

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 676

Session of  
1977

INTRODUCED BY BURNS, J. L. WRIGHT, WEIDNER, WANSACZ, McLANE,  
MUSTO, ZORD, WILSON, LINCOLN AND FISHER, MARCH 22, 1977

REFERRED TO COMMITTEE ON LABOR RELATIONS, MARCH 22, 1977

AN ACT

1 Prohibiting public employers from firing public employees who  
2 lose time from employment in the line of duty as volunteer  
3 firemen and providing penalties.

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

6 Section 1. No public employer shall fire a public employee  
7 who is a volunteer fireman and in the line of duty, has  
8 responded to a call prior to the time he was due to report for  
9 work resulting in a loss of time from his employment.

10 Section 2. All employees of the Commonwealth of Pennsylvania  
11 or any of its political subdivisions shall incur no loss of  
12 salary when time is lost from employment in accordance with  
13 section 1.

14 Section 3. Any public employee losing time as provided in  
15 section 1 shall supply his employer with a statement from the  
16 chief of his volunteer fire company stating that he responded to  
17 a call and the time thereof.

18 Section 4. As used in this act, "line of duty" shall mean

1 going to, coming from or during fire prevention and safety  
2 activities which includes fire prevention, first aid, rescue and  
3 salvage, ambulance service, fire police work, assistance at  
4 accidents, control of crowds both on the fire grounds and at  
5 occasions of public or general assembly, animal rescue,  
6 abatement of conditions due to storm, flood or general peril,  
7 abatement or removal of hazards to safety and such other  
8 activities as are commonly undertaken by fire companies and  
9 their affiliated organizations.

10 Section 5. Any public employer who willfully and knowingly  
11 violates the provisions of this act shall be liable to the  
12 public employee affected in the amount of his unpaid wages and  
13 in addition, an equal amount as liquidated damages. Action to  
14 recover such wages and damages may be maintained in any court of  
15 competent jurisdiction. The court in such action shall, in  
16 addition to any wages and damages, allow a reasonable attorney's  
17 fee and costs of the action to the plaintiff.

18 Any action pursuant to the provisions of this act must be  
19 brought within two years from the date upon which the violation  
20 complained of occurs.

21 Section 6. This act shall take effect immediately.