

Oregon OSHA Fire Fighters Advisory Committee Meeting Minutes for October, 2009

Call to order:

The meeting was called to order. Everyone introduced themselves while the attendance roster was circulated.

Attendees

Ron Haverkost
Scott Nueufeld
Eriks Gabliks
Burke Slater
John Oliver
Michael Kincade
Jim Kusz
Valerie Saiki

Representing

Oregon OSHA
Special Districts Association of Oregon
DPSST
Clackamas Fire/ Oregon State FF Counsel
CCFD/ OFCA
FG Fire/ OFIA
N Lincoln FR
CIS

Old Business

Status of current rule review:

- Ron briefly talked about the recently adopted rule pertaining to the fixed scheduling that divided the state into tiers, distinguished by the risk of a particular industry. No increase of enforcement activity is anticipated for the fire services group.
- Proposed and newly adopted rules can be found at Oregon OSHA's Web page at www.orosha.org specifically at www.orosha.org/standards/proposed.html and www.orosha.org/standards/adopted.html
- Ron handed out a draft of the proposed changes to the division 2 sub-division L fire fighter rules. The subgroup looked at the first five paragraphs of the 2L rule and made changes. There were some questions regarding the availability of the organizational statement and what "available for inspection by employees or their designated representative" meant when the original rule was developed.
Action item: Ron will contact someone to get the intent.

Health and safety issues:

Eriks Gabliks [DPSST](#) reported the following:

Fire Task Force Update

The Fire Certification Section has been working with a number of task forces established by the Fire Policy Committee (FPC). Both the Fire Officer and Fire Apparatus Driver-Apparatus Operator Task Forces met at the Oregon Public Safety Academy (OPSA) in October. The Driver-Apparatus Operator Task Force completed its work in one day and is recommending that the FPC and Board adopt the new National Fire Protection Association (NFPA) Professional Qualifications Standard 1002. The Fire Officer Task Force also met for an entire day and will be recommending that the FPC and Board adopt the new National Fire Protection Association (NFPA) Professional Qualifications Standard 1021. This task force, which includes the fire service and community college and university representatives, still has some work to do before they can adjourn. Their next meeting is scheduled for November 19, 2009 at OPSA.

With the approval of the FPC and BPSST, DPSST opened and closed public comments on Wildland Interface Firefighter and Hazardous Materials (NFPA 472). No comments were received on Haz-Mat (NFPA 472) and they are approved as proposed. Two comments were received on Wildland Interface Firefighter. The comments that were received will be sent to the FPC for review and evaluation before further action can be taken.

Finally, DPSST has an all-risk/multi-discipline task force working on training standards for NIMS Type III Incident Management Teams (IMTs). This task force is working cooperatively with the United States Department of Homeland Security (DHS) and we have found that Oregon is ahead of most states in identifying and addressing the issues related to IMTs. Oregon will be beta-testing some of the new DHS materials and FEMA Region X (Alaska, Oregon, Idaho, and Washington) will be receiving a full delivery of the new DHS IMT classes over the next two years. DPSST has offered to host the Oregon classes at the Oregon Public Safety Academy and make meals and lodging available for free to course attendees.

National Fire Fighter Near-Miss Reporting System

DPSST has been contacted by the National Fire Fighter Near-Miss Reporting System to see if they would be interested in hosting their train-the-trainer class for northwest fire service agencies at the OPSA. DPSST is interested and we are working with this organization to select a date that will work with both organizations' calendars.

Training

DPSST's Fire Training Section continues to deliver classes in every corner of the state. Classes include the use of the flammable liquids and gases trailers, the mobile fire training unit, and the new skid truck, which is used for the skid avoidance driver training course. Classes are available by contacting the DPSST regional fire training coordinator in your respective region.

Live-Fire – NFPA 1403

DPSST has done a lot in this area since our last meeting. The initial outreach effort included a mailing to each fire department and fire protection district, which included a copy of the NFPA 1403 Live-Fire Training Standard along with a copy of the Oregon OSHA rules for fire fighters. The second delivered NFPA 1403 Train-the-Trainer Courses. DPSST worked with the Oregon Fire Instructors Association to deliver two, two-day, NFPA 1403 Train-the-Trainer classes that were delivered by the Illinois Fire Service Institute in Oregon. DPSST also hosted the week-long NFPA 1403 Live-Fire Train-the-Trainer Course delivered at the OPSA in Salem by the Florida State Fire College. All of these classes were offered for free and were attended by a number of fire service instructors from across the state. OFIA is now taking the materials gathered and developing a NFPA 1403 training class for live-fire instructors. The class should be ready for delivery by OFIA during OFIA's Fire Fighter Safety & Survival Symposium in January 2010 at DPSST.

H1N1 Update

DPSST has been working on a number of plans surrounding the possibility of H1N1. We are following college and university best practices which line-up well with our mission at the OPSA. DPSST held a table-top ill person/student exercise last week that identified a few areas of our protocol that needed to be changed and resolved. We have also worked with our physician advisor at OHSU to create a H1N1 emergency medical dispatch card for local 9-1-1 agencies. This pre-arrival card was released to PSAPs around the state two weeks ago and local 9-1-1 centers were encouraged to work with their local fire-rescue providers, physician advisor, and other health representatives to tailor the card to the local communities' needs and operations.

Outreach

Statewide, more than 75% of the fire agencies are active in the state's voluntary fire service certification system administered by DPSST. DPSST is conducting an outreach effort to the 50 fire departments and rural fire protection districts in Oregon that do not participate in the voluntary certification system. The agencies that do not participate don't have career employees and are located in rural areas away from urban centers. This is being done in partnership with the National Volunteer Fire Council, which passed a resolution that all fire fighters be trained at the NFPA 1001 level. http://www.nvfc.org/page/626/show_item/867/News.htm

Federal Grants

The United States Fire Administration is releasing grant applications very soon for SAFER (Staffing), Assistance to Firefighters (AFG), and Fire Prevention and Safety. These competitive grants can be accessed on-line by fire departments and rural fire protection districts across the state to seek financial assistance. Since the implementation of this grant program, Oregon has received millions of dollars for equipment, training, and safety studies.

Michael Kincade reported on behalf of [OFIA](#)

The OFIA next meeting was scheduled for November 13, 2009. They are developing a class for live fire training from the materials gathered at DPSST NFPA 1403 training class for live-fire instructors. The class should be ready for delivery by OFIA during OFIA's Fire Fighter Safety & Survival Symposium in January 2010 at DPSST.

Michael also encouraged more student participation at the upcoming OFIA Symposium

New Business

A good portion of the remainder of the meeting was spent talking about a recent case involving a live-fire training exercise that injured three employees in southern Oregon.

Ron handed out the citation and notice of penalty. Oregon OSHA alleged that the fire service district that was involved with the incident violated certain live-fire training requirements as identified in appendix C in OAR 437-002-0182.

The notice reported that firefighters received first and second degree burns during the live-fire exercise. Six items from the appendix were detailed to support the

alleged violations. Those items included the fact that not all participants attended the pre-burn briefing, methods of communication were not established, training was not halted when hazards were noted, the command system was flawed, a hose was not present when the fire for the exercise was ignited, and specific PPE was not maintained and ready for the exercise.

The group felt this example could be used in several venues throughout the state as roundtable discussions that would benefit a wide group of fire fighters. Comments from the discussion emphasized the fire service associations and Oregon OSHA should be partnering more in these situations to further the communication for the industry.

One question pertaining to the investigation was Oregon OSHA policy or requirement pertaining to interviewing employees during the course of the investigation. Can or did the employees that were interviewed request that the fire chief be present?

Normally, and according to the Oregon OSHA investigator, the interviews were done in private. The Field Inspection Reference Manual that guides the enforcement officers (S/HCO) says: "...A free and open exchange of information between the S/HCO and employees is essential to an effective inspection. Interviews provide an opportunity for employees or other individuals to point out hazardous conditions and, in general, to provide assistance as to what violations of the act may exist and what abatement action should be taken...." Also ORS 654.067(1)(b) authorizes the S/HCO to question any employee privately during regular working hours in the course of an inspection. And, finally employers shall be informed that the interview will be conducted in private. Whenever an employee expresses a preference that an employee representative be present for the interview, the S/HCO shall make a reasonable effort to honor that request. Bottom line, when an employee that is being interviewed in the course of an investigation requests to have a representative, Oregon OSHA makes every effort to accommodate that request.

Valerie Saiki mentioned another fire advisory committee has been meeting with DPSST and insurers to emphasize safety and health from an insurer's perspective. The group has discussed issues such as medical and physical conditions of fire occupational employees.

John Oliver requested that the FFA group meet more often and suggested quarterly. He mentioned bringing forward more cases that Oregon OSHA has

conducted to point out the findings so that the industry can use the information for improving statewide safety and health in there industry. An additional reason would be continual conversation pertaining to the rewrite of the division 2 sub-division L fire fighter rules. No decision was made during the meeting as to increasing the FFA meetings.

The next meeting of the Oregon OSHA Fire Fighters Advisory Committee is to be announced (TBA). The meeting was adjourned at 12:05