
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 904 Session of
1993

INTRODUCED BY FLICK, MELIO, PLATTS, BROWN, KING, SATHER, TRELLO,
FARMER, HENNESSEY, E. Z. TAYLOR, SCHULER, WAUGH, HALUSKA,
GERLACH, HASAY, HUTCHINSON, TOMLINSON, PETRARCA, MIHALICH AND
HECKLER, MARCH 24, 1993

REFERRED TO COMMITTEE ON STATE GOVERNMENT, MARCH 24, 1993

AN ACT

1 Providing for civil service preference for members of volunteer
2 emergency service organizations.

3 The General Assembly of the Commonwealth of Pennsylvania
4 hereby enacts as follows:

5 Section 1. Short title.

6 This act shall be known and may be cited as the Volunteer
7 Emergency Service Provider Preference Act.

8 Section 2. Definitions.

9 The following words and phrases when used in this act shall
10 have the meanings given to them in this section unless the
11 context clearly indicates otherwise:

12 "Commission." The body or person charged by law with the
13 administration and enforcement of civil service provisions in a
14 municipality.

15 "Emergency service organization duties." Performance of acts
16 related to the provision or maintenance of emergency services,
17 including training and drills, by a member of a volunteer

1 emergency service organization.

2 "Volunteer ambulance service." A nonprofit chartered
3 corporation, association or organization located in this
4 Commonwealth which is regularly engaged in the service of
5 providing emergency medical care and transportation of patients.

6 "Volunteer emergency service organization." An organization
7 which is a volunteer fire company, volunteer ambulance service,
8 volunteer rescue squad or volunteer hazardous material response
9 team.

10 "Volunteer emergency service provider." A person who:

11 (1) has made himself or herself available for emergency
12 service organization duties as a member of a volunteer
13 emergency service organization for at least three consecutive
14 years; and

15 (2) has responded to at least 25% of the calls received
16 by the volunteer emergency service organization of which the
17 person was a member during the last three years of
18 consecutive service as a member of one or more volunteer
19 emergency service organizations.

20 "Volunteer fire company." A nonprofit chartered corporation,
21 association or organization located in this Commonwealth which
22 provides fire protection services and other voluntary emergency
23 service within this Commonwealth. Voluntary emergency service
24 provided by a volunteer fire company may include voluntary
25 ambulance and volunteer rescue service.

26 "Volunteer hazardous material response team." A nonprofit
27 chartered corporation, association or organization located in
28 this Commonwealth whose members are specially trained to respond
29 to accidents or situations where hazardous or toxic materials
30 are released into the environment.

1 "Volunteer rescue service." A nonprofit chartered
2 corporation, association or organization located in this
3 Commonwealth which provides rescue service in this Commonwealth.
4 Section 3. Preference.

5 (a) General rule.--If a volunteer emergency service provider
6 successfully passes a civil service appointment examination for
7 any position in a municipality and establishes that he or she
8 possesses the qualifications required by law for appointment to
9 the position, the civil service examination of the provider
10 shall be marked or graded an additional five points above the
11 mark or grade credited for the examination. The total mark or
12 grade so obtained shall represent the final mark or grade of the
13 volunteer emergency service provider and shall determine the
14 provider's standing on any eligible list certified or furnished
15 to the appointing power.

16 (b) Exceptions.--No volunteer emergency service provider
17 shall receive a preference under subsection (a) if any of the
18 following applies:

19 (1) The volunteer emergency service provider performed
20 no emergency service organization duties for a period of two
21 years or more prior to taking the civil service examination.

22 (2) The volunteer emergency service provider
23 discontinued emergency service organization duties for any of
24 the following reasons:

25 (i) Neglect or violation of any official duties.

26 (ii) Inefficiency, negligence, intemperance,
27 disobedience of orders or conduct unbecoming an officer.

28 (iii) Intoxication while on duty.

29 Section 4. Documentation.

30 The commission shall require an emergency service provider to

1 produce certification from each volunteer emergency service
2 organization with which the provider served during the last
3 three years of consecutive service prior to taking the civil
4 service examination. The certification shall state whether the
5 emergency service provider consistently made himself or herself
6 available for emergency service organization duties, whether the
7 provider actually performed emergency service organization
8 duties during the relevant period, and the percentage of calls
9 the provider responded to during that period. In addition, the
10 commission may require a volunteer emergency service provider to
11 produce such documentation as it deems sufficient to establish
12 eligibility for the preference granted under section 3.

13 Section 5. Repeals.

14 All acts and parts of acts are repealed insofar as they are
15 inconsistent with this act.

16 Section 6. Effective date.

17 This act shall take effect in 60 days.