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H.623

Introduced by Representatives Burke of Brattleboro and Coffey of Guilford

Referred to Committee on

Date:

Subject: Labor; employment practices; fair employment practices; volunteer
firefighters

Statement of purpose of bill as introduced: This bill proposes to prohibit
employers from discriminating or retaliating against employees who are absent
from work while performing duties as volunteer firefighters and to require
employers to pay volunteer firefighters for time spent responding to an
emergency.

An act relating to employment protections for volunteer firefighters

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

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

§ 495o. VOLUNTEER FIREFIGHTERS

(a) As used in this section, “firefighter” has the same meaning as in
20 V.S.A. § 3151(3).

(b) An employer shall not discharge, discriminate, or retaliate against an
employee because the employee was absent from work to perform duty as a

1 volunteer firefighter, including responding to an emergency or attending
2 necessary training.

3 (c)(1) An employer shall compensate an employee at the employee's
4 normal hourly wage rate for any time that the employee is absent from work
5 because the employee is responding to an emergency as a volunteer firefighter.

6 (2) An employer shall not be required to compensate an employee for
7 time that an employee is absent from employment to attend necessary training
8 as a volunteer firefighter.

9 (3)(A) An employer may require an employee to use accrued paid leave
10 for time that the employee is absent from work to attend necessary training as a
11 volunteer firefighter, provided that the employer shall compensate the
12 employee for any accrued time off used at the employee's normal hourly wage
13 rate.

14 (B) Notwithstanding subdivision (A) of this subdivision (c)(3), an
15 employer shall not prevent an employee from attending necessary training as a
16 volunteer firefighter due to a lack of accrued paid leave.

17 (d) An employee shall notify the employee's employer at the time the
18 employee becomes a volunteer firefighter and shall provide the employer with
19 a written statement signed by the chief of the volunteer fire department stating
20 that the employee is a volunteer firefighter.

1 (e) Nothing in this section shall prohibit an employer from requiring an
2 employee to provide reasonable notice that the employee is leaving work to
3 respond to an emergency or must be absent from work to attend necessary
4 training.

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

9 Sec. 2. EFFECTIVE DATE

10 This act shall take effect on July 1, 2022.