

Name:	<i>Legal Aspects of the Fire Service</i>
Course Description:	This course introduces the Federal, State, and local laws that regulate emergency services, national standards influencing emergency services, standard of care, tort, liability, and a review of relevant court cases.
Prerequisite:	None.
Outcomes:	<ol style="list-style-type: none"> 1. Define the different types of laws, explain their basic differences, and how the law functions in society. 2. Become familiar with federal, state, and local laws, which regulate or influence emergency services. 3. Explain the role and purpose of national codes and standards concerning their legal influence. 4. Become familiar with legal decisions that has or will affect the fire service. 5. Discuss the organization and legal structure of the fire department. 6. Define the liabilities of firefighters. 7. Recognize legal duties of emergency service members. 8. Discuss negligence in an emergency setting. 9. Define discrimination and identify areas of potential discrimination in the emergency service. 10. Identify, explain and discuss the legalities of entrance requirements, residency, grooming, and drug testing. 11. Discuss the scope of the civil rights act. 12. Discuss the parameters and explain the basic intent of the ADA, FLSA, and FMLA. 13. Explain the at-will doctrine. 14. Explain the purpose of labor and employment laws.
Suggested Student Texts:	<i>Legal Aspects of the Fire Service</i> ; Lawrence Hogan, Amlex <i>Fire and Emergency Law Casebook</i> ; Thomas D. Schneid, Delmar <i>Fire Law</i> ; Thomas D. Schneid, Delmar <i>Blacks Law Dictionary</i> ; Bryan Garner, West Group www.fire-chiefs.com <i>Legal Briefings for Fire Chiefs</i> <i>American Bar Association-Guide to Workplace Laws, Rights of Employees</i>

<p>Supporting References/Research for Faculty and Students:</p>	<p>U. S. Fire Administration</p> <p><u>Publications</u> : http://www.usfa.fema.gov/applications/publications/pubs_main.cfm</p> <p>See Arson, EMS, Fire Data, Fire Administration, Fire Service Operations, Health and Safety</p> <p><u>Applied Research</u>: http://www.usfa.fema.gov/dhtml/inside-usfa/research.cfm</p> <p><u>Research Reports</u>: http://www.usfa.fema.gov/dhtml/inside-usfa/r_reports.cfm</p> <p><u>Technical Reports</u>: http://www.usfa.fema.gov/applications/publications/techreps.cfm</p> <p><u>Topical Fire Research Series</u>: http://www.usfa.fema.gov/dhtml/inside-usfa/tfrs.cfm</p> <p>Learning Resource Center: http://www.usfa.fema.gov/dhtml/inside-usfa/lrc.cfm</p> <p>References <i>Blacks Law Dictionary</i>; Bryan Garner, West Group www.fire-chiefs.com <i>Legal Briefings for Fire Chiefs</i> <i>American Bar Association-Guide to Workplace Laws, Rights of Employees</i></p> <p>Current Events/News http://www.firehouse.com/ http://www.fireengineering.com/ http://www.withthecommand.com/</p>
<p>Assessment:</p>	<p>Students will be evaluated for mastery of learning objectives by methods of evaluation to be determined by the instructor.</p>
<p>Points of Contact:</p>	<p>Gail Ownby-Hughes, Chattanooga State Tech Community College, Tennessee (423) 697-2583, gail.hughes@chattanoogaastate.edu</p> <p>Clinton Smoke, Asheville -Buncombe Technical Community College, North Carolina, (828) 254- 1921, csmoke@asheville.cc.nc.us</p>

Course Outline

Legal Aspects of the Emergency Services

- I. The legal system of the United States
 - A. Foundations
 - B. U.S. Constitution

- II. Civil vs. Criminal
 - A. Differences
 - B. Lawsuits
 - C. Punishments
 - D. Burden of Proof

- III. Tort Liability

- IV. Negligence

- V. Judicial System
 - A. The court system
 - B. U.S. Supreme Court
 - C. Special Courts
 - D. Local Courts
 - E. Penalties

- VI. Federal Laws and the Fire Service
 - A. Fair Labor Standards Act
 - B. Americans with Disabilities Act
 - C. Age Discrimination
 - D. Civil Rights
 - E. Sexual Harassment

- VII. Employee Relations
 - A. Physical Testing - Entrance Requirements
 - B. Residency Requirements
 - C. Grooming Standards
 - D. Promotional Testing
 - E. Psychological Examinations
 - F. Polygraphs

- VIII. Fire Prevention and Fire Codes
 - A. Fourth Amendment
 - B. Certifications
 - C. Building Code vs. Fire Code
 - D. Civil vs. Criminal

- IX. Mutual Aid
- X. Hazardous Materials
- XI. Volunteers/Contracts
- XII. Arson