

Federal Fire Fighter Presumptive Disability

The IAFF supports the Federal Firefighters Fairness Act and encourages members of Congress to cosponsor H.R. 2499 and S. 1116.

BACKGROUND

Fire fighters are routinely exposed to high stress, smoke, heat and various toxic substances. As a result, fire fighters are far more likely to contract a cardiovascular disease, lung disease and cancer than other workers. Additionally, as the nation's leading providers of emergency medical services, fire fighters are also exposed to infectious diseases. Cancer, heart disease, lung disease and infectious disease are among the leading causes of death and disability for fire fighters, and numerous studies have found that these illnesses are occupational hazards of the job.

In recognition of this link, 48 states have enacted presumptive disability laws, which presume that certain diseases contracted by fire fighters are job-related for purposes of workers' compensation and disability retirement, unless proven otherwise. Beyond a limited Covid-19 disease presumption granted all public-facing federal employees

earlier this year, no such law covers federal fire fighters, routinely tasked with combatting fires and mitigating hazardous materials incidents side by side with fire fighters from municipal and state fire departments covered by these presumptive disability laws.

Under the Federal Employee Compensation Act (FECA), federal fire fighters must be able to pinpoint the precise incident or exposure, including naming the specific toxic substances fire fighters encountered, causing the diagnosed disease for it to be considered job-related. This burden of proof is extraordinarily difficult for fire fighters to meet because they respond to a wide variety of emergency calls, working in different environments and conditions. As a result, very few cases of occupational disease contracted by federal fire fighters are deemed service-connected and awarded a favorable determination under FECA.

LEGISLATION

House: [H.R. 2499, the Federal Firefighters Fairness Act](#)
Sponsors: Representative Salud Carbajal (D-CA); Representative Don Bacon (R-NE)

Senate: [S. 1116, the Federal Firefighters Fairness Act](#)
Sponsors: Senator Thomas Carper (D-DE); Senator Susan Collins (R-ME)

Summary: The *Federal Firefighters Fairness Act* would create a rebuttable presumption that cardiovascular disease, certain cancers and certain infectious diseases contracted by federal fire fighters are job-related for purposes of workers' compensation and disability retirement.