



Senate

General Assembly

File No. 708

January Session, 2005

Substitute Senate Bill No. 818

Senate, May 5, 2005

The Committee on Labor and Public Employees reported through SEN. PRAGUE of the 19th Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

***AN ACT CONCERNING VOLUNTEERS PARTICIPATING IN
HOMELAND SECURITY DRILLS OR RESPONDING TO FIRE OR
AMBULANCE CALLS.***

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

1 Section 1. (NEW) (*Effective October 1, 2005*) (a) For the purposes of
2 this section, "volunteer organization" means an organization that (1)
3 provides first responder, rescue or emergency medical transportation
4 services, or is a volunteer fire company that provides emergency
5 medical or rescue services, as part of its duties, and (2) relies
6 exclusively or primarily upon volunteers to provide such services.

7 (b) Each volunteer organization that conducts a homeland security
8 drill at the request of the Department of Emergency Management and
9 Homeland Security that exceeds twenty-four consecutive hours in
10 length shall compensate any volunteer with such organization who is
11 otherwise employed and participates in such drill at the same rate as
12 such volunteer is compensated in his or her employment in the public

13 or private sector.

14 (c) In the event any such volunteer is injured, disabled or dies in the
 15 course of any such drill, such volunteer shall be compensated in
 16 accordance with the provisions of chapter 568 of the general statutes to
 17 the same extent that he or she would have been compensated for such
 18 injury, disability or death occurring in the course of his or her
 19 employment in the public or private sector.

20 Sec. 2. (NEW) (*Effective October 1, 2005*) Any employee of an
 21 employer with fifty or more employees who is an active volunteer
 22 firefighter or member of a volunteer ambulance service or company (1)
 23 may, with employer authorization, be permitted to leave work in order
 24 to respond to fire calls or ambulance calls during such employee's
 25 regular hours of employment without loss of pay, vacation time, sick
 26 leave or earned overtime accumulation, or (2) shall be permitted to
 27 respond to such calls prior to reporting for work without such prior
 28 employer authorization and without loss of pay, vacation time, sick
 29 leave or earned overtime accumulation, provided in either case, if
 30 requested by the employer, such employee submits a written
 31 statement from (A) the chief of the volunteer fire department, (B) the
 32 medical director or chief administrator of the volunteer ambulance
 33 service or company, or (C) the officer or other authorized individual of
 34 the volunteer fire department or volunteer ambulance service or
 35 company who was in charge of the scene at such fire or ambulance call
 36 verifying that such employee responded to a fire or ambulance call and
 37 specifying the date, time and duration of such response. For purposes
 38 of this section, "employer" means a person engaged in business who
 39 has employees, excluding the state and its political subdivisions, and
 40 "employee" means any person engaged in service to an employer in a
 41 business of the employer.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2005</i>	New section
Sec. 2	<i>October 1, 2005</i>	New section

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LAB *Joint Favorable Subst.*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

OFA Fiscal Note

State Impact: None

Municipal Impact:

Municipalities	Effect	FY 06 \$	FY 07 \$
Various Municipalities	STATE MANDATE - Cost	See Below	See Below

Explanation

The bill requires certain volunteer organizations to reimburse volunteers who participate in homeland security drills exceeding 24 hours in length at a rate equal to the rate they are compensated in their public or private sector job. This bill also provides volunteers who are injured or die during a homeland security drill the same workers' compensation benefits they would have received if these events had occurred in the course of their public or private sector employment.

Depending on the fiduciary relationship between a municipality and a volunteer organization, certain municipalities may be responsible for the volunteer organization's compensation reimbursement costs and/or increases in workers' compensation costs. It is anticipated that there will be no more than one homeland security drill exceeding 24 hours in length in any given year.¹

The bill also allows certain private sector employees, who are active volunteer firefighters or members of a volunteer ambulance service or company, to receive full pay for any regular work hours spent responding to a fire or ambulance call. This provision has no fiscal

¹ The U.S. Department of Homeland Security's Top Officials Three Exercise (TOPOFF 3) was conducted April 4-8, 2004 at five venues, including Connecticut.

impact on the state.

Please note that this fiscal note differs from the fiscal note in file copy 123 based on additional information regarding volunteer organizations.

OLR Bill Analysis

sSB 818

**AN ACT CONCERNING VOLUNTEERS PARTICIPATING IN
HOMELAND SECURITY DRILLS****SUMMARY:**

This bill requires any volunteer organization that conducts a homeland security drill at the request of the Department of Emergency Management and Homeland Security that exceeds 24 consecutive hours to compensate participating volunteers at the same rate they are compensated in their public- or private-sector jobs. It gives volunteers who die or are disabled or injured in the course of any such drill the same workers' compensation benefits that they would have received if these events had occurred in the course of their employment in the public or private sector.

The bill also allows volunteer firefighters and volunteer ambulance service or company members who work for private employers with 50 or more employees to respond to fire or ambulance calls without prior employer authorization before they report to work, and with their employer's authorization, during regular work hours, without losing pay, vacation time, sick leave, or earned overtime. In both cases, if the employer requests, employees must give them a written statement from the officer or other authorized fire department or ambulance personnel in charge of the scene verifying the employee's response and specifying the date, time, and duration.

EFFECTIVE DATE: October 1, 2005

VOLUNTEER ORGANIZATIONS

The bill defines a "volunteer organization" as one that (1) provides first responder, rescue, or emergency medical transportation services, or is a volunteer fire company that provides emergency medical or rescue services, as part of its duties and (2) relies exclusively or primarily upon volunteers to provide such services.

BACKGROUND

Legislative History

On April 15, the Senate referred the bill (File 123) to the Labor and Public Employees Committee, which added the provision affecting volunteer firefighters and volunteer ambulance service personnel missing work to respond to an emergency call.

COMMITTEE ACTION

Public Safety and Security Committee

Joint Favorable Report
Yea 22 Nay 0

Labor and Public Employees Committee

Joint Favorable Substitute
Yea 11 Nay 1