



DEPARTMENT OF FINANCIAL SERVICES

*Division of State Fire Marshal
Bureau of Fire Standards & Training*

Ethical and Legal Issues for the Fire Service

Title: Master Syllabus

Date: 10/5/2016

Course Title	Ethical and Legal Issues for the Fire Service
Course Number(s)	FFP2770, BFST2770, ATCP2770
Prerequisite(s)	None
Revision Date	07/17/2017
College Credit Recommendation	This is a 45-hour program recommended for 3 credit hours
Continuing Education Units (CEU's)	None
Class Days/Time	Monday –Friday 08:00-17:00 with additional course work
Executive Development Program Supervisor	Patrick Giacobbe patrick.giacobbe@myfloridacfo.com
Program Manager	Mary-Ellen Harper Mary-Ellen.Harper@myfloridacfo.com
Instructor Qualifications	An instructor providing training must be qualified by the Bureau of Fire Standards and Training or instructors with requisite faculty credentials for the academic institution that is registered in the Florida Department of Education Statewide Course Numbering System to teach the course or instructors with requisite faculty credentials as determined by the United States Fire Administration-National Fire Academy or instructors with requisite faculty credentials as determined by the respective regionally accredited or nationally accredited university or college or instructors who hold an active Single Course Exemption Certification issued by the Division. Instructors who hold an active Fire Officer II Certification issued by the Division after November 18, 2013, and an active Instructor II Certification issued by the Division. Instructors who hold an active Fire Safety Inspector I, Fire safety Inspector II or Fire Code Administrator Certification issued by the Division and an Instructor II Certification issued by the Division may teach the "Building Construction for the Fire Service."
Class Location	Florida State Fire College
Course Description	This course deals with the issues facing today's Fire Service leaders, managers, and firefighters. Topics include: labor relations, human rights,

	diversity, conflict and conflict resolution. And framework for ethical decision making.
<i>Student Learning Outcomes</i>	<p>After the successful completion of this course, the student will be able to do</p> <ol style="list-style-type: none"> 1. Explain how ethics impacts the fire service and the department environment. 2. Discuss how laws are created at the Federal, state, and local level as well as by all three branches of government. 3. Explain the courts that exist at Federal, state, and local levels as well as their jurisdiction. 4. Describe the organizations and entities that provide fire protection and emergency services. 5. Define administrative agencies and describe the powers they may be given. 6. Explain the differences between statutory crimes and criminal offenses and the elements of a crime. 7. Discuss criminal procedures including arrests, exclusionary rule, and who can be charged with a crime. 8. Describe civil liabilities including but not limited to intentional torts, battery, assault, and false imprisonment. 9. Define negligence and explain its impact on the fire service. 10. Discuss immunity law as it relates to the state. 11. Describe contractual issues that impact the fire service. 12. Discuss labor law and collective bargaining. 13. Describe employment discrimination and its impact on the fire service. 14. Define sexual harassment and identify other forms of employee discrimination. 15. Explain the Fair Labor Standards Act, Family Medical Leave Act, and drug testing policies. 16. Discuss public accountability laws.
<i>Required and Optional Textbook</i>	<i>Legal Considerations for Fire and Emergency Services, 3rd Edition</i> ; J. Curtis Varone; ISBN-9781593703479 Publisher: Center Street Ethics 101, John C. Maxwell; Center Street
<i>Required Materials</i>	Textbook, pen, paper, thumb drive, computer access
<i>Method of Instruction</i>	Classroom Lecture, Practical Evaluations, On-Line, blended 30/15
<i>Grading</i>	Passing 70%
<i>Certification(s)</i>	<p>1 of 5 required core course for Fire Officer III completion:</p> <p>RN9641 ANALYTICAL APPROACHES TO PUBLIC FIRE PROTECTION</p> <p>RN9516 / FFP3785 CHIEF OFFICER</p>

	<p>RN4807 FFP2770 PD4023</p> <p>COURAGE TO BE SAFE ETHICAL & LEGAL ISSUES FOR THE FIRE SERVICE NFA (0467) ICS-400: ADVANCED ICS FOR COMMAND & GENERAL STAFF, COMPLEX INCIDENTS</p>
Attendance Policy	<p>You are required to attend all sessions of the course and complete all pre-course assignments. Failure to appear in class for a scheduled activity will be considered an absence unless you make arrangements with the instructor for a make-up session. Failure to make up missed sessions prior to the next session will result in an absence. Students are allowed to miss 10% of the class and still receive credit.</p>
Academic Integrity	<p>Academic integrity is crucial to the learning community and indicates respect for the college, the instructor, the course, your classmates and yourself. Any violation of this trust, including but not limited to cheating, plagiarism, collusion, or using or having any content of an un-administered test, will result in immediate dismissal from the course. Under Florida Statute 633, any student dismissed for academic dishonesty can be refused acceptance for any course administered by FSFC.</p> <p>Training Provider Message The course must be recognized by the Fire and Emergency Services Higher Education program or the course is determined by the Division to be equivalent to the Statewide Course Numbering System or Fire and Emergency Services Higher Education course.</p> <p>Instructor Message An instructor providing training must be qualified by the Bureau of Fire Standards and Training or instructors with requisite faculty credentials for the academic institution that is registered in the Florida Department of Education Statewide Course Numbering System to teach the course or instructors with requisite faculty credentials as determined by the United States Fire Administration-National Fire Academy or instructors with requisite faculty credentials as determined by the respective regionally accredited or nationally accredited university or college or instructors who hold an active Single Course Exemption Certification issued by the Division. Instructors who hold an active Fire Officer II Certification issued by the Division after November 18, 2013, and an active Instructor II Certification issued by the Division. Instructors who hold an active Firesafety Inspector I, Firesafety Inspector II or Fire Code Administrator Certification issued by the Division and an Instructor II Certification issued by the Division may</p>

	<p>Pre-Certification Message</p> <p>teach the "Building Construction for the Fire Service." There are two methods available to qualify for Fire Officer III certification. First option: designed for persons who have at least five years of full time equivalent experience as a Florida certified Fire Officer. Possess an active firefighter certificate of compliance issued by the Division or have met the curriculum requirements for Volunteer firefighter. Possess an active Instructor I certificate of competency issued by the Division. Possess an active Fire Officer I or II certificate of competency issued by the Division prior to November 18, 2013. Meet the job performance requirements of NFPA 1021-Fire Officer III (2009). Complete the Fire Officer III Curriculum. Complete the prerequisite course titled "ICS-400: Advanced ICS Command and General Staff: Complex Incidents" or a course determined by the Division to be equivalent. Pass the Fire Officer III Exam with a score of 70% or higher. Complete the National Fallen Firefighters Foundation course titled "Courage to Be Safe" or a course determined by the Division to be equivalent. Second option: Portfolio Program. Designed for persons who have at least five years of full time equivalent experience as a Florida certified Fire Officer. Applicant must hold an active Firefighter Certificate of Compliance issued by the Division or have met the curriculum requirements for Volunteer Firefighter. Hold an active Instructor I certificate of competency issued by the Division. Hold an active Fire Officer I or II certificate of competency issued by the Division prior to November 18, 2013 or hold an active Fire Officer II certificate of competency issued by the Division after November 18, 2013. Meet the program prerequisites, the objectives required by the NFPA 1021 Fire Officer III standard and the Fire Officer III curriculum as evidenced in the Fire Officer III Portfolio. Pass the Fire Officer III exam with a score of 70% or higher. When taking a state exam, please ensure that your personal profile matches the identification that you plan to produce at Pearson Vue.</p> <p>NFPA Subject Fire Officer III and Level</p>
<p><i>Students with Disabilities</i></p>	<p>Any student who has a permanent or temporary disability that may require a reasonable accommodation to participate in the course must present documentation of the disability and requested accommodation no later than the beginning of the course.</p>

<i>Emergency Evacuation Policy</i>	<p>Occupants of buildings on the Florida State Fire College campus are required to evacuate and assemble outside when a fire alarm is activated or an announcement is made. Please be aware of the following policies regarding evacuation.</p> <ul style="list-style-type: none"> • Familiarize yourself with all exit doors of the classroom and the building. • Remember that the nearest exit door may not be the one you used when you entered the building. • If you require assistance to evacuate, inform the instructor on the first day of class. • In the event of an evacuation, follow the guidance of the instructor. • Do not re-enter a building unless you are given instructions by Florida State Fire College personnel to do so.
<i>Requesting Emergency Care</i>	<p>Any request for emergency care should be initiated by calling “911” from any phone on campus of the Florida State Fire College. Phones are located in each classroom. Additionally, in the event of any emergency, immediately contact an instructor or staff member.</p>
<i>Critical Event Procedures</i>	<p>Severe Weather – there is a lightning detection system on campus which has an audible 15 second blast of an air horn. If you are outside, please follow your instructor or move to the closest permanent building. Once the threat is over, there will be three 5 second blasts of the signal.</p> <p>Security – During the daytime, security is handled by full time faculty and staff. There are security guards on duty in the evenings and weekends. Please comply with the requests made of security officers. Failure to do so can result in removal from campus.</p> <p>Student Badges – You will be issued a badge to be worn anytime you are on campus.</p>
<i>Enabling Objectives</i>	<p>Chapter 6 Fire Officer III NFPA 1021 (2014)</p> <p>6.1 General. For qualification at Fire Officer Level III, the Fire Officer II shall meet the job performance requirements defined in Sections 6.2 through 6.8 of this standard.</p> <p>6.1.1* General Prerequisite Knowledge. Current national and international trends and developments related to fire service organization, management, and administrative principles, as well as public and private organizations that support the fire and emergency services and the functions of each.</p> <p>6.1.2 General Prerequisite Skills. The ability to research, to use evaluative methods, to analyze data, to communicate orally and in writing, and to motivate members.</p> <p>6.2 Human Resource Management. This duty involves establishing procedures for hiring, assigning, promoting, and encouraging</p>

	<p>professional development of members, according to the following job performance requirements.</p> <p>6.2.1 Establish personnel assignments to maximize efficiency, given knowledge, training, and experience of the members available in accordance with policies and procedures, so that human resources are used in an effective manner.</p> <p>(A) Requisite Knowledge. Minimum staffing requirements, available human resources, and policies and procedures.</p> <p>(B) Requisite Skills. The ability to relate interpersonally and to communicate orally and in writing.</p> <p>6.2.2 Develop procedures for hiring members, given policies of the AHJ and legal requirements, so that the process is valid and reliable.</p> <p>(A) Requisite Knowledge. Applicable federal, state/provincial, and local laws; regulations and standards; and policies and procedures.</p> <p>(B) Requisite Skills. The ability to communicate orally and in writing.</p> <p>6.2.3 Develop procedures and programs for promoting members, given applicable policies and legal requirements, so that the process is valid and reliable, job-related, and nondiscriminatory.</p> <p>(A) Requisite Knowledge. Applicable federal, state/provincial, and local laws; regulations and standards; and policies and procedures.</p> <p>(B) Requisite Skills. The ability to communicate orally and in writing, to encourage professional development, and to mentor members.</p> <p>6.2.4 Describe methods to facilitate and encourage members to participate in professional development, given a professional development model, so that members achieve their personal and professional goals.</p> <p>(A) Requisite Knowledge. Interpersonal and motivational techniques, professional development model, goal setting, and personal and organizational goals.</p> <p>(B) Requisite Skills. The ability to evaluate potential, to communicate orally, and to council members.</p> <p>6.2.5 Develop a proposal for improving an employee benefit, given a need in the organization, so that adequate information is included to justify the requested benefit improvement.</p> <p>(A) Required Knowledge. Agency’s benefit program.</p> <p>(B) Required Skills. The ability to conduct research and to communicate orally and in writing.</p>
--	---

	<p>6.2.6 Develop a plan for providing an employee accommodation, given an employee need, the requirements, and applicable law, so that adequate information is included to justify the requested change(s).</p> <p>(A) Required Knowledge. Agency’s policies and procedures, and legal requirements or reasonable accommodations.</p> <p>(B) Required Skills. The ability to conduct research and to communicate orally and in writing.</p> <p>6.2.7 Develop an ongoing education training program, given organizational training requirements, so that members of the organization are given appropriate training to meet the mission of the organization.</p> <p>(A) Required Knowledge. Agency mission and goals, training program development, and needs assessment.</p> <p>(B) Required Skills. Ability to perform a needs assessment and to communicate orally and in writing.</p> <p>6.3 Community and Government Relations. This duty involves developing programs that improve and expand service and build partnerships with the public, according to the following job performance requirements.</p> <p>6.3.1 Develop a community risk reduction program, given risk assessment data, so that program outcomes are met.</p> <p>(A) Requisite Knowledge. Community demographics, resource availability, community needs, customer service principles, and program development.</p> <p>(B) Requisite Skills. The ability to relate interpersonally, to communicate orally and in writing, and to analyze and interpret data.</p> <p>6.4 Administration. This duty involves preparing a divisional or departmental budget, developing a budget management system, soliciting bids, planning for resource allocation, and working with records management systems, according to the following job performance requirements.</p> <p>6.4.1 Develop a divisional or departmental budget, given schedules and guidelines concerning its preparation, so that capital, operating, and personnel costs are determined and justified.</p> <p>(A) Requisite Knowledge. The supplies and equipment necessary for existing and new programs; repairs to existing facilities; new equipment, apparatus maintenance, and personnel costs; and approved budgeting system.</p> <p>(B) Requisite Skills. The ability to allocate finances, to relate interpersonally, and to communicate orally and in writing.</p>
--	---

	<p>6.4.2* Develop a budget management system, given fiscal and financial policies, so that the division or department stays within the budgetary authority.</p> <p>(A) Requisite Knowledge. Revenue to date, anticipated revenue, expenditures to date, encumbered amounts, and anticipated expenditures.</p> <p>(B) Requisite Skills. The ability to interpret financial data and to communicate orally and in writing.</p> <p>6.4.3 Describe the agency’s process for developing requests for proposal (RFPs) and soliciting and awarding bids, given established specifications and the agency’s policies and procedures, so that competitive bidding is ensured.</p> <p>(A) Requisite Knowledge. Purchasing laws, policies, and procedures.</p> <p>(B) Requisite Skills. The ability to use evaluative methods and to communicate orally and in writing.</p> <p>6.4.4 Direct the development, maintenance, and evaluation of a department record and management system, given policies and procedures, so that completeness and accuracy are achieved.</p> <p>(A) Requisite Knowledge. The principals involved in the acquisition, implementation, and retrieval of information by data processing as it applies to the record and budgetary processes and the capabilities and limitations of information management systems.</p> <p>(B) Requisite Skills. The ability to use evaluative methods, to communicate orally and in writing, and to organize data.</p> <p>6.4.5 Analyze and interpret records and data, given a fire department records system, so that validity is determined and improvements are recommended.</p> <p>(A) Requisite Knowledge. The principals involved in the acquisition, implementation, and retrieval of information and data.</p> <p>(B) Requisite Skills. The ability to use evaluative methods, to communicate orally and in writing, and to organize and analyze data.</p> <p>6.4.6* Develop a model plan for continuous organizational improvement, given resources for an area to be protected, so that resource utilization is maximized.</p> <p>(A) Requisite Knowledge. Policies and procedures, physical and geographic characteristics and hazards, demographics, community plan, staffing requirements, response time benchmarks, contractual agreements, recognized best practice assessment programs, and local, state/provincial, and federal regulations.</p> <p>(B) Requisite Skills. The ability to research, to use evaluative methods, to analyze data, to communicate orally and in writing,</p>
--	---

and to organize.

6.5 Inspection and Investigation. This duty involves evaluating inspection programs of the AHJ to determine effectiveness and developing public safety plans, according to the following job performance requirements.

6.5.1 Evaluate the inspection program of the AHJ, given current program goals, objectives, performance data, and resources so that the results are evaluated to determine effectiveness.

(A) Requisite Knowledge. Policies and procedures, accepted inspection practices, program evaluation, and applicable codes, standards, and laws.

(B) Requisite Skills. The ability to use evaluative methods, to analyze data, and to communicate orally and in writing.

6.5.2 Develop a plan, given an identified fire safety problem, so that the approval for a new program, piece of legislation, form of public education, or fire safety code is facilitated.

(A) Requisite Knowledge. Policies and procedures and applicable codes, ordinances, and standards and their development process.

(B) Requisite Skills. The ability to use evaluative methods, to use consensus-building techniques, to communicate orally and in writing, and to organize plans.

6.6 Emergency Service Delivery. This duty involves managing multi-agency planning, deployment, and operations, according to the following job performance requirements.

6.6.1 Prepare an action plan, given an emergency incident requiring multiple agency operations, so that the required resources are determined and the resources are assigned and placed to mitigate the incident.

(A) Requisite Knowledge. Policies, procedures, and standards, including the current edition of *NFPA 1600*, and resources, capabilities, roles, responsibilities, and authority of support agencies.

(B) Requisite Skills. The ability to use evaluative methods, to delegate authority, to communicate orally and in writing, and to organize plans.

6.6.2 Develop and conduct a post-incident analysis, given a multi-agency incident and post-incident analysis policies, procedures, and forms, so that all required critical elements are identified and communicated and the appropriate forms are completed and processed in accordance with policies and procedures.

(A) Requisite Knowledge. Elements of a post-incident analysis, emergency management plan, critical issues, involved agencies'

	<p>resources and responsibilities, procedures relating to dispatch response, strategy tactics and operations, and customer service.</p> <p>(B) Requisite Skills. The ability to write reports, to communicate orally, and to evaluate skills.</p> <p>6.6.3 Develop a plan for the agency, given an unmet need for resources that exceed what is available in the organization, so that the mission of the organization is capable of being performed in times of extraordinary need.</p> <p>(A) Requisite Knowledge. Needs assessment and planning.</p> <p>(B) Requisite Skills. The ability to conduct a needs assessment, evaluate external resources, and develop a plan.</p> <p>6.7 Health and Safety. This duty involves developing, managing, and evaluating a departmental health and safety program, according to the following job performance requirements.</p> <p>6.7.1 Develop a measurable accident and injury prevention program, given relevant local and national data, so that the results are evaluated to determine effectiveness of the program.</p> <p>(A) Requisite Knowledge. Policies and procedures, accepted safety practices, and applicable codes, standards, and laws.</p> <p>(B) Requisite Skills. The ability to use evaluative methods, to analyze data, and to communicate orally and in writing.</p> <p>6.8 Emergency Management. This duty involves policies, procedures, and programs for the role of the fire service in the community's emergency management plan and the roles of local, state/provincial, and national emergency management agencies.</p> <p>6.8.1 Develop a plan for the integration of fire services resources in the community's emergency management plan, given the requirements of the community and the resources available in the fire department, so that the role of the fire service is in compliance with local, state/provincial, and national requirements.</p> <p>(A) Required Knowledge. Role of the fire service; integrated emergency management system; preparedness-emergency management planning; emergency operations centers; and roles of local, state/provincial, and national emergency management agencies.</p> <p>(B) Required Skills. The ability to communicate orally and in writing and to organize a plan; and familiarity with emergency management interagency planning and coordination.</p>
Practical	The student shall successfully demonstrate a minimum of 70% of the

<p><i>Applications</i></p>	<p><u>below JPR's of NFPA (2014) 1021</u></p> <p>Given information from discussion and reading materials, the student will perform the following objectives to a written test accuracy of at least 70% and meet the applicable job performance requirements of NFPA 1021 (2009).</p> <p>Ethics</p> <ol style="list-style-type: none"> 1. Describe the basic history of ethics and theory. 2. Discuss different types of ethical topics. 3. Describe the relevance of ethics in the fire service. 4. Apply ethics to various applications. 5. Discuss consequences surrounding ethical behavior both good and bad. <p>Chapter 1 Types and Sources of Law</p> <ol style="list-style-type: none"> 1. Identify primary sources of law in the United States. 2. Identify the three levels of government in the United States. 3. Describe the three branches of government and their roles. 4. Explain the difference between civil and criminal laws. 5. Distinguish between laws, standards, and codes. 6. Identify differences in jurisdiction between federal, state, and local government. <p>Chapter 2 Courts and Court Systems</p> <ol style="list-style-type: none"> 1. Explain difference between trial and appellate courts. 2. Explain difference between the role of a judge and jury at trial. 3. Explain difference between questions of law and questions of fact. 4. Explain why the jurisdiction of federal courts is limited. 5. Explain why the jurisdiction of state courts is general. 6. Identify four phases of a lawsuit. 7. Explain stare decisis and precedent. <p>Chapter 3 Types of Fire Departments</p> <ol style="list-style-type: none"> 1. Distinguish between fire departments based on type of entity; fire department organization; funding source; and employment status of firefighters. 2. Distinguish between public and private sector entities. 3. Identify four types of corporations and how each is created. 4. Identify the reason an association creates unnecessary risks for firefighters. 5. Distinguish between fire departments including municipal and county, regional, fire districts, volunteer, industrial departments, and fire brigades. 6. Explain the importance of agreements between a volunteer fire company and the jurisdictions they protect. <p>Chapter 4 Administrative Agencies</p> <ol style="list-style-type: none"> 1. Identify executive branch agencies.
----------------------------	--

	<p>2. Explain that administrative agencies exist at the federal, state, and local levels.</p> <p>3. Explain how agencies are created and the purpose of enabling acts.</p> <p>4. Describe separation of powers concerns and methods created by administrative agencies.</p> <p>5. Explain the jurisdiction of OSHA and OSHA’s three primary activities.</p> <p>6. Describe the AHJ for Florida Firefighter OSHA.</p> <p>7. Define approved plan state and non-approved plan state.</p> <p>9. Explain why the term “OSHA state” is ambiguous.</p> <p>10. Explain the function of OSHRC.</p> <p>11. Explain application of OSHA to volunteer and part-time firefighters.</p> <p>Chapter 5 Criminal Law</p> <p>1. Distinguish between violations of civil and criminal law.</p> <p>2. Distinguish between felonies and misdemeanors.</p> <p>3. Identify three elements that make up a crime.</p> <p>4. Explain when an omission can give rise to criminal liability.</p> <p>5. Identify the four criminal mental states.</p> <p>6. Identify elements for the following crimes: first-degree murder, second-degree murder, voluntary manslaughter, involuntary manslaughter, battery, assault, sexual assault, rape and child molestation, larceny, robbery, obtaining money under false pretenses, extortion, embezzlement, burglary, false imprisonment, kidnapping, RICO. Arson</p> <p>7. Explain Florida’s Firefighter Bill of Rights.</p> <p>Chapter 6 Criminal Procedure</p> <p>1. Define arrest, and explain the authority of a firefighter to make</p> <p>2. Explain the difference between criminal and administrative search warrants.</p> <p>3. Identify at least six exceptions to the search warrant requirement.</p> <p>4. Explain the constitutional limitations upon a firefighter conducting a cause and origin determination as part of an investigation after a fire.</p> <p>5. Explain what is required to constitute an attempted crime.</p> <p>6. Define accessory before the fact, accessory after the fact, and an aider and abettor.</p> <p>7. Define a criminal conspiracy and explain the liability of each coconspirator.</p> <p>Chapter 7 Civil Liability Issues</p> <p>1. Define the following:</p> <p>Intentional torts of battery, assault, false imprisonment</p> <p>Intentional infliction of severe emotional distress</p> <p>Trespass, trespass to chattels</p> <p>Conversion</p> <p>Misrepresentation</p> <p>Bad faith</p>
--	--

	<p>2. Explain how consent is a defense to battery, assault, and false imprisonment.</p> <p>3. Define implied and informed consent.</p> <p>4. Explain that a competent adult has an absolute right to decline medical care.</p> <p>5. Identify factors involved in determining if a person lacks capacity to consent to, or decline, medical care.</p> <p>6. Explain what should be done to document refusals of care against medical advice.</p> <p>7. Explain the difference between slander, slander per se, and libel.</p> <p>8. Identify the four invasions of privacy torts.</p> <p>Chapter 8 Negligence</p> <p>1. Define and identify elements of negligence.</p> <p>2. Explain the following concepts:</p> <p>Duty</p> <p>Standard of care</p> <p>Breach</p> <p>Damages and proximate cause</p> <p>3. Explain what the standard of care is for professionals and those with specialized training.</p> <p>4. Identify types of evidence that can be used to establish the standard of care for a professional.</p> <p>5. Explain defenses to negligence including:</p> <p>Assumption of risk</p> <p>Contributory negligence</p> <p>Comparative negligence</p> <p>Last clear chance doctrine</p> <p>Rescue doctrine</p> <p>6. Explain Fireman’s Rule.</p> <p>7. Define gross negligence and recklessness.</p> <p>8. Explain joint and several liability.</p> <p>9. Identify common types of activities for which strict liability is imposed.</p> <p>Chapter 9 Immunity from Liability</p> <p>1. Describe history and current status of sovereign immunity as it applies to the American fire service.</p> <p>2. Explain purpose of tort claims acts.</p> <p>3. Explain statutory immunity and how it differs from sovereign immunity.</p> <p>4. Explain the difference between the following:</p> <p>Discretionary acts and functionary acts</p> <p>Governmental function and proprietary function</p> <p>How the difference impacts immunity</p>
--	---

	<p>5. Describe whom the Volunteer Protection Act of 1997 applies to, and its immunity protection.</p> <p>Chapter 10 Contract Law and Employment Issues</p> <ol style="list-style-type: none"> 1. Define contract, offer, acceptance, consideration, and promissory estoppels. 2. Explain the difference between apparent authority, and void and voidable contracts. 3. Identify types of contracts commonly associated with the fire service. 4. Explain why insurance companies are so highly regulated. 5. Identify important issues associated with mutual aid agreements. 6. Define employee at will. 7. Explain requirements of due process as it relates to the discipline of a firefighter. 8. Explain how workers' compensation systems operate in general, and the variations associated with firefighters. 9. Explain how principle of exclusivity functions to provide immunity protection to employers. <p>Chapter 11 Labor Law and Collective Bargaining</p> <ol style="list-style-type: none"> 1. Define the following terms: Collective bargaining Bargaining in good-faith Past practice Strike <p>Chapter 10 Contract Law and Employment Issues</p> <ol style="list-style-type: none"> 1. Define contract, offer, acceptance, consideration, and promissory estoppels. 2. Explain the difference between apparent authority, and void and voidable contracts. 3. Identify types of contracts commonly associated with the fire service. 4. Explain why insurance companies are so highly regulated. 5. Identify important issues associated with mutual aid agreements. 6. Define employee at will. 7. Explain requirements of due process as it relates to the discipline of a firefighter. 8. Explain how workers' compensation systems operate in general, and the variations associated with firefighters. 9. Explain how principle of exclusivity functions to provide immunity protection to employers. <p>Chapter 11 Labor Law and Collective Bargaining</p> <ol style="list-style-type: none"> 1. Define the following terms: Collective bargaining Bargaining in good-faith Past practice
--	---

	<p>Strike</p> <p>Union shop</p> <p>Closed shop</p> <p>Open shop</p> <p>Dues check-off</p> <p>Agency shop</p> <p>Fair-share agreement</p> <p>Maintenance of membership</p> <p>Right-to-work</p> <p>2. Explain the primary differences between private sector labor relations and public sector labor relations.</p> <p>3. Identify and explain three categories of subjects for collective bargaining:</p> <p>4. Explain dispute resolution mechanisms used for three types of impasse disputes:</p> <p>5. Explain the duty of fair representation.</p> <p>6. Explain how Weingarten and Garrity Rights serve to protect employees.</p> <p>Chapter 12 Employee Rights and Discrimination</p> <p>1. Identify major employment discrimination laws impacting fire service.</p> <p>2. Explain difference between disparate treatment and disparate impact.</p> <p>3. Explain equal opportunity employer and affirmative action.</p> <p>4. Identify three standards of review that courts apply to governmental actions that are challenged as being discriminatory.</p> <p>Chapter 13 Sexual Harassment and Other Forms of Employment Discrimination</p> <p>1. Define sexual harassment and explain the two types of sexual harassment.</p> <p>2. Identify factors that contribute to a sexually hostile work environment.</p> <p>3. Identify the federal laws that impact pregnancy discrimination.</p> <p>4. Identify the need for reasonable accommodation of religion in the workplace, and impact of undue hardship on an employer.</p> <p>5. Explain constitutionality of grooming and uniform regulations.</p> <p>Chapter 14 Fair Labor, Family Medical Leave, Residency, and Drug Testing</p> <p>1. Identify maximum hour limits of the Fair Labor Standards Act (FLSA).</p> <p>2. Define when overtime compensation is required.</p> <p>3. Define compensatory time.</p> <p>4. Explain guidelines for FLSA comp time.</p> <p>5. Explain firefighter exemption, emergency medical (ambulance) exception, and executive exemption.</p> <p>6. Explain effect of recent changes in laws.</p> <p>7. Identify what hours are compensable under FLSA.</p>
--	--

	<p>8. Explain how volunteers are treated under FLSA.</p> <p>9. Explain Family Medical Leave Act (FMLA) and the benefits it provides.</p> <p>10. Explain constitutionality of residency requirements.</p> <p>11. Explain when firefighters can be asked to submit to drug testing.</p> <p>Chapter 15 Public Accountability Laws</p> <p>1. Identify common types of public accountability laws.</p> <p>2. Explain difference between conflicts of interests laws and ethical codes.</p> <p>3. Explain purpose and functioning of open meetings and open records laws.</p> <p>4. Explain penalties for violations of each.</p> <p>5. Identify two common types of financial disclosure requirements.</p> <p>6. Define whistleblower acts and whistleblower provisions.</p>
--	--