



General Assembly

February Session, 2014

Raised Bill No. 5070

LCO No. 335



Referred to Committee on LABOR AND PUBLIC EMPLOYEES

Introduced by:
(LAB)

**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2 repealed and the following is substituted in lieu thereof (*Effective*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, 2014*):

4 (d) "Employer" means the state and any political subdivision
5 thereof, and, except as provided in section 31-369, as amended by this
6 act, any volunteer fire department and any volunteer ambulance
7 company;

8 Sec. 2. Section 31-369 of the general statutes is repealed and the
9 following is substituted in lieu thereof (*Effective October 1, 2014*):

10 (a) This chapter applies to all employers, employees and places of
11 employment in the state except the following: (1) Employees of the
12 United States government; [and] (2) working conditions of employees
13 over which federal agencies other than the United States Department

14 of Labor exercise statutory authority to prescribe or enforce standards
15 or regulations affecting occupational safety and health; and (3) any
16 volunteer fire department or volunteer ambulance company that can
17 demonstrate such department or company is regulated by the
18 Occupational Safety and Health Act of 1970 (15 USC 651 et seq.).

19 (b) Nothing in this chapter shall be construed to supersede or in any
20 manner affect any workers' compensation law or to enlarge, diminish
21 or affect in any manner common law or statutory rights, duties or
22 liabilities of employers or employees, under any law with respect to
23 injuries, diseases or death of employees arising out of and in the course
24 of employment.

25 Sec. 3. Section 31-375 of the general statutes is repealed and the
26 following is substituted in lieu thereof (*Effective October 1, 2014*):

27 (a) [If] Except as provided in subsection (d) of this section, if, upon
28 inspection or investigation, the commissioner or his authorized
29 representative believes that an employer has violated any provision of
30 sections 31-369, as amended by this act, and 31-370, any standard
31 promulgated pursuant to section 31-372 or any regulations adopted
32 pursuant to this chapter, he shall, with reasonable promptness, issue a
33 citation to the employer. Each citation shall be in writing and shall
34 describe with particularity the nature of the violation, including a
35 reference to the provision of this chapter or the standard, regulation or
36 order alleged to have been violated. The citation shall fix a reasonable
37 time for the abatement of the violation.

38 (b) Each citation issued under this section or a copy or copies
39 thereof shall be prominently posted as prescribed in regulations issued
40 by the commissioner at or near each place a violation referred to in the
41 citation occurred.

42 (c) No citation may be issued under this section after the expiration
43 of six months following the occurrence of any violation.

44 (d) No citation may be issued under this section to a volunteer fire
45 department or volunteer ambulance company unless such volunteer
46 fire department's or volunteer ambulance company's violation resulted
47 in serious bodily harm or death to a person.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2014</i>	31-367(d)
Sec. 2	<i>October 1, 2014</i>	31-369
Sec. 3	<i>October 1, 2014</i>	31-375

Statement of Purpose:

To add volunteer fire departments and ambulance companies to the definition of "employer" under the state Occupational Safety and Health Act.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]