



AN ACT PROTECTING THE EMPLOYMENT OF FIRST RESPONDERS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective from passage*) (a) No employer shall
2 discharge, or cause to be discharged, or in any manner discriminate
3 against any employee who is an active volunteer firefighter or member
4 of a volunteer ambulance service or company because such employee
5 is late arriving to work or absent from work as a result of responding
6 to a fire or ambulance call prior to or during the employee's regular
7 hours of employment.

8 (b) Each employee covered by this section shall:

9 (1) Not later than thirty days after the effective date of this section or
10 the date on which the employee is certified as a volunteer firefighter or
11 member of a volunteer ambulance service or company, whichever is
12 later, submit to the employer a written statement signed by the chief of
13 the volunteer fire department or the medical director or chief
14 administrator of the ambulance service or company, as the case may
15 be, notifying the employer of the employee's status as a volunteer
16 firefighter or member of a volunteer ambulance service or company;

17 (2) Make every effort to notify the employer that the employee may
18 report to work late or be absent from work in order to respond to an
19 emergency fire or ambulance call prior to or during the employee's

20 regular hours of employment;

21 (3) If unable to provide prior notification to the employer of a late
22 arrival to work or an absence from work in order to respond to an
23 emergency fire or ambulance call, submit to the employer a written
24 statement signed by the chief of the volunteer fire department or the
25 medical director or chief administrator of the volunteer ambulance
26 service or company, explaining why the employee was unable to
27 provide such prior notification;

28 (4) At the employer's request, submit a written statement from the
29 chief of the volunteer fire department or the medical director or chief
30 administrator of the volunteer ambulance service or company
31 verifying that such employee responded to a fire or ambulance call and
32 specifying the date, time and duration of such response;

33 (5) Promptly notify the employer of any change to the employee's
34 status as a volunteer firefighter or member of a volunteer ambulance
35 service or company, including, but not limited to, the termination of
36 such status.

37 (c) An employee who is discharged or discriminated against in
38 violation of this section may, not later than one year after the date of
39 the violation, bring an action in the superior court for the judicial
40 district where the violation is alleged to have occurred or where the
41 employer has its principal office, for the reinstatement of the
42 employee's previous job, payment of back wages and reestablishment
43 of employee benefits to which the employee would have otherwise
44 been entitled if such violation had not occurred. The court may award
45 the prevailing party costs, together with reasonable attorney's fees to
46 be taxed by the court.

47 (d) For purposes of this section, "employer" means a person
48 engaged in business who has employees, including the state and any
49 of its political subdivisions.

This act shall take effect as follows:	
Section 1	<i>from passage</i>

LAB

Joint Favorable Subst. C/R

JUD