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S.15

Introduced by Senator Mullin of Rutland District

Referred to Committee on

Date:

Subject: Labor; volunteer firefighters; employment protection

Statement of purpose: This bill proposes to protect an employee from employer retaliation for taking time off to perform emergency duty as a volunteer firefighter.

AN ACT RELATING TO EMPLOYMENT PROTECTION FOR
VOLUNTEER FIREFIGHTERS

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

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

§ 496a. VOLUNTEER FIREFIGHTERS

(a) No employer shall discharge or in any manner discriminate against an employee for taking time off to perform emergency duty as a volunteer firefighter.

(b) Any employee who is discharged, threatened with discharge, demoted, suspended, or in any other manner discriminated against in the terms and conditions of employment by his or her employer because the employee has taken time off to perform emergency duty as a volunteer firefighter shall be

1 entitled to reinstatement and reimbursement for lost wages and work benefits
2 caused by the acts of the employer. Any employer who willfully refuses to
3 rehire, promote, or otherwise restore an employee or former employee who has
4 been determined to be eligible for rehiring or promotion by a grievance
5 procedure, arbitration, or hearing authorized by law shall be imprisoned for not
6 more than two years or fined not more than \$1,000.00 or both.

7 (c) This section shall not apply to any public safety agency or provider of
8 emergency medical services when, as determined by the employer, the
9 employee's absence would hinder the availability of public safety or
10 emergency medical services.

11 (d) For purposes of this section, "firefighter" shall have the same meaning
12 as in 20 V.S.A. § 3151(3).