



Department of Military Affairs and Public Safety

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MEMORANDUM

TO: All Fire Departments Operating within the State of West Virginia

FROM: Kenneth E. Tyree Jr., Fire Marshal

DATE: October 25, 2017

RE: Reminder of Child Labor Laws in relation to Junior Firefighters

All Fire Departments employing/associating with Junior Firefighters **MUST** comply with the requirements of the Department of Labor. Specifically, Fire Departments must have complied with West Virginia Code §26-6-5, which requires a valid age certificate (16 & 17 year old) on file for any minor employed or associated with said department. The certificate is similar to a work permit, and may be issued by the Superintendent. This certificate must be on file at the Fire Department at all times.

The West Virginia Department of Labor has issued the following rules limiting the allowable activities of Junior Firefighters W. Va. Code of State Rules §42-9-6:

The activities of Junior Firefighters shall be limited to:

- 1) Training;
- 2) First-aid;
- 3) Cleanup service at the scene of a fire, outside the structure only, after the fire has been declared by the official in charge to be under control;
- 4) Coffee wagon and food service

In all circumstances, it is **NOT PERMISSIBLE** for a Junior Firefighter to:

- 1) Enter a burning building other than during training conducted by the West Virginia Fire Service Training Program of West Virginia University, WVPST, or the West Virginia State Fire Commission;
- 2) Operate pumps of any fire vehicle while at the scene of a fire;
- 3) Drive any fire apparatus, ambulance, or other fire vehicle, and/or operate red lights, siren, or an audible signal in responding to an alarm on their own personal vehicles or any other vehicle;
- 4) Operate an aerial ladder, aerial platform, or hydraulic hack at a fire scene;
- 5) Use rubber electrical gloves, insulated wire gloves, insulated wire cutters, life nets, acetylene cutting kits, K-12 power saws, air chisels, porta-powers, hurst-tools, or other equipment relate to rescue and fire operations at a fire scene;
- 6) Minors attending school shall not be permitted to respond to a fire during school hours unless such a request is made by the fire official in charge to the principal of the school. The child may only be released upon written authorization of the parent or guardian;
- 7) Minors shall be afforded the minimal personal protective equipment; i.e., boots, bunker coats, helmet, gloves, etc., as it related to their administering of first aid and coffee wagon and food service, and during training exercises that require such protective equipment.

JUNIOR FIREFIGHTERS ARE NOT ALLOWED, IN ANY CASE WHATSOEVER EXCEPT DURING TRAINING, TO OPERATE HIGH PRESSURE HOSE LINES OR ASCEND LADDERS.

ANY MINOR UNDER THE AGE OF 16 IS PROHIBITED FROM ANY PARTICIPATION AT A EMERGENCY/FIRE SCENE OR INVOLVEMENT.

A copy of these rules may be obtained on the West Virginia Fire Commission web site www.firemarshal.wv.gov.