

1 H.314

2 Introduced by Representatives Flory of Pittsford, Adams of Hartland, Donaghy
3 of Poultney, Komline of Dorset, Krawczyk of Bennington,
4 Larocque of Barnet, Lawrence of Lyndon, McNeil of Rutland
5 Town, Morrissey of Bennington, Myers of Essex and
6 Scheuermann of Stowe

7 Referred to Committee on

8 Date:

9 Subject: Labor; absence from employment; volunteer firefighters; emergency
10 medical personnel; employment protection

11 Statement of purpose: This bill proposes to permit volunteer firefighters and
12 emergency medical personnel to be absent from work to perform volunteer
13 civic activities without retaliation by the employer.

14 An act relating to employment protection for volunteer emergency medical
15 personnel and firefighters

16 It is hereby enacted by the General Assembly of the State of Vermont:

1 Sec. 1. 21 V.S.A. § 496a is added to read:

2 § 496a. CIVIC ACTIVITY; VOLUNTEER FIREFIGHTERS; EMERGENCY

3 MEDICAL PERSONNEL

4 (a) No employer shall discharge or in any manner discriminate against an
5 employee for absence from employment in order to perform volunteer civic
6 services as a volunteer firefighter or emergency medical service worker.

7 (b) Any employee who is discharged, demoted, suspended, or threatened
8 with discharge, demotion, suspension, or in any other manner discriminated
9 against in the terms and conditions of employment by his or her employer
10 because the employee has been absent from employment to perform
11 emergency firefighting activities is entitled to reinstatement and
12 reimbursement for lost wages and work benefits caused by the acts of the
13 employer. Any employer who willfully refuses to rehire, promote, or
14 otherwise restore an employee or former employee who has been determined
15 to be eligible for rehiring or promotion by a grievance procedure, arbitration,
16 or hearing authorized by law may be fined not more than \$1,000.00 or both.

17 (c) This section shall not apply to any employer that is a public safety
18 agency or provider of emergency medical services when the employer
19 determines the employee's absence would hinder the availability of public
20 safety or emergency medical services.

21 (d) For purposes of this section:

1 (1) “Emergency medical personnel” has the same meaning as in

2 24 V.S.A. § 2651.

3 (2) “Firefighter” has the same meaning as in 20 V.S.A. § 3151(3).