

## **Workers' Compensation Coverage for Fire District Commissioners and Ambulance Squad/Fire Company Board Members**

### ***Are your Fire District Commissioners covered if they are injured in the performance of their duties?***

Volunteer Firefighter Benefit Law (VFBL) coverage is afforded to active duty volunteer firefighters injured while acting in their role as a firefighter. The administrative officers of the Fire District, however, are not covered for injuries unless the Fire District has a Workers' Compensation (WC) policy in place.

A WC policy provides coverage to the Fire District Commissioners, any paid employees (including stipends), as well as uninsured contractors hired by the Fire District. In fact, Section 54-6A of the Workers' Compensation Law requires a Fire District to provide a WC policy for their Officers and paid staff.

**For Incorporated Ambulance Squads or Fire Companies, their Board of Directors would also not be covered for injuries sustained under a VAWBL/VFBL policy while they are acting in their role as administrative officers.**

These Not-For-Profit Ambulance Squads and Fire Companies would also require a WC policy to cover their executive officers, paid employees or uninsured contractors.

Under WC Law, coverage for executive officers of a charitable organization (such as a Not-For-Profit Ambulance or Fire Company) is excluded. In order to include these individuals under WC coverage, the Ambulance/Fire Company would need to have both a WC policy in place and file a U-431 form with the insurance carrier.

Final determination if an injury sustained is compensable under WC Law is determined by the NYS Workers' Compensation Board.

