
OLR Bill Analysis

sHB 6434

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 a volunteer fire department or volunteer ambulance company to comply with the state's Occupational Safety and Health Act (Conn-OSHA), unless it can demonstrate that it is under federal OSHA jurisdiction. By law, Conn-OSHA governs workplace safety for the state and its political subdivisions; thus, non-governmental volunteer fire and ambulance departments are not considered under its jurisdiction. They are also not covered by federal OSHA unless they are privately chartered and have paid employees.

Although the bill requires non-governmental volunteer fire and ambulance organizations to comply with Conn-OSHA, it prohibits the labor commissioner from issuing a citation for a Conn-OSHA violation, unless the violation resulted in someone's serious bodily harm or death. In effect, the commissioner will be unable to issue citations and penalties for non-serious violations, but she will be able to issue citations and penalties for serious violations that result in serious bodily harm or death. The commissioner will also be able to levy other penalties that do not require a citation under existing law (CGS § 31-382), such as a \$10,000 fine for willful or repeated violations, or a \$1,000 fine for willfully obstructing a Conn-OSHA investigation.

EFFECTIVE DATE: October 1, 2013

BACKGROUND

Related Case

In *Mayfield v. Goshen Volunteer Fire Company* (301 Conn. 739 (2011)), the state Supreme Court ruled that a volunteer fire company that was

privately chartered and not under the control of a municipality was not a political subdivision of the state and therefore not subject to Conn-OSHA jurisdiction.

COMMITTEE ACTION

Labor and Public Employees Committee

Joint Favorable Substitute

Yea 11 Nay 0 (03/07/2013)