



**Southeastern Firefighters Association**  
**Association des Pompier du Sud-est**  
**Representing Albert, Kent and Westmorland Counties**  
**Sunday, March 19, 2017**  
**At Riverview Fire Department**

This meeting was held at Riverview Fire Rescue. The meeting was called to order by President, David Gallant.

There were 20 members in attendance representing 12 departments plus three members of the Fire Marshal's office.

**1. APPROVAL OF PREVIOUS MEETING MINUTES**

The minutes from the January 22, 2017 meeting were handed out.

Motioned by: Denis Pleau  
Seconded by: Darrell Weir  
MOTION CARRIED

**2. REPORTS FROM OFFICERS**

**President's Report – David Gallant**

Andrew Langille of Spectra Energy, formerly Maritime Pipeline was not available to attend this meeting.

Jody Price was also not available to attend to discuss TMR.

The next the Volunteer Fire Chief's meeting on April 1, 2017 in Miramichi.

The next NBAFC BOD meeting is April 21-22, 2017 in Moncton.

NBAFC Conference and Games

- May 26-28, 2017
- Budgeting is going well
- Guest speaker is Chief Allen from Fort McMurray and Laura King from Firefighting in Canada.

#### SEFFA website

- Some of the links to the fire departments are outdated. Please send us a new link to your fire department site and it will be updated on the SEFFA website.

#### LSD departments refilling water used at emergency scenes, i.e. ponds

- After a recent fire, the Fire Marshal's office asked us to replace the water used from a residential pond. The Local Government advised that the LSD departments are not to do this for liability reasons.

#### Jury duty

- This was brought up at our last meeting and the NBAFC is not willing to write up a letter. The act says firefighter and does not distinguish between career or volunteer.

#### Capital Borrowing for LSD departments

- There is a \$1.2M cap for capital borrowing for LSDs. President Gallant asked the NBAFC if this could be raised but it is not something they want to get involved in. If we want to take it on ourselves as an association we could.

#### One Deputy Chief for LSD departments

- Received clarification that a department could have more than one Deputy Chief for an LSD fire department.

#### Workers Comp and Presumptive Insurance

- Apparently a department had an issue where they found out some new members were not covered under Worker's Comp or the Presumptive Insurance. Apparently this is no longer handled through the LSD office. It is sent from the LSD office too Peter Kavanagh's office and they do not automatically notify the LSD when new members are added. If we want confirmation for our records we need to go back to our LSD office for confirmation and they will have to follow up.
- If a firefighter is a career firefighter and a volunteer, only the career department will pay the Presumptive Insurance for the firefighter. It is not to be paid by both the Career and Volunteer departments.

#### TMR and Regional Dispatch

- This is moving at the government's pace and the two go hand in hand. Cannot go to Regional Dispatch without TMR.

#### NBAFPO

- Annual seminar is April 7-9 in Fredericton. Ricky Nicholson is President. The association is broke and not functioning well. They will work on giving more notice on announcements for meetings and events.

#### Code red protocols – i.e. shooter in a school.

- The fire department is to support the RCMP. Fire departments are not to stage in the hot zone. We will see if we can get the RCMP to come to a meeting to discuss the role the fire service will play. Will look into this for our next SEFFA meeting.

#### Jr. Firefighters and NBCC courses

- For some courses, the age limit needs to be 18 so some juniors may not be allowed to write exams until they are 18. Will clarify with NBCC if this is referring to the actual Level 1 course or just the exam.

Hazmat materials awareness program poster and stickers for fire trucks and ERG are supposed to be coming out. The contact info is for the OFM not for Canutec.

Scout team in southeast area - not within next 2 years.

#### Firefighter ID cards

- NBCC will do it with a generic background. FD to take the photo and it will be a 5 year card. Cost is to be determined but approx. \$2 - \$3.

Jody Price is hosting the **Helmet and Hoses** training in May.

CAFC is trying to increase membership across the country. Cost is approx \$300.00 annually.

NBCC Miramichi is waiting for their site visit for the NFPA Certification for IFSAC. OFM requested a date in June.

#### Truck specs for the LSD fire departments

- Waiting for revised specs from Saint John for Rescues, one chassis and two fire trucks. Peter Kavanagh said some may take delivery in 2017.

#### E-manifest app

- OFM is looking at a road version like AskRail for hazardous situations. It will be a two year proof of concept. It would use the serial number or license plate of the vehicle to obtain information on contents of cargo.
- Applying for a federal grant – funding for innovative projects.

#### There was a discussion at the NBAFC BOD around recruiting and retention

- Urbanization in province
- NB population not growing
- More people volunteering
- More volunteer agencies
- Volunteers don't want long term
- Look for introverts and females
- Talk about war stories

#### NBAFC BOD discussion regarding regionalization of the fire service

- Chief complaint is too much administrative work
- Not to lose fire department identification
- For HRM it cost too much
- Does every fire department have to specialize in everything?

- If they are looking at regionalizing the fire service, the NBAFC wants to be sitting at the table.
  - Fire Marshal Doug Browne noted that regionalization does not mean closing down fire departments. Trying to take away some of the administrative tasks from the Chiefs to allow them to focus more on the operational side of their departments.

It was asked if there is a Good Samaritan Act?

- Yes there is. It is a **Volunteer Emergency Aid Act** as of June 2016. Copy of Act is attached.
- <http://www1.gnb.ca/legis/bill/editform-e.asp?ID=1222&legi=58&num=2>

DNR – moose and deer on ice.

- DNR is not asking fire departments to go out on ice to rescue deer and moose. However, if the fire department did not attend, it could be a PR nightmare, or if fire departments did go, they could be a national hero. On the flipside if the fire departments do not respond, the public may do it themselves which poses other problems.

The next Local Government Fire Conference is Nov 24-25 in Fredericton.

Revised Provincial Exam Administration Protocol

- We've had issues where people who go to write exam but their name is not on the list.
- List to be submitted 10 days in advance – this is not included in the protocol document.
- *Copy of new Protocol is attached to these minutes.*

Narcan/Fentanyl

- Chief Paul Bruens mentioned recently that Moncton started carrying the generic brand of Narcan. A doctor gives permission to carry and administer it if within protocol. President Gallant brought this to the NBAFC and asked if you're a not a municipality and don't have a Medical Director, how do we get this going?
- The NBAFC does not support this issue.

Three motions were put forward at the last meeting for President Gallant to bring forward to the NBAFC BOD meeting.

#### **MOTION**

**Chief Paul Bruens put a motion on the floor for President Gallant to bring to the NBAFC to develop and adhoc committee to look at the recommendations for online Level 1 training for firefighters in the province of NB.**

#### *Response from NBAFC BOD:*

*Chief Gallant brought a motion to the floor on behalf of the Southeast Fire fighter's Association that Adhoc Committee be formed to look at the possibility to have on line training for the Fire Service of NB, on the question discussion on the need compared to Instructors, option of Skype program. Fire Marshal stated this devaluates the in house training with face to face instructors. Chief Gallant spoke about departments within their region; large sprawl between areas and travel time for the members, does not allow them to be home until late at night; they do not*

*have a lot of courses throughout the year which does not allow some of these departments to attend, i.e. Travel the distance to the course.*

*Motion by Mike Walton that the NBAFC not look at developing an Adhoc Committee as per recommendation from Southeast at this time, 2nd Charles Kavanaugh, Alternative to on-line training is using the Skype method, motion carried.*

*Fire Marshal asked if anyone is going to be doing the training through Skype that NBCC must be notified, i.e. attendance.*

#### **MOTION**

**Daniel Dupuis put a motion on the floor for President Gallant to bring to the NBAFC to add two additional credits for a total of six for the Southeastern Firefighter Association courses.**

#### Response from NBAFC BOD:

*Motion from Southeast to request two additional credits to total of six added to their Association due to the size and the sprawl of Southeast area departments, no seconder to the motion, motion denied.*

*Some departments have instructors teaching in-house courses for free. Chief Kent Steeves asked if we put on a course could we be reimbursed at the end of the year if there is another association who did not use all their credits? Fire Marshal said it may be possible.*

#### **MOTION from Doug Hamer**

**Doug Hamer motioned that the Southeastern Firefighter Association petition the NBAFC to petition the government to finish the regional fire dispatch system that was started 12 years ago.**

**Legislation was passed in 2005 so where has that money gone?**

#### Response from NBAFC BOD:

*Motion by Southeast Firefighters Association that the NBAFC petition the Government to complete the dispatch program, 2nd Harry Farrell, amendment to the motion that this remains on priority list for Government.*

NBAFC Priorities for 2017:

#### DEPARTMENT OF PUBLIC SAFETY

- Completion of Regional Fire Dispatch
- Maintenance of Existing Funding Support
- Optimal staff levels with the OFM to meet mandate of the Fire Prevention Act.
- Mobile Burn Unit
- Committee to look into the creation of Minimum Standards for training fire service at all levels.

## DEPARTMENT OF POST SECONDARY EDUCATION AND LABOUR

- Maintain Funding for NBAFC Training Site in Miramichi
- NBAFC to have a seat on Provincial WSNB Board
- Memo of Understanding signed between PETL and NBAFC for long term use of Miramichi Training Site
- Mobile Burn Unit

## LOCAL GOVERNMENT

- Committee to look into the creation of regulations to Minimum Standards of training for our fire service, a member of local government will be sitting on this committee
- Manpower – Daytime response
- Creation of a committee with Local Government, NBAFC and Public Safety to develop a Provincial Recruiting Retention Campaign.
- Provincial Gap Analysis – seat requested at LSD meeting
- Regional Commissioner Management meetings seat on the board

### Issues with NBAFC:

- Chief Kent Steeves noted that we are a finger off of the hand of the NBAFC. We bring issues to President Gallant who represents our Association at the NBAFC but they don't want to deal with our issues. The NBAFC response is: we need to fight our own issues.
- Chief Steeves says this issue with training (Level 1) with NBCC is not our own issue but a Provincial issue.
- Doug Hamer says these issues are political. Need to bring forward at the NBAFC general meeting at the annual conference and present the association as the voice of the province because the fire service was not being listened to.
- Doug Hamer encourages Chiefs and representatives to go to the NBAFC.
- President Gallant says that the Chiefs on the Board at the NBAFC are permanent chiefs and don't take the LSD fire issues seriously.
- Chief Denis Pleau says if the NBAFC is not willing to represent us we need to go through other avenues to resolve issues.
- Localized issues outside of the scope of the NBAFC should be directed to Raymond LeBlanc of the OFM who will work with the Fire Marshal.
- Chief Steeves says we need to stand up at the AGM and state your fact. If you agree with what is being said and you want actions to come from it stand up and support other fire fighters at the mic. If you don't fight for it won't change.

### Vice President, Westmorland County – Gary McCarthy

No update.

### Vice President, Kent County – Danny DesRoches

- Two level one courses currently going on in Cocagne and Saint-Paul. Now on block 3.
- There may be a new Chief in Bouctouche as of March 23.

**Vice President, Albert County – Peter Murphy**

- Darrell Weir noted Peter Murphy had another operation on his knee.
- Level 1 is still ongoing with 10 people in Hillsborough. Currently have 3 juniors. Will need clarification on the status of Juniors.
- Chief Pleau asked if there was an ETA on the repair of the Hillsborough Road closure. Pine Glen Road is part of the detour and is scheduled to be dug up this summer. Darrell Weir is not aware.

**Financial/Treasurer’s Report – Tim Dryden**

Transactions since January 22, 2017 meeting:

Date	Cheque #	Amount	Payable to	Purpose
January 22, 2017		<b>\$19,195.21</b>		<b>OPENING BALANCE</b>
February 12, 2017		2.00		Service charge
February 16, 2017	148	119.58	Raymond Leblanc	Supplies for Fire Chief for a Day
March 15, 2017	deposit	1,300.00		Annual Dues paid \$100 x 13 Alma, Bouctouche, Cap-Pele, Beaubassin-Est, Dieppe, Dorchester, GMIA, Hillsborough, Saint-Louis de Kent, Rexton, Richibucto, Riverview, Riverside Albert
March 15, 2017	deposit	200.00		Annual Dues from Saint-Antoine – paid for 2016 and 2017
March 19, 2017		<b>\$20,573.63</b>		<b>CLOSING BALANCE</b>

Motioned to accept the treasurer’s report by: Denis Pleau  
Seconded by: Darrell Weir  
MOTION CARRIED

President Gallant has asked that the Treasurer provide a copy of each monthly statement for the Association records. Several other members agreed this should be done.

**Chief Kent Steeves proposed a motion to have an audit of the financial books of the Association conducted on an annual basis. Seconded by Gary McCarthy. Motion carried.**

## **COMMITTEE REPORTS**

### **ATC Report – Daniel Dupuis**

#### Level 1

Albert County started a Level 1 course on January 9<sup>th</sup> in Hillsborough with 12 students. 10 students remain in attendance and they are now covering Block 3.

Beersville may be doing an in-house course.

Kent County started a course at the end of January in Saint-Paul. Although 20 – 25 students were expected, only half went through with the course. They also added a second course in Cocagne where 18 – 20 students were expected, but again only a little over half showed up.

Westmorland County started a Level 1 course in Port Elgin last Tuesday with approximately 15 students from both Port Elgin and Bayfield Cape Tormentine. Chief Alward is hosting the course in house and a few of his instructors are volunteering their time.

With the sudden surge of Level 1 courses planned for 2017, we will have to continue to discuss our options at our next meeting.

Looking at a pilot project of using Skype. The OFM is planning to have part of the course monitored to see if this option is feasible.

#### Level 2

With 4 Level 1 courses on the go and little interest in a Level 2 course, none is planned to date.

#### Spring Training

If there is a need for Level 1 signoffs, the Spring Training will focus on that. Otherwise (i.e. if signoffs are done in house), we could do something a bit different this year as discussed during our last meeting. For example, we could explore the possibility of a low angle course, hazmat and auto-extrication scenarios, boat rescue, and ICS 100 and 200. We can also certainly bring back the flashover trailer and/or have a guest speaker, etc. I would like to set up a planning session with the training committee in the coming weeks to discuss this further. If you have any suggestions for training, please advise.

Scheduled date is Saturday June 3.

#### Officer Training

So far, we don't have quite enough people interested in an Officer Training course. If anyone is interested, please let Daniel Dupuis know as soon as possible.



Will be looking at the fall for a course once members have the opportunity to upgrade their Hazmat as a pre-requisite. Daniel to do a memo to encourage firefighters to get their Hazmat upgrade in time for the officer course.

The pre-requisites are Firefighter Level 1 and Level 2, 5<sup>th</sup> Edition. Also, for those seeking IFSAC certification, hazmat awareness ops, Instructor 1 IFSAC, FF1 and FF2 are required.

The course spans over 2 full weekends and includes 40 hours of theory, homework assignments and JPR's. Current officers are strongly encouraged to sign-up for this course. The cost of the course will be divided amongst the departments based on their number of students. We can decide on a central location based on where students will be coming from.

We were considering hosting a Block 5 hazmat so that more firefighters qualify for the Officer Training; however, with 4 Level 1 courses on the go, there will be a large number of people acquiring their Block 5 that way. There were not enough people interested in a Block 5 alone to put together a course.

### Hazmat Training Session

SEFFA is hosting a HAZMAT training session at the St George Fire Station on Friday April 28, from 7 to 10 pm and Saturday April 29, from 8 am to 12 pm. Please remember to sign up by emailing me at [firefighter.dan@hotmail.com](mailto:firefighter.dan@hotmail.com) This is a training session, not a course. It is separate from the Hazmat Ops course.

Darrell Weir is looking to do a tour bus extrication. Daniel will speak with Serge Gallant to see if there is anyone who will donate or provide a bus to use.

Auto Ex was done in Cap Pele with members from Memramcook and Cap Pele.

Daniel Dupuis conducted basement extrication and if anyone is interested Daniel will do this free of charge.

Pump course has been revised and ready for delivery.

Daniel reviewed the Revised Provincial Exam Administration Protocol. See attached.

### **Volunteer Fire Chief Report / NBAFC Report – Dave Gallant**

See President's report above.

### **NBAFPO – Tim Dryden**

- No update at this time.
- NBAFPO Seminar is April 7-9 in Fredericton.
- Still an issue with the timeline for notification of upcoming meetings.
- Thinks there could some changes with the Executive of the NBAFPO.
- Add name of speaker – John Gignac from Ontario.

## **OFM – Raymond Leblanc**

NFPA is hosting **Fire and Life Safety Symposium** on May 13 and 14.  
Info from the website is below.

### ***NFPA Fire and Life Safety Symposium***

#### ***ATTENTION – Rural and Volunteer Fire Departments***

*NFPA is hosting a fire and life safety symposium on May 12-13 in the Boston area to bring together representatives from rural fire departments across North America. The symposium will help NFPA assess fire and life safety education needs and gain a clear picture of rural fire department challenges related to prevention. Participants will help us better serve rural and volunteer fire departments in their public education, prevention, and Community Risk Reduction efforts.*

For more info, visit:

[https://www.fpoa.bc.ca/index.php?option=com\\_content&view=article&id=496:nfpa-fire-and-life-safety-symposium&catid=145:public-education-symposium&Itemid=610](https://www.fpoa.bc.ca/index.php?option=com_content&view=article&id=496:nfpa-fire-and-life-safety-symposium&catid=145:public-education-symposium&Itemid=610)

Raymond LeBlanc noted that Claude Hachey was in attendance if anyone had any questions for him.

#### **Local Assistant:**

- Provincial Fire Marshal Doug Browne addressed questions regarding the Local Assistant.
- The course is free to fire departments and the OFM paid for the lunch and association picked up part of the cost.
- 12 people still needed to do the course. The OFM will maintain one course per year. Will come up with a date and contact those who still need it.
- Cards are on their way. OFM says if you submitted all your paperwork but have not yet received your card, to contact their office.

#### **Discussion regarding securing the scene.**

- Chief Steeves asked, as the Fire Chief, what are the ramifications if we don't have anyone who wants to sit on a scene to secure it?
- OFM response: As the chief you are legally obliged to conduct certain fire functions and obligated to file report (preliminary investigation of the scene).
- Any member of the fire dept has the legal right to enter into a fire. Once the fire is extinguished, we no longer have the right to enter. If you don't have a local assistant how can you do a preliminary investigation?

Doug Hamer noted Section 7.1.1 of the Fire Prevention Act. See below – section 7 in its entirety from the Act:

*7(1) A local assistant referred to in subsection 6(1) shall investigate, or cause to be investigated under subsection*

*(2), the cause, origin and circumstances of every fire or explosion occurring within the territorial jurisdiction of the local assistant and by which property has been destroyed or damaged to ascertain in each case whether the fire or explosion was the result of negligence, carelessness, accident or design.*

*7(2) A local assistant referred to in subsection 6(2) shall, when directed to do so by the fire marshal or a local assistant referred to in subsection 6(1), investigate the cause, origin and circumstances of a fire or explosion occurring within the district for which the local assistant is appointed and by which property has been destroyed or damaged to ascertain whether the fire or explosion was the result of negligence, carelessness, accident or design.*

*7(3) When a local assistant has carried out an investigation under subsection (1) or (2), the local assistant shall within six days after the occurrence of the fire or explosion, unless otherwise directed by the fire marshal, submit a report to the fire marshal, on the form provided by the fire marshal, as to the cause, origin and circumstances of the fire or explosion and such other information as may be required by the fire marshal.*

*7(4) The fire marshal, the deputy fire marshal, a fire investigator or a local assistant may at all times, by day or night, enter in and upon and examine a building or premises where a fire or explosion has occurred, and other buildings or premises adjoining or in reasonable proximity to the same, for the purposes of an investigation under this Act or the regulations.*

*7(5) On the request of the owner or person in charge of a building or premises referred to in subsection (4), the fire marshal, deputy fire marshal, fire investigator or local assistant shall, before entering the building or premises, present to that person a certificate or other means of identification issued*

- (a) in the case of the deputy fire marshal, fire investigator or local assistant, by the fire marshal, or*
- (b) in the case of the fire marshal, by the Minister.*

*7(6) The fire marshal, deputy fire marshal, fire investigator or local assistant may*

- (a) take with him or her any person or thing that he or she considers would be of assistance in making the investigation,*
- (b) close the building or premises in which the fire or explosion occurred and prohibit any person from entering or remaining in the building or premises until the investigation of the fire or explosion is completed, and*
- (c) perform or cause to be performed any tests he or she considers necessary on the building or premises or anything in it in order to determine the cause, origin and circumstances of the fire or explosion, and may remove anything for the purposes of the investigation or for the purpose of retaining it as evidence.*

*7(7) The fire marshal, deputy fire marshal, fire investigator or local assistant shall, on completion of the investigation, return to the person entitled to it anything removed from a building or premises under paragraph (6)(c) unless*

- (a) it is required as evidence in a prosecution arising out of the fire or explosion, or*
- (b) for any other reason it is impossible or impractical to return it.*

*7(8) No person shall tamper with or remove any item found at a location where a fire or explosion has occurred unless that person has been specifically authorized to do so by the fire marshal, the deputy fire marshal, a fire investigator or a local assistant.*

*7(9) If the fire marshal considers it appropriate, the fire marshal may make an investigation under this section in addition to or instead of the investigation made by a local assistant. R.S., c.86, s.7; 1966, c.57, s.3; 1971, c.34, s.1, 2; 1986, c.37, s.6; 1989, c.10, s.1; 1995, c.45, s.8*

**7.01** A local assistant or a member of a fire department may at all times, by day or night, enter in and upon a building or premises where a fire or explosion has occurred or is in progress, and other buildings or premises adjoining or in reasonable proximity to the same, with any equipment, machinery, apparatus or vehicle and may take any action considered necessary to extinguish the fire, to prevent it from spreading or to prevent a further explosion. 1995, c.45, s.9

**7.1(1)** The chief of a fire department shall report to the fire marshal on the form provided by the fire marshal every call within his or her territorial jurisdiction to which the fire department responded no later than fourteen days after receiving the call.

**7.1(2)** Notwithstanding subsection (1), the chief of a fire department shall inform the fire marshal of any fire or explosion within his or her territorial jurisdiction that involves serious injury or death no later than twenty-four hours after the fire or explosion. 1986, c.37, s.7; 1995, c.45, s.10

Provincial Fire Marshal Doug Browne says the responsibility of securing the scene is the Fire Chief's responsibility until the OFM arrives. If criminal in nature, the RCMP would also be in attendance to secure the scene.

Our Association disagrees with the Fire Marshal's interpretation of the Fire Prevention Act. He suggested we hire a lawyer and obtain a legal interpretation of the Act.

Some insurance policies have a clause that you can charge for Scene Security.

If someone walked onto a scene while secure, the FD should call 911 to report it. We are not law enforcers.

Answer from OFM to legal ramifications: if a fire department does not have a local assistant appointment or fire investigator. A letter will be written by the OFM to the LSD to say we cannot fill the provision of the fire prevention act. After that, discussions will need to be had with the LSD/Administrators.

Doug Browne thanked everyone for the work they do at these meetings. NB is a small province and we are fortunate to have the Fire Marshal sit in on our meeting. Not many provinces have this ability.

OFM noted we have 9 associations in NB that have regular meetings and learn from each other's experiences in order to address concerns.

Chief Paul Bruens asked what the insurance bureau's take is on securing a scene. Fire Marshal Doug Browne will look into it and advise.

R2MR – there are additional instructors now and if you are interested in a course, contact the association. 4 hour course for firefighters and 8 hour for instructors. Developed by the military and designed for two purposes: 1) stigma reduction (people to talk about their feelings) and 2) self identification.

### 3. UNFINISHED BUSINESS

Motions from last meeting – see President’s report.

### 4. NEW BUSINESS

President Gallant asked if members would be willing to change the time of the meetings on Sundays from 2PM to 10AM. We will set this at our next meeting and try it starting in September.

New Executive - as per the Constitution document, the Executive is to be elected on an annual basis. The next meeting in June will be our election for the following positions:

President  
Vice President – Kent County  
Vice President – Albert County  
Vice President – Westmorland County  
Secretary  
Treasurer

At this time the Constitution document has been signed by all of the Executive except for Peter Murphy.

Tim Gaudet will handle the election which will take place at our next meeting.

### 5. NEXT MEETING

The next SEFFA meeting will be on Sunday June 11, 2017 at 2PM, Riverview Fire Dept.

Motion for Adjournment: Dave Gallant

Moved by: Paul Bruens

**NEXT MEETING, SUNDAY JUNE 11, 2017 @ 2:00 PM  
Riverview Fire Rescue, 650 Pinewood Road, Riverview, NB**

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2nd Session, 58th Legislature  
New Brunswick  
64-65 Elizabeth II, 2015-2016

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2<sup>e</sup> session, 58<sup>e</sup> législature  
Nouveau-Brunswick  
64-65 Elizabeth II, 2015-2016

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## **BILL**

# **25**

**Volunteer Emergency Aid Act**

Read first time: March 29, 2016

Read second time:

Committee:

Read third time:

## **PROJET DE LOI**

# **25**

**Loi sur l'aide bénévole d'urgence**

Première lecture : le 29 mars 2016

Deuxième lecture :

Comité :

Troisième lecture :

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**HON. VICTOR BOUDREAU**

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**L'HON. VICTOR BOUDREAU**

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2016

**BILL 25**

**PROJET DE LOI 25**

**Volunteer Emergency Aid Act**

**Loi sur l'aide bénévole d'urgence**

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<b>2</b>	Exception
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Her Majesty, by and with the advice and consent of the Legislative Assembly of New Brunswick, enacts as follows:

### **Protection from civil liability**

1 Despite the rules of common law, a person who in good faith voluntarily and without reasonable expectation of compensation or reward provides aid, advice or emergency medical services to the victim of an accident or a medical emergency at the immediate scene of the accident or emergency is not liable for damages that result from the person's negligence in acting or failing to act, unless it is established that the damages were caused by the gross negligence of the person.

### **Exception**

2 Section 1 does not apply to a person who provides aid, advice or emergency medical services in the course of his or her employment.

### ***First Aid Regulation – Occupational Health and Safety Act***

3 *Schedule B of New Brunswick Regulation 2004-130 under the Occupational Health and Safety Act is amended in section 1 under the heading “legal issues” by striking out “the principle of the Good Samaritan. The first aid attendant is aware of the legal considerations such as consent, reasonable skill and care and negligence” and substituting “the principles and application of the Volunteer Emergency Aid Act”.*

Sa Majesté, sur l'avis et avec le consentement de l'Assemblée législative du Nouveau-Brunswick, édicte :

### **Protection contre la responsabilité civile**

1 Malgré les règles de la common law, la personne qui, agissant de bonne foi, volontairement et sans attente raisonnable de dédommagement ou de récompense, fournit sur place des secours médicaux d'urgence, de l'aide ou des conseils aux victimes d'un accident ou aux personnes en situation d'urgence médicale n'est pas responsable des dommages qui résultent de sa négligence dans les actes qu'elle pose ou qu'elle omet de poser, à moins qu'il ne soit établi que les dommages ont été causés par suite de sa négligence grossière.

### **Exception**

2 L'article 1 ne s'applique pas aux personnes qui fournissent des secours médicaux d'urgence, de l'aide ou des conseils dans le cadre de leur emploi.

### ***Règlement sur les premiers soins – Loi sur l'hygiène et la sécurité au travail***

3 *L'annexe B du Règlement du Nouveau-Brunswick 2004-130 pris en vertu de la Loi sur l'hygiène et la sécurité au travail est modifiée à l'article 1 sous la rubrique « Enjeu juridique » par la suppression de « la règle du bon samaritain. Le secouriste connaît les considérations d'ordre juridique telle que l'exigence de consentement, le concept des soins et habiletés raisonnables ainsi que celui de la négligence » et son remplacement par « les principes énoncés dans la Loi sur l'aide bénévole d'urgence et relatifs à son application ».*

February 21, 2017

**To:** Provincial Fire Investigators, Firefighters Association Training Coordinators, Provincial Proctors, NBCC, NBAFC

**Subject: Revised Provincial Exam Administration Protocol**

The Office of the Fire Marshal along with the NBCC Fire Service Training Coordinator has completed a review of the provincial firefighter examination process. The outcome has resulted in the implementation of certain procedures to help streamline the proctoring process.

As such, the following directives will be implemented and incorporated into a Provincial Examination Proctors Procedure.

Upon notification of the commencement of a provincially funded course in which more than one examination block is to be written the OFM **Examination Coordinator** will:

- a) Contact the primary proctor for the area in question to ensure availability as per the exam schedule provided;
- b) Arrange for an examination case to be forwarded to each primary proctor which will include the following:
  - A set number of exams for all blocks required for the relevant course, as per number of students registered;
  - An adequate supply of answer sheets and pencils;
  - Return envelopes and courier slips;
  - Expense forms;
  - Other relevant supplies pertaining to the course in question.
- c) The Examination case will remain with the primary proctor until such time as it is recalled by the OFM and is expected to be stored in a secure area and remain locked when not in use.
- d) The **primary** proctors will be expected to:
  - Ensure the security of the contents of the examination case at all times;
  - Courier examination answer sheets to the OFM Examination Coordinator **ASAP** after each examination session, in the return envelopes provided;
  - Arrange designated back-up proctor should circumstances arrive and they are not able to attend a scheduled examination. In urgent circumstances (after hours) it is acceptable to notify their regional Provincial Fire Investigator should an emergency occur.
  - Notify the ATC if cancelling a session should an examination be canceled due to inclement weather etc.

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Continuation: The **primary** proctors will be expected to:

- Provide examination documents and supplies to their designated backup proctor in instances as mentioned above.
- Ensure that all student examination rules are enforced. Such as ensuring that only students registered for courses are permitted to write during any scheduled examination session. **No exceptions** will be granted.
- Ensure that the secondary proctor is utilized in at least one exam session, per Level 1 course, to ensure continuity of competency.

e) **Rewrite Sessions:**

- **Two** rewrite sessions will be incorporated into prescheduled examination dates as part of the Level 1 examination sessions, which are:
    - During the Block 3 examination session **and,**
    - Within 30 days after the last exam session (to be noted as session six).
  - General rewrite sessions will be provided and will incorporate firefighter courses offered by NBCC.
  - Students wishing a rewrite who are not registered as part of an ongoing FF Level 1 course **must** be preregistered, through the ATC, for any such rewrite session.
  - In cases where there is no ongoing Level 1 course, a predetermined rewrite session will be arranged if required.
  - A maximum of two (2) examinations will be permitted per student during any rewrite session. No exceptions will be made.
- f) As per the original intent of the proctoring process, each proctor will be compensated per examination session, not per number of examinations written during such session.
- g) Provincial Fire Investigators (PFI's) will not proctor regular examination sessions unless otherwise approved by the Fire Marshal. In extenuating circumstances, the PFI may schedule a private examination session between the hours of 8:15 and 4:30, Monday – Friday.

**All examinations will follow this process.**

These changes will come into effect beginning **March 1<sup>st</sup>, 2017** to fall in line with winter courses.

If you have any concerns regarding the above information, please do not hesitate to contact our office at (506) 453-2004.

Le 21 février 2017

**Dest. :** Enquêteurs provinciaux des incendies, coordonnateurs de la formation des associations de pompiers, surveillants provinciaux, New Brunswick Community College, Association des chefs de pompiers du Nouveau-Brunswick

**Objet : Révision du protocole provincial relatif aux séances d'examen**

Le Bureau du prévôt des incendies (BPI), en collaboration avec le coordonnateur de la formation aux services d'incendie du CCNB, a terminé la révision du processus provincial d'examen à l'intention des pompiers. Cette révision a eu comme résultat la mise en œuvre de certaines procédures qui aideront à simplifier le processus de surveillance d'examen.

Ainsi, les directives suivantes seront mises en œuvre et feront partie d'une procédure provinciale à l'égard des surveillants d'examen.

Aussitôt que le **coordonnateur des examens** du BPI a été avisé du début d'un cours financé par le gouvernement provincial qui comprend plus d'un d'examen, il :

- a) communique avec le surveillant principal de la région en question afin d'assurer sa disponibilité selon le calendrier de séances d'examen fourni;
- b) prend les mesures nécessaires pour envoyer à chaque surveillant principal une trousse d'examens qui comprend ce qui suit :
  - un nombre établi d'examens pour tous les blocs requis par le cours pertinent, selon le nombre d'étudiants inscrits;
  - suffisamment de feuilles de réponses et de crayons;
  - des enveloppes de retour et des bordereaux de service de messagerie;
  - des formulaires de dépenses;
  - d'autres fournitures pertinentes pour le cours en question.
- c) Le surveillant principal doit conserver la trousse d'examens jusqu'à ce que le BPI en fasse la demande. La trousse doit être entreposée dans un endroit sûr et verrouillé lorsqu'elle n'est pas utilisée.
- d) Les surveillants principaux doivent :
  - veiller à la sûreté du contenu de la trousse d'examens en tout temps;
  - envoyer par service de messagerie les feuilles de réponses au coordonnateur des examens du BPI **AUSSITÔT QUE POSSIBLE** après chaque séance d'examen, en utilisant les enveloppes de retour fournies;



Continuité: Les surveillants principaux doivent:

- désigner un surveillant de relève si jamais des circonstances devaient les empêcher d'assurer la surveillance d'un examen prévu au calendrier; dans des circonstances urgentes (après les heures normales), il est acceptable qu'ils avisent leur enquêteur provincial des incendies en cas d'urgence;
- aviser le coordonnateur de la formation des associations si une séance d'examen doit être annulée en raison du mauvais temps, par exemple;
- fournir au surveillant de relève désigné les documents d'examen et les fournitures dans des circonstances comme celles qui sont susmentionnées;
- s'assurer que tous les règlements applicables à la séance d'examen sont respectés (par exemple, s'assurer que seuls les étudiants inscrits à un cours écrivent l'examen pendant une séance prévue au calendrier; il n'y aura **aucune exception** à cette règle);
- s'assurer que le surveillant secondaire est présent pendant au moins une séance d'examen, par cours de niveau 1, afin de voir à la continuité de compétence.

e) **Séances de reprise d'examen :**

- **DEUX** séances de reprise doivent être prévues au calendrier d'examen dans le cadre des séances d'examen de niveau 1, qui auront lieu :
  - pendant la séance d'examen du bloc 3
  - dans les 30 jours suivant la dernière séance d'examen (soit la séance 6).
- Des séances de reprise générales doivent être prévues et tenir compte des cours de pompiers offerts par le CCNB.
- Les étudiants non inscrits à un cours de pompiers de niveau 1 qui souhaitent faire une reprise **doivent** s'inscrire à l'avance à une séance de reprise d'examen auprès du coordonnateur de la formation des associations.
- Dans les cas où aucun cours de niveau 1 n'est offert, une séance de reprise est organisée au besoin.
- Pendant une séance de reprise d'examen, un étudiant ne peut pas écrire plus de deux examens. Il n'y aura aucune exception.

f) Selon le but original du processus de surveillance, chaque surveillant reçoit une indemnité par séance d'examen et non par examen écrit pendant ces séances.

g) Les enquêteurs provinciaux des incendies ne doivent pas surveiller les séances d'examen régulières sans l'approbation du prévôt des incendies. Dans des circonstances extraordinaires, l'enquêteur provincial des incendies peut organiser une séance d'examen privée entre 8 h 15 et 16 h 30, du lundi au vendredi.

**Toutes les séances d'examen doivent suivre ce processus.**

Ces changements entreront en vigueur le **1<sup>er</sup> mars 2017** pour coïncider avec les cours d'hiver.

Si vous avez des préoccupations au sujet de l'information ci-dessus, n'hésitez pas à communiquer avec nous au 506-453-2004.