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Subject AMO Policy Update - Double Hatter Firefighter

September 18, 2014

Double Hatter Firefighter Issue in the Media

Issue: Professional firefighters as volunteer firefighters during their free time .

Yesterday, this issue was profiled in a front page Globe and Mail story about a firefighter who is taking on the union's actions as relates to 'double hatting' . 'Double hatting' is forbidden by the International Association of Fire Fighters and its Ontario union , The Ontario Professional Fire Fighters Association . Over the years, union charges have been brought against individuals who are double hatters and as a result, generally stop their involvement as a volunteer . Double hatters want to protect family, friends and the community where they live and are an important backbone of fire services within smaller municipalities and its loss proves challenging . Many double hatters were volunteer fire fighters before becoming salaried professionals .

Tom Hunse, a Toronto professional fire fighter for 22 years and a 26 year volunteer with Innisfil Fire Services and his union, is demanding that since he has not stopped his volunteer work that he be fired from his Toronto job. Mr. Hunse is taking a principled stand - that how he uses his free time is his to determine. Yesterday's Globe and Mail and other major news outlets are now covering his story . The public's reaction is that Hunse and other double hatters should be able to use their skills and knowledge in their free time in his own community without repercussion . An arbitration hearing is set for later this year that would deal with his permanent employment status with the City since he is no longer a member in good standing and only Association members in good standing are able to be members of the full-time bargaining unit.

Mr. Hunse has filed a Duty for Fair Representation Application with the Ontario Labour Relations Board against the Toronto Professional Fire Fighters Association . The "duty of fair representation" provisions of the *Labour Relations Act* stipulate that a trade union shall not act in a manner that is arbitrary , discriminatory or in bad faith in representing employees .

AMO has requested intervener status as this matter affects many municipal governments and the double hatters that work. This is a matter of fairness and personal liberty as fire fighters should be able to use their free time as they wish to without reprisal or interference . These volunteers should be supported, not pressured for wanting to protect their neighbours in their home communities . The union does not object to full time firefighters working other jobs which many do .

What is the solution to this threat? A simple change to provincial law would prevent this type of union interference. To our knowledge, every Canadian province has such protection, except for Ontario and Newfoundland. It is time for Ontario to give our volunteer firefighters the same freedom and protection that other employees in Ontario enjoy, as well as those fire fighters everywhere else in the nation .

Attached is a draft council resolution your council may wish to pass that asks the Ontario government to provide this protection to double hatter firefighters who want to serve their home communities in their spare time.

As mentioned, double hatters are worried about being threatened with job loss and municipal governments have been watching this matter closely . If you feel your municipality is vulnerable , please let

us know.

Link to the Globe and Mail article (<http://m.theglobeandmail.com/news/national/union-turns-up-the-heat-on-firefighters-who-volunteer-on-days-off/article20635456/?service=mobile>).

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Draft Council Resolution to Support Double Hatters' rights

WHEREAS the training and certification of professional firefighters is established and mandated by the Province of Ontario under the *Fire Protection and Prevention Act, 1997*,

AND WHEREAS it is the responsibility of municipalities to establish fire departments and appoint fire chiefs to provide fire protection services as they determine may be necessary in accordance with their needs and circumstances;

AND WHEREAS many Ontario municipalities rely on both full time and volunteer firefighters in order to provide fire protection;

AND WHEREAS the International Association of Fire Fighters ("IAFF") Constitution prohibits full time firefighters from volunteering as firefighters in another municipal jurisdiction (i.e. "Double Hatting");

AND WHEREAS the IAFF's stance on Double Hatting is specifically prohibited by legislation in almost all provinces in Canada and much of the United States;

AND WHEREAS a volunteer firefighter in the Innisfil Fire and Rescue Service is challenging the IAFF ban on Double Hatting and their expulsions from that union because of his desire to continue volunteering while being employed as a full-time firefighter in another jurisdiction;

AND WHEREAS the right of individuals to use their free time in service of their community is a fundamental right in a free, open and democratic society.

NOW THEREFORE BE IT RESOLVED that the Council of _____ requests that the Province of Ontario amend the *Fire Protection and Prevention Act, 1997* with respect to salaried firefighters who also work as volunteer firefighters, such that if a person is denied membership in an association of firefighters, is expelled or disciplined by the association or engages in reasonable dissent within the association in connection with this kind of dual role, the association is not permitted to require the employer to refuse to employ the person as a salaried firefighter, terminate his or her employment as a salaried firefighter or refuse to assign the person to fire protection services.

This resolution should be sent to the following:

- Hon. Kathleen Wynne, Premier of Ontario
- Hon. Madeline Meilleur, Attorney General
- Hon. Kevin Flynn, Minister of Labour
- Hon. Yasir Naqvi, Minister of Community Safety and Correctional Services
- Hon. Ted McMeekin, Minister of Municipal Affairs and Housing.

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