



House of Representatives

General Assembly

File No. 149

February Session, 2012

Substitute House Bill No. 5236

House of Representatives, March 28, 2012

The Committee on Labor and Public Employees reported through REP. ZALASKI of the 81st Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

***AN ACT CONCERNING VOLUNTEER FIRE DEPARTMENTS AND
AMBULANCE COMPANIES AND THE DEFINITION OF EMPLOYER
UNDER THE STATE OCCUPATIONAL SAFETY AND HEALTH ACT.***

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

1 Section 1. Subsection (d) of section 31-367 of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective*
3 *October 1, 2012*):

4 (d) "Employer" means the state and any political subdivision
5 thereof, any volunteer fire department and any volunteer ambulance
6 company;

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>October 1, 2012</i>	31-367(d)
-----------	------------------------	-----------

Statement of Legislative Commissioners:

The title was changed, and in section 1, "included" was deleted and "any" was inserted after the word "and" for consistency and to conform with the proper rules of grammar.

LAB *Joint Favorable Subst.-LCO*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact: None

Municipal Impact: None

Explanation

The bill, which requires volunteer fire departments and ambulance companies to comply with Conn-OSHA, has no fiscal impact as it conforms statute to the current practice of the Department of Labor.

The Out Years

State Impact: None

Municipal Impact: None

OLR BILL ANALYSIS**sHB 5236*****AN ACT CONCERNING VOLUNTEER FIRE DEPARTMENTS AND AMBULANCE COMPANIES AND THE DEFINITION OF EMPLOYER UNDER THE STATE OCCUPATIONAL SAFETY AND HEALTH ACT.*****SUMMARY:**

This bill requires volunteer fire departments and volunteer ambulance companies to comply with the state's Occupational Safety and Health Act (Conn-OSHA). By law, the state and political subdivisions must comply with Conn-OSHA. (Under current law, volunteer fire departments are not considered political subdivisions.)

EFFECTIVE DATE: October 1, 2012

BACKGROUND***Related Case***

The federal Occupational Safety and Health Act governs workplace safety in the private sector, but states may enact their own laws governing public-sector employers and employees. In *Mayfield v. Goshen Volunteer Fire Company* (301 Conn. 739 (2011)), the state Supreme Court ruled that a volunteer fire company did not have to comply with a Conn-OSHA warrant to inspect the company's premises because it was not a political subdivision of the state.

COMMITTEE ACTION

Labor and Public Employees Committee

Joint Favorable

Yea 11 Nay 0 (03/15/2012)