



State of West Virginia  
Department of Military Affairs and Public Safety

Sterling Lewis, Jr.  
State Fire Marshal

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MEMORANDUM

TO: All Fire Departments Operating within the State of West Virginia  
FROM: Sterling Lewis, Fire Marshal *SLJ*  
DATE: May 10, 2011  
RE: Reminder of Child Labor Laws in relation to Junior Fire Fighters

All Fire Departments employing/associating with Junior Firefighters **MUST** comply with the requirements of the Department of Labor. Specifically, Fire Departments must have complied with West Virginia Code §21-6-5, which requires a valid age certificate on file for any minor employed or associated with said department. This certificate is similar to a work permit, and may be issued by the Superintendent. This certificate must be on file at the Fire Department at all times.

The West Virginia Department of Labor has issued the following rules limiting the allowable activities of Junior Firefighters W. Va. Code of State Rules §42-9-6.

The activities of Junior Firefighters shall be limited to:

- 1) Training;
- 2) First-aid;
- 3) Clean up service at the scene of a fire, outside the structure only, after the fire has been declared by the official in charge to be under control; and

4) Coffee wagon and food service.

In all circumstances, it is **NOT PERMISSIBLE** for a Junior Firefighter to:

- 1) Enter a burning building other than during training conducted by the West Virginia Fire Service Training Program of West Virginia University, RESA or the West Virginia State Fire Commission;
- 2) Operate pumps of any fire vehicle while at the scene of a fire;
- 3) Drive any fire apparatus ambulance or other fire vehicle; and/or operate red lights, siren or an audible signal in responding to an alarm on their own personal vehicles or any other vehicle;
- 4) Operate an aerial ladder, aerial platform or hydraulic jack at a fire scene; and
- 5) Use rubber electrical gloves, insulated wire gloves, insulated wire cutters, life nets, acetylene cutting units, K-12 power saws, air chisels, porta-powers, hurst-tools or other equipment related to rescue and fire operations at a fire scene;
- 6) Minors attending school shall not be permitted to respond to a fire during school hours unless such a request is made by the fire official in charge to the principal of the school. The child may only be released upon written authorization of the parent or guardian;
- 7) Minors shall be afforded the minimal personal protective equipment; i.e., boots, bunker coats, helmet, gloves, etc., as it relates to their administering of first aid and coffee wagon and food service, and during training exercises that require such protective equipment.

**JUNIOR FIRE FIGHTERS ARE NOT ALLOWED, IN ANY CASE WHATSOEVER  
EXCEPT DURING TRAINING, TO OPERATE HIGH PRESSURE HOSE LINES OR ASCEND  
LADDERS.**

A copy of these rules may be obtained on the West Virginia Fire Commission web site  
[www.firemarshal.wv.gov](http://www.firemarshal.wv.gov)