

4767

2013-2014 Regular Sessions

I N S E N A T E

April 23, 2013

Introduced by Sen. GIPSON -- read twice and ordered printed, and when printed to be committed 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:

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

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

9 2. FOR PURPOSES OF THIS SECTION:

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

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

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

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

24 (B) WHEN A VOLUNTEER AMBULANCE WORKER PARTICIPATES IN NECESSARY TRAVEL
25 TO, WORKING AT, AND NECESSARY TRAVEL RETURNING FROM AN ACCIDENT, ALARM

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

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1 OF ACCIDENT, OR OTHER DUTY TO WHICH HIS OR HER AMBULANCE DEPARTMENT,
2 AMBULANCE COMPANY, OR ANY UNIT THEREOF, EITHER HAS RESPONDED OR WOULD BE
3 REQUIRED OR AUTHORIZED TO RESPOND, INCLUDING NECESSARY TRAVEL DURING
4 SUCH WORK OR INCIDENTAL THERETO.

5 S 2. This act shall take effect immediately.