

Proposal for Dunn's Corners Fire District

Re: Fire Watch Details:

Background information:

Fire Watch Details may be required by law (fire code) in some cases, or may be deemed necessary by the Authority Having Jurisdiction for public safety reasons (as authorized by the fire code) via an Assistant Deputy State Fire Marshal and/or the Fire Chief.

After discussion with our insurance representative, it appears fire department members assigned to uniformed Fire Watch Details who are financially compensated directly by the recipient of the services may not be covered by the fire district/fire department insurance policy. This applies to both Accident & Sickness coverage as well as liability coverage. This is due to the usual legal interpretation that the individual is considered to be in the employ of the person/organization paying them rather than volunteering or being paid for service by the fire district/fire department. This understanding only recently came to the attention of D.C.F.D. officials during a Southern League meeting with insurance officials.

Having fire department personnel assume that level of personal risk is neither a prudent nor fair thing for the fire district/fire department to expect or ask of them. Another problem related to this service performed, but separate from the insurance concerns, is that the individuals performing Fire Watch Details often have to wait quite a while for their compensation. This is also not particularly fair to those individuals who perform these services.

Please review the attached procedure, which is submitted to the Dunn's Corners Fire District Operating Committee for consideration of adoption.

Thank you,

Kenneth C. Martin

1st Assistant Chief, D.C.F.D.

Department Representative to the Operating Committee

Fire Watch Detail Procedure

Whenever the Dunn's Corners Fire District Fire Chief, his/her designee or a Dunn's Corners Fire District Assistant Deputy State Fire Marshal assigns a Dunn's Corners Fire Department firefighter to perform a Fire Watch Detail, which is above and beyond their volunteer duties, that firefighter shall be compensated at the currently applicable hourly rate for that service, with the minimum being four hours. That rate is to be established by the Fire Chief, adjusted periodically as necessary, and should be kept in line with other area districts/departments.

The Fire Chief shall promptly report all Fire Watch Detail information to the Dunn's Corners Fire District Treasurer, who shall maintain an accounting of labor and payment records for each individual as may be required by the R.I. state and U.S. federal labor and income reporting laws. No deductions will be made from these checks, and all required state and federal wage reporting shall be completed via a 1099 form, with a copy issued annually to each individual as required. Barring extenuating circumstances, checks are to be issued to these individuals with fourteen days if the date the services were performed.

In turn, the Dunn's Corners Fire District shall bill each individual or organization receiving Fire Watch Detail services for all firefighter hours incurred, with the minimum being four hours. The hours billed for shall include the time from one half hour prior to the scheduled start of an event, and shall include all hours the Fire Watch Detail was in effect, including any time that may extend beyond the originally scheduled time frame.

Invoices (two copies) for services rendered are to be mailed out within fourteen days of the date of service, with payment due upon receipt. Invoices are to include the following instructions:

Do not to send cash. Remit by mail in the form of check or money order made payable to the Dunn's Corners Fire District. Include one copy of the invoice with payment. Mail payment to:

**District Treasurer
Dunn's Corners Fire District
1 Langworthy Road
Westerly, R.I. 02891**

For invoices not paid within sixty days, a second notice is to be sent prior to the seventy-five day point. This second notice shall include the following or similar statement:

Any party with payments over 120 days in arrears will not be supplied with any further Fire Watch Details or be allowed to hold any event requiring a Fire Watch Detail within the confines of the Dunn's Corners Fire Department response area until all overdue amounts are paid in full.

In the event that it is necessary to deny any Fire Watch Details for lack of payment or any other reason, it shall be the responsibility of the Fire Chief or an Assistant Deputy State Fire Marshal to check the location of the event at the scheduled time in order to insure that the event is not proceeding without the required Fire Watch Detail in order to protect the safety of the public.

When a Fire Watch Detail is required due to a fire alarm system or sprinkler system failure, it should only be a short-term situation, pending repairs. The duration a location may continue to operate this way will be at the discretion of the Fire Chief, and may also depend upon the availability of Fire Watch Detail personnel. Denial of Fire Watch Detail services for overdue payment shall not apply to emergency situations, such as in the case of a detail required due to a fire alarm system or sprinkler system failure.