

## **Fair Pay Act, Retirement Changes and Proposed Firefighter Standards.**

**New Federal Fair Pay Act.** President Obama signed the Lilly Ledbetter Fair Pay Act on January 29, 2009 as his first piece of legislation to sign as president. The Act overturns a 2007 U.S. Supreme Court decision for employers, holding that an Equal Pay Act case must be filed within 180 days of the initial paycheck which violated the federal law. Under this new Act, every paycheck which violates the law, in effect, re-starts the 180-day clock.

**Federal Law Impacts Public Safety & 457 Distributions.** Signed by President Bush on December 23, 2008, the Worker, Retiree and Employer Recovery Act of 2008 clarifies that participants in self-insured plans qualify for a provision that allows for a \$3,000 medical premium payment directly from their retirement plan for retired public safety employees. It also waives the 2009 Required Minimum Distribution on employer-sponsored defined contribution plans, including 457 and 401(k)'s, and IRAs.

**Proposed NFPA 1500 Firefighter Bill. HB 2156** by Rep. Armes (R.Lawton) authorizes the Commissioner of Labor to enforce NFPA 1500 which specifies minimum fire service criteria in a variety of areas including emergency operations, training, facility safety, apparatus safety, critical incident stress management, medical/physical requirements, member fitness/wellness, protective clothing and equipment. The bill also mandates DOL enforcement of NFPA 1403 and 1584 similar to **SB 449** by Sen. Corn (D.Howe).

**Proposed Mandated Firefighting Standards. SB 449** by Sen. Corn (D-Howe) mandates that the State "shall recognize and enforce through the Commissioner of the Oklahoma State Department of Labor the provisions" of NFPA 1403, Standard on Live Fire Training Evolutions and NFPA 1584, Standard on the Rehabilitation Process for Members During Emergency Operations and Training Exercises. NFPA 1403 creates minimum requirements for training all fire suppression personnel under live fire conditions including specific direction to create a policy on when to cease training during extreme heat conditions. NFPA 1584 requires every fire department to have a policy on providing rehab at incidents and training exercises including assessment requirements to determine the need for rehab after certain periods of SCBA and non-SCBA use. There are nine key components of rehab required by NFPA 1584 including: relief from climactic conditions, time to rest and recover/cool or re-warm, re-hydration, calorie and electrolyte replacement, medical monitoring, EMS treatment, member accountability, release by EMS. For a related bill see **HB 2156** by Rep. Armes (R.Lawton).

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