Michigan State Firemen's Association

P.O. Box 405
Swartz Creek, MI 48473

The Michigan State Firemen's Association supports H.B. 4624 and adheres to the National Volunteer Fire Council Statement on the Right to Volunteer of April 4, 2009. The statement on the back side.

Thank you,

George Scrimger, Past President

140 S. Maple Leaf Rd.

Lapeer, MI, 48446

RESOLUTION OF THE NATIONAL VOLUNTEER FIRE COUNCIL

That the NVFC Statement attached hereto is adopted by the Board of Directors this 4th day of April, 2009; and,

That a copy of the Statement be immediately communicated to the President of the United States, all members of Congress, the Secretary of Labor, and the Attorney General; and,

That a copy of the Statement be immediately communicated to the International Association of Fire Chiefs and to the International Association of Fire Fighters (IAFF); and,

That the Advocacy Committee of the NVFC is directed to launch an aggressive public awareness campaign to alert the citizenry to the harassment actions having been undertaken by the IAFF.

NATIONAL VOLUNTEER FIRE COUNCIL STATEMENT ON THE RIGHT TO VOLUNTEER

The National Volunteer Fire Council (NVFC) advocates the rights of volunteer, career, or paid-on-call firefighters to serve multiple organizations or communities.

The NVFC also recognizes that every organizations (including trade groups, unions, and volunteer fire departments) has the right to adopt a constitution and bylaws and set rules and qualifications for membership, so long as their membership requirements are neither illegal or discriminatory.

But the NVFC also believes that, if the rules are discriminatory against our constituency, the volunteer fire, rescue and EMS providers of this great Country, then it is our duty to speak up and remind all that electing to volunteer, and to choose what one does in his or her spare time, so long as not illegal, is the inalienable right of every citizen, assured by our Constitution and the laws and regulations that are its progeny.

We believe that any effort to restrict the free choice of a firefighter or EMS provider to volunteer in his or her community is an affront to that provider's freedom and the right of those who live in the community to receive the benefits of the commitments of their neighbors who want to serve.

The United States Court of appeals for the Fourth Circuit has held that volunteer members of fire, rescue, and EMS squads are not considered employees for purposes of the Fair Labor Standards Act, specifically stating that "The section plainly eliminates any impediment to individuals who wish to volunteer their time and talents to public agencies for civic, charitable, and humanitarian purposes" (Benshoff v. City of Virginia Beach, 180 F 3d 135, 148 (1999))

In a number of States of these United States, volunteer firefighters, who serve also as career firefighters for their livelihood, have been harassed by the International Association of Fire Fighters (IAFF), which, in the view of the NVFC, constitutes discrimination against volunteer firefighters which, in turn, diminishes the assurances guaranteed to all citizens by the First and Fourteenth Amendments to the Constitution.

We encourage others to speak up, and to reaffirm that the First and Fourteenth Amendments are still alive and well, and that those who violate it should be reminded of its history, and its significance as among the guiding principles of life in these United States of America.