

1 TO THE HONORABLE SENATE:

2 The Committee on Commerce and Economic Development to which was
3 referred Senate Bill No. 168 entitled “An act relating to employment protection
4 for volunteer emergency responders” respectfully reports that the bill be
5 amended by striking out all after the enacting clause and inserting in lieu
6 thereof the following:

7 Sec. 1. 21 V.S.A. § 495o is added to read:

8 § 495o. VOLUNTEER EMERGENCY RESPONDERS

9 (a) As used in this section:

10 (1) “Emergency medical personnel” shall include “emergency medical
11 personnel,” “ambulance service,” “emergency medical services,” and “first
12 responder service” as defined in 24 V.S.A. § 2651.

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

14 (3) “Volunteer emergency responder” means a volunteer firefighter or
15 volunteer emergency medical personnel.

16 (b) An employer shall not discharge, discriminate, or retaliate against an
17 employee because the employee was absent from work to perform duty as a
18 volunteer emergency responder.

19 (c) This section shall not apply to:

1 (1) a public safety agency or provider of emergency medical services if,
2 as determined by the employer, the employee’s absence would hinder the
3 availability of public safety or emergency medical services; or

4 (2) an employer that provides goods or services to the general public if
5 the employee’s absence would require the employer to suspend all business
6 operations at a location that is open to the general public.

7 (d) An employee that is a volunteer emergency responder shall notify his or
8 her employer at the time of hire or at the time that the employee becomes a
9 volunteer emergency responder and shall provide the employer with a written
10 statement signed by the chief of the volunteer fire department or the designated
11 director or chief of the ambulance service or emergency medical services
12 stating that the employee is a volunteer emergency responder.

13 (e) Nothing in this section shall prohibit an employer from requiring an
14 employee to provide reasonable notice that the employee is leaving work to
15 respond to an emergency.

16 (f)(1) An employer shall not be required to compensate an employee for
17 time that an employee is absent from employment while performing his or her
18 duty as a volunteer emergency responder.

19 (2)(A) An employer may require an employee to use any accrued time
20 off for time that the employee is absent from work while performing his or her
21 duty as a volunteer emergency responder, provided that the employer shall

1 compensate the employee for any accrued time off used at his or her normal
2 hourly wage rate.

3 (B) Notwithstanding subdivision (A) of this subdivision (2), an
4 employer shall not prevent an employee from performing his or her duty as a
5 volunteer emergency responder due to a lack of accrued time off or paid leave.

6 Sec. 2. EFFECTIVE DATE

7 This act shall take effect on July 1, 2018.

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10 (Committee vote: _____)

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Senator _____

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FOR THE COMMITTEE