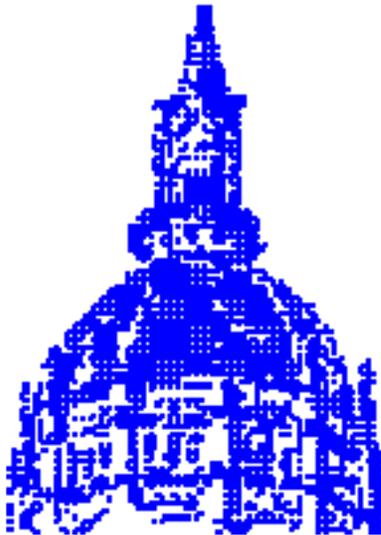


Office of Legislative Research
Connecticut General Assembly



**OLR ACTS AFFECTING
FIRE FIGHTERS**



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NOTICE TO READERS

This report provides brief highlights of public and special acts affecting fire fighters enacted during the 2003 regular session.

Not all provisions of the acts are included; readers are encouraged to obtain the full text of acts that interest them from the Connecticut State Library, the House Clerk's Office, or the General Assembly's website (<http://www.cga.state.ct.us>). Complete summaries of all public acts passed during the 2003 regular session will be available in early fall when OLR's *Public Act Summary* book is published; some are available now on the OLR website (<http://www.cga.state.ct.us/olr/publicactsummaries.asp>).

All acts summarized here are effective October 1, 2003, unless otherwise noted.

WORKPLACE HEALTH

A new law tightens restrictions on smoking in workplaces (including fire stations) and buildings open to the public. It bans smoking in any business facility (a structurally enclosed location) in which five or more employees work, except in a designated smoking room. A smoking room is only for employees. It must be a nonwork area except for custodial or maintenance work when it is unoccupied, and employees must not be required to go into it as part of their work duties. Under this new law, an employer who designates a smoking room for employees must provide sufficient nonsmoking break rooms for nonsmoking employees. And, by law, any employer may designate an entire facility as a nonsmoking area (**PA 03-45**).

INSURANCE BENEFITS FOR SURVIVORS OF FIRE FIGHTERS

This new law provides health insurance coverage for surviving spouses and dependent children, under age 18, of paid fire fighters who die from job-related injuries, before October 1, 2000, provided the survivors are not otherwise eligible for another health insurance plan. Under prior law, the coverage applied only to survivors of fire fighters

who died after September 30, 2000. (**PA 03-181**, effective upon passage).

PYROTECHNIC AND FIRE HAZARDS

A new law allows local fire marshals to order people immediately to vacate a building, other than a factory, when they determine there is a risk of death or injury from overcrowding, blocked exits, or indoor pyrotechnics use. A violation of the order carries a fine of \$200 to \$1,000, imprisonment for up to six months, or both. The law also gives local fire marshals the same authority as the state fire marshal to seize and dispose of illegal fireworks and makes miscellaneous changes pertaining to fire safety and fireworks (**PA 03-231**, effective upon passage).

FIRE POLICE

A new law requires fire police to use hand-held or portable traffic control devices while directing traffic on duty. It allows, rather than requires, that municipalities and fire districts supply the fire police with identifying badges, safety helmets, caps, vests, raincoats or other outer clothing, and flashlights. It makes other changes pertaining to clothing fire police must wear while performing their duties (**PA 03-249**).

EMPLOYMENT PROTECTION

A new law entitles state employees who are active volunteer fire fighters to receive full pay for any regular work hours spent responding to a fire without employer permission before they report to work. It also specifies an employee may leave work to respond to fire calls with his employer's permission. If the employer requests verification of the volunteer services, the employee must comply to receive pay for the hours missed. Under the law, time off cannot be charged against the employee's sick leave or overtime if the employee meets the criteria for leaving work for a call or for responding before reporting to work (**PA 03-249**).

Another new law prohibits employers from firing or discriminating against volunteer fire fighters who are late for, or absent from, work as a result of responding to a fire call. An

employee fired or discriminated against in violation of the law has one year to bring a Superior Court action for (1) reinstatement, (2) payment of back wages, and (3) reestablishment of employee benefits. The court may award the prevailing party costs and reasonable attorney's fees (**PA 03-259**, effective upon passage).

MUNICIPAL EMPLOYEE HEALTH INSURANCE PROGRAMS

Under a new law, a municipality that provides employees with health, accident, and hospital plan benefits must allow volunteer fire fighters to join its group health insurance plan if they (1) elect to enroll in the plan, (2) agree to pay the premium and any additional costs, and (3) meet the municipal definition of active members (**PA 03-254**).

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