

**32 FST 481**  
**Personnel Management For The Fire Service**  
**Term Paper**  
*Beards in the Fire Service: Religious Belief or*  
*Safety Liability?*  
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It has been one of the most controversial subjects in recent history in the fire department. The number of cases regarding this issue is becoming ever more popular, with a different outcome resulting each time. There are even some cases that are still being fought, with no clear winner decided. The topic in question is beards in the fire service, why and how they exist, and how exactly these cases are handled in a court of law. The reason that beards are forbidden in the fire service is in order for the self-contained breathing apparatus (SCBA) to form a complete seal, it must be skin tight. If there is a beard present, or even any stubble-like growth, the SCBA will not fit properly. There is a test conducted to assure this, known as the fit test. Clearly, this is an issue of firefighter safety, which is the most important factor in any fire service. Yet individuals who practice certain religions where facial hair growth is not groomed believe their rights are violated. They are being forced to shave, which in their eyes means being stripped of their right to follow their religious practices. Some of the religions where this is an issue are: Orthodox Judaism, Sikhism, Hinduism and Islam. As said above, people who practice any one of these religions feel they are sacrificing their beliefs in order to satisfy traditional standards in the fire department. Conversely, fire departments believe that sacrificing one's safety for religious purposes is not a wise choice, and may end up being a fatal choice. The International Association of Firefighters (IAFF) believes that this is a violation against basic rights of an individual and will fight for them. Based on these terms, many cases are currently being resolved in courts around North America, with some already reaching a ruling. Another issue that has factored into this issue has to be affirmative action. Affirmative action in North America is definitely beneficial for the fire service and the community; yet with so many different people from different races and cultures being hired outside of the traditional North American specimen, it is fair to say that we are more likely to encounter people in the fire

service who follow the beliefs listed above. With this in mind, progressive thinking should be used by the fire service and its officials in order to prepare for the ever-changing environment in which they work. Though there may not be a black and white solution, many questions can be asked in order to better understand this situation

This paper will not attempt to convince one to form an opinion. The purpose of this paper is to tell both sides of the argument, while also informing one how and when the ‘facial hair debate’ comes into play in North America. By showing and displaying an unbiased opinion, many different people have been interviewed, and each response is quite interesting because they are seen as a representative for whom they are speaking on behalf of. Perhaps a better understanding of the ‘no beard rule’ in the fire service as well as its counterarguments will come to light.

To begin, it is necessary to explain exactly why facial hair has been outlawed by many departments – although not all. One good example can be found in a document released by the Minnesota Fire Department. They state that wearing facial hair that interferes with the facepiece seal violates the MN-OSHA 1910.134 and the use of SCBA<sup>1</sup>. The document that is referenced here is Occupational Safety and Health Administration Regulations (Standards - 29 CFR). It also continues to state in section [1910.134\(g\)\(1\)](#) that the employer shall not permit respirators with tight-fitting facepieces to be worn by employees who have: 1910.134(g)(1)(i)(A) Facial hair that comes between the sealing surface of the facepiece and the face or that interferes with valve function; or 1910.134(g)(1)(i)(B) Any condition that interferes with the face-to-facepiece seal or

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<sup>1</sup> minnesotafireservice.com/.../SCBA\_Fit\_Testing\_and\_Facial\_Hair.doc

valve function.<sup>2</sup> This has been implemented for obvious reasons – firefighter safety. The job of a firefighter already consists of extremely dangerous work related procedures, and tampering with this may lead to more short and long term damage to a firefighter’s health. With so much work and many programs devoted to *fighting* that issue, it is quite a silly notion to work backwards. If certain circumstances are deemed avoidable – which is the facial hair issue in this case – then proper actions should take place. It is clear that facial hair is seen as a potential hazard to firefighters, which means that it should be avoided at all costs.

The counterargument here is that certain religions state that facial hair is seen as human purity, and whenever it is cut, it is considered a sin.<sup>3</sup> This is where all the legal battles and ongoing cases have been congregated. While it is a necessity to keep an air tight seal on your SCBA, religious people feel that other measures can be done in order to accommodate their beliefs. There have been tests which have proven on many occasions that different methods of SCBA preparation can be prove an equal amount of safety to a bearded individual. There are also new products on the market available to fire departments which claim that their product can be worn in spite of facial hair. Here are a few examples:

*American Airworks* has devised a new SCBA product that could be quite revolutionary. They specialize in high pressure breathing air and oxygen products and sell their products to a lot of fire departments. One very interesting fact about them as well is that they are a Christian

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<sup>2</sup> [minnesotafireservice.com/.../SCBA\\_Fit\\_Testing\\_and\\_Facial\\_Hair.doc](http://minnesotafireservice.com/.../SCBA_Fit_Testing_and_Facial_Hair.doc)

<sup>3</sup> <http://www.freerepublic.com/focus/news/838876/posts>



based organization and trust that their daily business practices will reflect Biblical principals<sup>4</sup> This is extremely relevant because it is likely what has led them to create this new product, entitled Survivair Puma SCBA. It is the first NIOSH-certified, OSHA-compliant, hooded positive pressure SCBA designed to fit over beards and glasses. The hood is Responder-Plus™ material which is coated multi-layer polypropylene providing permeation barrier. Flexible neoprene neck seal, sealed polyurethane lens, factory installed removable silicone nose cup (available in 3 sizes) and a one-size-fits-all design. It is certified by NIOSH to provide a nominal service time of 30, 45 or 60 minutes, with an option of 2216 psi or 4500 psi cylinders. It meets the demands of industrial users who do not require the performance of an NFPA compliant SCBA, but still need the respiratory environments that are immediately dangerous to life or health (IDLH).<sup>5</sup> A picture of this product can be found in the upper left.

Now that this product is available to North Americans and has, apparently, been tested for its durability, can we finally put an end to this ongoing battle? Simply put – no. I wondered as to why this product wasn't used more frequently to avoid cases and legal battles. This led me to ask Mr. John Glass of his thoughts. He is a former captain of the Baltimore Fire Department and current professor at Seneca College in Toronto. He is still in touch with many members of the fire service around North America, so he is well aware of current events regarding fire

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<sup>4</sup> <http://www.americanairworks.com/index.html>

<sup>5</sup> [http://www.americanairworks.com/scba\\_SVR.html](http://www.americanairworks.com/scba_SVR.html)

equipment. He said about the product, ‘this mask is not NFPA compliant so it is not fused by fire fighters. It cannot be depended on as of yet.’<sup>6</sup>

Mr. Glass makes a great point. Looking at the last sentence from AA we see that it cannot meet the standards of NFPA – meaning firefighters cannot rely on such product to keep them safe in extreme conditions. If this is the best option for firefighters who refuse to abide by the no beard rule, it would be in their best interest to do other SOPs on site that do not require proper SCBA. Masks such as this need continued work and application to be certified and dependable to fire departments around the country to assure firefighter safety. Yet if this idea is perfected, it may finally be one of the solutions to letting certain firefighters practice their respective religion as they see fit while not sacrificing life safety.

It should be obvious by now that beards in the fire service do create a certain liability, but when was this rule enforced? If people have been hired, trained and certified by having this facial hair, how can the fire department step in now and say they have to shave it? This can be quite confusing, because why wouldn’t *somebody* in the recruiting process let the individual know that facial hair is outlawed?

The first goal was to find out exactly where it says that a candidate has to shave his beard. The National Fire Protection Association (NFPA) is the authoritative figure in all fire related matters. Many different standards have been released by them, but the main focus for this paper will be NFPA 1500. It states in section 7.12.8 Members who have a beard or facial hair at any point where the facepiece is designed to seal with the face, or hair that could interfere

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<sup>6</sup> John Glass – Firefighter retiree and Seneca Professor

with the operation of the unit, shall not be permitted to use respiratory protection at emergency incidents or in hazardous or potentially hazardous atmospheres. These restrictions shall apply regardless of the specific fit test measurement that can be obtained under test conditions.<sup>7</sup> Even though there is an official standard that states facial hair must be properly groomed, there are still numerous cases involving the issue, including one written in *Firehouse Magazine*. A fire department in the Midwest United States claimed that Vaseline was used to create a proper seal for a candidate with a beard – and it worked! Not only did it work, but the candidate was granted a pass by the agency.<sup>8</sup> This is obviously not at all practical, since, if this applicant was hired, he would not stop the rescue procedure every time to apply Vaseline over his face. The difference here is that no religious beliefs were involved, so this problem should have been faced from the start. This is one reason that shows why NFPA 1500 has stated the last sentence in section 7.12.8.

The next step was to see how different cities and towns treat candidates with facial hair – since there are so many different rules regarding it. My intention was to try and discover ‘real world’ issues about this topic. In order to do this, I got in contact with the local fitness testing company. They run the testing for all Toronto Fire Service Probationary Firefighters.<sup>9</sup> They conduct a Candidate Physical Ability Test (CPAT) held at Brock University, which is in a suburb of Toronto. I contacted Brock University to see if I could get any answers regarding the facial

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<sup>7</sup> <http://www.nfpa.org/assets/files/PDF/ROP/1500-F2001-ROC.pdf>

<sup>8</sup> Firehouse Magazine – October 2008 issue

<sup>9</sup> <http://www.toronto.ca/fire/recruitment/pf.htm>

hair dispute. I got a hold of a Brock University CPAT representative – Fern – and she told me the following: We treat all candidates equally, facial hair or not. I should let you know we provide a firefighter screening service for cities, so we don't hire them. We just screen the good from the poor.<sup>10</sup> I continued saying that nothing is done to applicants who compete with facial hair, even though they would have to shave it if hired. After explaining how much of a sensitive issue this is, Fern replied by saying: I do not know what the cities requirements are in terms of facial hair. Cities have not requested we make statements to individuals with facial hair, so it's not even brought up as an issue during screening. You're probably better off contacting HR (Human Resources) departments or Fire Chiefs regarding your inquiry. We are only the middle man.<sup>11</sup> This shows that there is not much care or attention put on this issue during the fitness testing, which is quite curious. Shouldn't the individual be informed of basic fire department regulations if he/she is to compete in the fitness test?

I followed Fern's advice and tried on numerous occasions to get a hold of somebody from the IAFF or the HR department of Toronto Fire. After unsuccessful emails and unreturned calls, I gave up on the issue, with not much resolve. However I did get a hold of Toronto Fire Recruitment Officer Ron Barrow. I asked him the same question I asked Fern and his response was the following: Generally the Occupation screening tests (CPAT) do not include the need to wear a functioning SCBA. For more information you should also contact the IAFF, owners of CPAT (which I tried - to no avail). Under the Ontario Occupational Health and Safety Act, you are not permitted to have facial hair where it will impact or reduce the efficiency of wearing and

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<sup>10</sup> Fern – Brock U representative (CPAT hosts)

<sup>11</sup> Fern – Brock U representative (CPAT hosts)

SCBA; that is where facial hair will cause a break in the face seal of the SCBA mask.<sup>12</sup>

Barrow's words were quite telling. Not much attention, if at all, is paid to applicants who show up to the CPAT with facial hair, since it is not part of the actual CPAT exam. However, some consideration may be a good idea since the candidate would have to shave it off if hired here in Toronto.

After retrieving some information from one side, I decided it would be a good idea to get in contact with people in a religious position of power. I had the opportunity to sit down with Rabbi Meir Gitlin. A Rabbi is the Jewish equivalent to a Priest – conducting and leading prayers and services at Synagogue (place of worship). Rabbi Gitlin works at the Chabad Lubavich Synagogue in Toronto. During the interview I asked him a series of questions regarding this issue, and informed him of past and current cases fought in the judicial system. Considering that Gitlin is a voice of the Jewish people it is interesting to hear what he had to say: Right off the bat I want to say that I feel a person who feels compelled to grow his beard should not apply - nor be hired as a firefighter (that is only - if in fact the beard has proven to be a true safety concern - I know there was an issue in Israel with the gas masks - you can take a look to see how that was resolved.) However, in a case where a man is already employed as a firefighter, then, for religious reasons wants to grow his beard. – Again – if it has been proven that a beard can and has been the cause for concern or G-d forbid, worse – then I am certain if he would speak to his Rabbi, he would receive a "heter" (a pardon - for the time being) from growing a beard – but he should certainly be looking for an alternative position in the dept. or even a totally new job that

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<sup>12</sup> Ron Barrow – Toronto Fire Recruitment Officer

he would be happy with and would allow him to fulfill his religious beliefs and grow his beard.<sup>13</sup> This is quite a surprise. Yet this was only the beginning. I continued to ask him about how the Jewish religion would view such a conflict. His response was: The Jewish (Torah) view on all these types of issues is always that one's safety and life comes before any tradition or even law. With that said though – one who understands the importance and spiritual meanings and benefits of a beard should not look into a profession that would require him or her to shave his or her beard (just trying to be politically correct) the same would be if someone had a religious issue with wearing a helmet or a hard-hat – he shouldn't be applying for a job at a construction site or expect the company to allow him to work there.

One shouldn't expect companies to compromise the safety of an employee or its other employees for an individual's religious custom or dress code. Nor should one compromise his or her religious beliefs or customs by applying for positions that would require you to do so.

All this is being said with the understanding that the “concerns” of having a beard, etc.. are actual and proven issues to be concerned about. Not just some attempt to keep out certain groups of our society from applying for certain jobs<sup>14</sup>

After hearing the Gitlin's words, something has become very clear – in the Jewish religion, personal safety is considered to be of utmost importance, even before traditional religious practices. This puts quite a different twist on some of the cases, especially the ones involving orthodox Jews who claim that it is against their religion to shave. An example of this

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<sup>13</sup> Rabbi Meir Gitlin – Chabad Lubavich Shul in Toronto

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case is one from the Washington DC Fire Department. Mr. Steve Chasin is not even an orthodox Jew, but wanted to ensure that if he had been one, his belief would be accommodated. If Chasin were to hear what Gitlin's said, better yet, if the court were to hear Gitlin, perhaps an enormous amount of time and money could be saved. It should be in the best interest of the firefighter to ensure if he is violating his religion, because if he is as religious as he says, he should understand that safety is the 'golden rule', at least in the Jewish religion.

Thus, is it clear that many cases are still currently being discussed, argued and finalized, though there is not one main answer to the problem. People still wish to have the right to practice their religion in whichever ways they see fit, yet that has obviously caused some problems. Firefighters and fire departments share the same set of rules, with personnel safety at the top of each list. Religious firefighters should be conscious of this, further telling them that the 'no beard rule' is not at all a hate-based rule – and I hope they do not see it that way. Other armed forces, such as Canada, allow for beards to be worn for religious practices. The main reason this is permitted is likely due to the fact that SCBA does not have to be worn each and every time they go to work. It is simply an issue of safety to ensure that firefighters have a perfect seal during all firefighting scenarios. The Jewish religion seems to let religious practices be 'put on hold' and I would think that this would be constant for other religions too, as again, safety cannot be overlooked.

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