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H.319

Introduced by Representatives Huntley of Cavendish, Berry of Manchester,  
Christie of Hartford, Connor of Fairfield, Dakin of Chester,  
Deen of Westminster, Ellis of Waterbury, Fields of Bennington,  
French of Randolph, Masland of Thetford, Potter of Clarendon,  
Stevens of Waterbury, Stuart of Brattleboro, Till of Jericho,  
Toleno of Brattleboro, Townsend of South Burlington, Troiano  
of Stannard, Yantachka of Charlotte, and Young of Glover

Referred to Committee on

Date:

Subject: Labor; fair employment practices; protections for volunteer  
firefighters and emergency medical personnel

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

An act relating to volunteer firefighters and volunteer emergency medical  
personnel

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

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

2 § 496b. VOLUNTEER FIREFIGHTERS AND EMERGENCY MEDICAL  
3 PERSONNEL

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

7 (b) Any employee who is discharged, threatened with discharge, demoted,  
8 suspended, or in any other manner discriminated against in the terms and  
9 conditions of employment by his or her employer because the employee has  
10 taken time off to perform emergency duty as a volunteer firefighter or as  
11 volunteer emergency medical personnel shall be entitled to reinstatement and  
12 reimbursement for lost wages and work benefits caused by the acts of the  
13 employer.

14 (c) Any employer who willfully refuses to rehire, promote, or otherwise  
15 restore an employee or former employee who has been determined to be  
16 eligible for rehiring or promotion by a grievance procedure, arbitration, or  
17 hearing authorized by law shall be imprisoned for not more than two years or  
18 fined not more than \$1,000.00, or both.

19 (d) This section shall not apply to any public safety agency or provider of  
20 emergency medical services, when, as determined by the employer, the

1 employee's absence would hinder the availability of public safety or  
2 emergency medical services.

3 (e) As used in this section:

4 (1) "Emergency medical personnel" and "emergency medical services"  
5 shall have the same meaning as in 24 V.S.A. § 2651.

6 (2) "Firefighter" shall have the same meaning as in 20 V.S.A. § 3151.

7 (3) "Public safety agency" shall have the same meaning as in  
8 20 V.S.A. § 1841.

9 Sec. 2. EFFECTIVE DATE

10 This act shall take effect on July 1, 2015.