Act specifies that all collective bargaining agreements in effect at the creation of the RFPA remain in effect, and successor agreements must be negotiated in accordance with applicable law. If multiple units of local government and the corresponding bargaining units agree, they may merge or consolidate into a single bargaining unit. However, apart from such an agreement, an RFPA may operate with several distinct bargaining units and collective bargaining agreements.

Similar to the creation of an RFPA, dissolution of the RFPA is done by referendum. However, rather than a petition seeking to get the question on the ballot, the Board of the RFPA may certify the question and submit it to the voters in the RFPA area. (50 ILCS 741/50)

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