

RESOLUTION NO. 10 OF 2021

A RESOLUTION OF TOWAMENSING TOWNSHIP, CARBON COUNTY, PENNSYLVANIA APPROVING OPERATIONAL SUPPORT ACTIVITIES FOR PARTICIPATING MEMBERS OF FIRE COMPANY.

(Participating members are those who **do not** respond to emergency calls.)

BE IT RESOLVED that, the Board of Supervisors of Penn Forest Township, Carbon County, Pennsylvania, hereby approves and authorizes Participating Members of the Towamensing Township Volunteer Fire Company (hereinafter "Fire Company"), to participate in the following Operational Support activities as designated in the Pennsylvania Workers' Compensation Act as modified by Act 108 of 2020:

Operational Support Activities

1. Maintaining the Station and Equipment
2. Acting as a Trustee
3. Organizing Fundraisers
4. Providing Information Technology Support
5. Assisting with Recruitment and other Administrative Tasks

AND, FURTHER RESOLVED, that Participating Members of the Fire Company may engage in the foregoing approved operational support activities;

AND, FURTHER RESOLVED, that in accordance with this authorization and Act 108 of 2020 these activities of the Participating Members of the Fire Company are approved for the policy term of January 1, 2021 to January 1, 2022;

AND, FINALLY RESOLVED, that Resolution No. 9 of 2021 be rescinded.

APPROVED BY


Chairman

3/4/2021
Date


Secretary

3/4/2021
Date

Changes to the Workers Compensation Act regarding Volunteer Fireman

Act 108 of 2020

Act 108 of 2020 is now in effect. It adds classifications of members of fire companies to the Workers Compensation Act and states under what circumstances each type of member is eligible for workers compensation coverage.

Member classifications are:

- **Active Members** are those who respond to emergency calls.
- **Special Fire Police** as appointed under 35 PA C.S. CH. 74 Subchapter D.
- **An officer or director** of a volunteer fire department or volunteer fire company.

These members are still covered under the activities listed in Section 601(a)1 of the Act. These activities are:

- (1) actively engaged as a firefighter.
- (2) going to or from a fire which their company attended including travel time from and the direct return to a firefighter's home, place of business, or other place where he/she shall have been when he/she received the call/alarm.
- (3) participating in a fire drill with his/her company.
- (4) repairing or doing work on or about the fire apparatus or buildings and grounds if authorized by the Chief or whoever is in charge.
- (5) while answering any emergency call for any purpose.
- (6) riding on the fire apparatus which is owned or used by the fire company.
- (7) while performing any other duty of the volunteer fire company as authorized by the municipality. (i.e. fundraisers – must be approved by municipality)

- **Participating Members – RESOLUTION NEEDED**

Participating members are those who provide necessary operational support and do not respond to emergency calls.

These activities are only covered if the operational support activity is conducted on a regular basis for the benefit of a volunteer fire department or volunteer fire company as approved at the beginning of each POLICY year by the authority, organization or municipality purchasing workers compensation insurance for the volunteer department or volunteer fire company.

Operational support includes:

1. Maintaining the station and equipment
2. Acting as trustee

3. Organizing fundraisers
4. Providing information technology support and assisting with recruitment and other administrative tasks.

- **Social Members are not covered under any circumstances.**

Social members are a member of the organization whose class of membership is social in nature and is primarily intended to facilitate fraternization with other members of the organization or access to social amenities and social events offered by the organization, whether or not the member occasionally provides unpaid operational support to the organization.

Your municipality should:

1. Continue to approve non-firefighting activities as in the past for active firefighters, special fire police, and officers and directors.
2. **Adopt (or the fire company if they purchase their own coverage) a resolution at EACH POLICY RENEWAL regarding the activities of Participating Members.**
3. Purchase an accident policy to cover social members if you feel it is warranted due to their potential participation in operational support activities. They will not be covered by workers compensation; a separate policy is the only method to provide some coverage from your organization.