S T A T E O F N E W Y O R K

9770

I N A S S E M B L Y

April 2, 2012

Introduced by M. of A. SKARTADOS -- read once and referred to the Committee on Labor

AN ACT to amend the labor law, in relation to volunteer firefighters and emergency medical services personnel job protection

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. The labor law is amended by adding a new section 207-b to read as follows:

S 207-B. VOLUNTEER FIREFIGHTER AND AMBULANCE WORKER JOB PROTECTION. 1. IT SHALL BE UNLAWFUL FOR ANY EMPLOYER OR HIS OR HER DULY AUTHORIZED AGENT TO DISCHARGE OR IN ANY OTHER MANNER DISCRIMINATE AGAINST AN EMPLOYEE AS TO HIS OR HER EMPLOYMENT BECAUSE HE OR SHE HAS RESPONDED TO AN EMERGENCY WHEN ACTING AS A VOLUNTEER FIREFIGHTER OR VOLUNTEER AMBULANCE WORKER.

2. FOR PURPOSES OF THIS SECTION:

(A) VOLUNTEER FIREFIGHTER SHALL HAVE THE SAME MEANING AS DEFINED IN SUBDIVISION ONE OF SECTION THREE OF THE VOLUNTEER FIREFIGHTERS' BENEFIT LAW; AND

(B) VOLUNTEER AMBULANCE WORKER SHALL HAVE THE SAME MEANING AS DEFINED IN SUBDIVISION ONE OF SECTION THREE OF THE VOLUNTEER AMBULANCE WORKERS' BENEFIT LAW.

3. FOR THE PURPOSES OF THIS SECTION, "RESPONDING TO AN EMERGENCY" SHALL MEAN:

(A) WHEN A VOLUNTEER FIREFIGHTER PARTICIPATES IN NECESSARY TRAVEL TO, WORKING AT, AND NECESSARY TRAVEL RETURNING FROM A FIRE, ALARM OF FIRE, HAZARDOUS MATERIAL INCIDENT OR OTHER EMERGENCY TO WHICH HIS OR HER FIRE DEPARTMENT, FIRE COMPANY, ANY UNIT THEREOF, EITHER HAS RESPONDED OR WOULD BE REQUIRED OR AUTHORIZED TO RESPOND, INCLUDING NECESSARY TRAVEL DURING SUCH WORK OR INCIDENTAL THERETO; OR

(B) WHEN A VOLUNTEER AMBULANCE WORKER PARTICIPATES IN NECESSARY TRAVEL TO, WORKING AT, AND NECESSARY TRAVEL RETURNING FROM AN ACCIDENT, ALARM OF ACCIDENT, OR OTHER DUTY TO WHICH HIS OR HER AMBULANCE DEPARTMENT, AMBULANCE COMPANY, OR ANY UNIT THEREOF, EITHER HAS RESPONDED OR WOULD BE REQUIRED OR AUTHORIZED TO RESPOND, INCLUDING NECESSARY TRAVEL DURING SUCH WORK OR INCIDENTAL THERETO.

S 2. This act shall take effect immediately.

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets [ ] is old law to be omitted.

LBD15225-01-2