

UNDERWRITING BULLETIN:

VFBL Coverage for 16- & 17-Year-Old Volunteer Firefighters



As the fire service prioritizes recruitment efforts, many fire districts look to a new, younger generation of members and future leadership development. It is an important tradition and process to ensure that the fire service will continue to evolve and meet the needs of our communities. As the recruitment of young volunteer firefighters develops, we must understand and prepare for the coming challenges. Our friends at FASNY have published a great article and overview on the issues to consider when recruiting younger members (minors) as volunteer firefighters, which you can read by visiting www.fasny.com/magazine_articles/volunteer-firefighting-and-junior-firefighters-what-your-department-should-know.

The purpose of this communication from **Fire Districts of New York Mutual Insurance Co. Inc.** is to clarify how to ensure your **16- and 17-year-old** volunteer firefighters are covered under VFBL. First, for an individual in the fire service to be covered, they **must** be categorized as an **“Active Member.”** Other sub-categories such as **Full Members, Probationary Members, Cadets, and Junior Members** must be defined as **“Active Members”** and written into the fire district’s bylaws. They may also have restrictive duties. The fire district bylaws should clearly define and explain their status to have coverage under VFBL.

If **16- and 17-year-olds** are **NOT** defined as **“Active Members”** in the fire district’s bylaws, then they are **NOT** covered under the VFBL. The NYS Attorney General states that child labor laws apply to all minors (under age 18). However, labor law does not exclude a person aged 16 or 17 from being an **“Active Member”** of their fire district.

It is also essential that you understand the definition and use of the word **“youth.”** Across NYS, there are fire districts that successfully maintain well-managed **youth programs**. These are considered **“Non-Active Duty”** volunteer members. These programs are provided for under General Municipal Law section 204-b. They include Explorer scouts and others. These **“youths”** must not be permitted to participate in emergencies or any hazardous activities. **“youths”** are **NOT** covered by the VFBL. The fire district must be familiar with federal and NYS child labor Laws for compliance. The fire district should check its other insurance policies for any coverage exclusions for **“youths.”** There may be some medical coverage for **“youths”** if the fire district has purchased an Accident policy similar to many youth sports teams.

These words and definitions matter in NYS and the Workers’ Compensation Board for VFBL coverage to apply. Check your fire district’s bylaws for granting appropriate **“Active Member”** status to your **16- and 17-year-old** volunteer firefighters as described above. Remember, in NYS, any individual **NOT** categorized as an **“Active Member”** volunteer firefighter does **NOT** have coverage under VFBL.

Fire Districts of New York Mutual Insurance Co. Inc. serves to protect those who protect us!

Together with our network of insurance broker partners, we are available to help answer your questions and concerns. Feel free to contact us and thank you for your business and support.