

Mr. Ray Crouch,

I am seeking an answer to a question raised at a recent Board meeting. In short, the Training Officer of the Fire Department when asked about sharing an office with another, stated that the training records were confidential, had to be under lock and key and that members of the Board were unable to review the training records. He stated there was a Federal regulation prohibiting anyone but the training officer from viewing such files.

That seems a bit incredible to me. The Fire Department is part of the town's budget, financially and administratively. The town is responsible for providing fire protection to the citizens, and yet the Board cannot review training records?

Sir, would you please let me know if such a regulation, federal or state, that keeps training records for the eyes of the Training Officer only, and prohibits those who govern and are ultimately responsible for the Fire Department from such review of records?

Thank you,  
Vice Mayor

August 26, 2003

Dear Vice Mayor:

Thank you for your question regarding fire department Training records.

First, let me address the issue of what records must be kept under lock and key. Each firefighter should have a base-line physical and fill out an annual OSHA required medical questionnaire. Based on the answers to the questionnaire when evaluated by a physician, the firefighter may be required to have additional medical tests to determine if they are physically able to perform the job functions of a firefighter and to wear SCBA (Air-pack or Self Contained Breathing Apparatus). All of the records associated with this process become the "Medical Records" of the firefighter. These records are strictly confidential and may not be reviewed by anyone except the "records officer" and, of course, the firefighter may see their own records. These records should be kept in a separate file from all other records and must be double secure, that is -- in a locked file, inside a locked room. The only part of this record that should be in the training or personnel file of the firefighter is a Yes or No clear statement that the firefighter is able to perform the job functions of a firefighter and to wear SCBA.

All other records, training and personnel are open for inspection upon demand during any reasonable hours. Actually, I would suggest that an annual report be prepared for the Mayor and Board of Alderman that shows the number of hours of training that each firefighter receives. In fact, it is part of the cities responsibility to see that each firefighter gets at least 40 hours of in-service training per year. If you have firefighters that do not get at least 40 hours of training per year, and they get hurt or killed, the city increases its liability by not making this minimum number of hours mandatory.

I hope this answers your question. If not, please feel free to ask follow-up questions.

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