



What's New in HR Law

Ontario Government Introduces Mandatory Minimum Certification Standards for Firefighters

May 11, 2022 | By [Mark Van Ginkel](#)

Bottom Line

On April 14, 2022, the Government of Ontario introduced a new Firefighter Certification regulation ([O. Reg. 343/22](#)), which will come into force on July 1, 2022. The regulation introduces mandatory minimum certification standards and job performance requirements for firefighters in an effort to ensure that firefighters across Ontario have consistent training.

New Certification Requirements

The new regulation requires firefighters to be certified to specific minimum certification standards when delivering certain types of fire protection services. All of the certification standards incorporate the standards and job performance requirements that have already been developed by the National Fire Protection Association, an international non-profit organization that provides information on fire-related hazards.

The purpose of the new certification model is to provide fire departments with the flexibility to meet local training needs based on levels of fire protection services, while promoting the safety of firefighters and the public.

This article is for the purposes of only general information and does not constitute legal advice or opinion.

Which Fire Protection Services Require Minimum Certification?

Under the regulation, the fire protection services with minimum certification standards include, but are not limited to:

- **Firefighter Exterior Attack:** Fire suppression operations from the exterior of the building only
- **Firefighter Interior Attack:** Fire suppression operations that enter the interior of the building and can perform rescue
- **Team Lead Exterior Attack:** Supervision of firefighters that provide fire suppression operations from the exterior of the building only
- **Team Lead Interior Attack:** Supervision of firefighters that provide fire suppression operations from the interior of the building and can perform rescue
- **Pump Operations:** Operation of a pumper apparatus without driving the apparatus, or where the apparatus does not require a class D licence
- **Fire Prevention/Inspection Level I:** Conducting fire and life safety inspections
- **Fire Prevention/Inspection Level II:** Conducting fire and life safety inspections including in facilities that store, handle or use flammable/combustible liquids
- **Fire Investigator:** Conducting fire cause and origin investigations
- **Fire and Life Safety Educator:** Providing fire and life safety education
- **Training Officer Level I:** Providing training and education to other fire personnel
- **Training Officer Level II:** Providing training and education to other fire personnel including lead instructor roles at live fire and above or below grade technical rescue practical training
- **Incident Safety Officers:** Undertaking the primary role of incident safety officer at emergency calls

To Whom Do the New Certification Standards Apply?

The regulation charges every municipality, and every fire department in territories without municipal organization, with ensuring that its firefighters meet the required certification standards. The certification must be provided by the Fire Marshal or through an alternate accreditation process that is recognized by the Fire Marshal as being equivalent.

What Are the Exceptions and Transitional Provisions in the Regulation?

The regulation sets out a variety of exceptions and “grandparenting” provisions. For instance, the certification requirements do not apply to the delivery of certain fire protection services where the firefighter has been a firefighter for no more than 36 months and is operating under the supervision of a firefighter certified to the applicable standard. According to commentary from the Ontario Government, this exception exists because the firefighter is considered to already be training and certifying to the new minimum certification standards.

The regulation also allows the Fire Marshal to issue a letter of compliance with a certification standard if the firefighter has obtained the requisite knowledge and skills and provided other conditions are met.

Check the Box

Municipalities or fire departments have a compliance deadline of either July 1, 2026, or July 1, 2028, depending on the fire protection service being delivered.

Although these compliance deadlines are years away, affected employers should begin putting plans in place to meet the new requirements and, in doing so, should carefully review the regulation's exceptions and grandparenting provisions to avoid unnecessary training costs. Failure to comply with the regulation could result in, for corporate entities, fines of up to \$500,000.00 for a first offence or \$1,500,000.00 for a second offence.

Need More Information?

For more information or assistance with job standards in the firefighting sector or with respect to other essential services, contact [Mark Van Ginkel](#) at 416-408-5560, or your regular lawyer at the firm.



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