

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 86

Session of  
1991

INTRODUCED BY DEMPSEY, FARGO, CESSAR, MERRY, LAUGHLIN, PESCI,  
JOHNSON, MICHLOVIC, MELIO, TRELLO, JADLOWIEC, TRICH, HALUSKA,  
GODSHALL, NAILOR, PHILLIPS, CLARK, D. W. SNYDER, CIVERA,  
SAURMAN, CLYMER, STEELMAN, HESS, BUSH, KASUNIC, OLASZ, REBER,  
NAHILL, LEH, HASAY, HANNA, GEIST, TIGUE, M. N. WRIGHT, FOX,  
WOZNIAK, CORNELL, BUNT, FLICK, E. Z. TAYLOR, RAYMOND, BELARDI  
AND GERLACH, JANUARY 29, 1991

REFERRED TO COMMITTEE ON LABOR RELATIONS, JANUARY 29, 1991

AN ACT

1 Amending the act of December 1, 1977 (P.L.249, No.83), entitled,  
2 as amended, "An act prohibiting employers from firing  
3 employees who lose time from employment in the line of duty  
4 as volunteer firemen, fire police and volunteer members of  
5 ambulance services and rescue squads; and providing  
6 penalties," extending the act to participation in fire safety  
7 and prevention instruction.

8 The General Assembly of the Commonwealth of Pennsylvania  
9 hereby enacts as follows:

10 Section 1. The act of December 1, 1977 (P.L.249, No.83),  
11 entitled, as amended, "An act prohibiting employers from firing  
12 employees who lose time from employment in the line of duty as  
13 volunteer firemen, fire police and volunteer members of  
14 ambulance services and rescue squads; and providing penalties,"  
15 is amended by adding a section to read:

16 Section 1.2. No employer shall terminate, discipline or  
17 discriminate against any employee who is a volunteer fireman  
18 because such employee has lost time from his employment due to

1 his participation, as a student or instructor, in fire safety or  
2 fire prevention instruction at the request of the chief  
3 executive officer of his volunteer fire company. This section  
4 shall only apply to a loss of employment time during the course  
5 of no more than five days in any calendar year. In order to  
6 qualify for the protection accorded by this section, the  
7 employee must provide his employer with written notification  
8 thereof, at least five days in advance of his participation in  
9 such instruction.

10 Section 2. Section 2 of the act is amended to read:

11 Section 2. Any time lost from employment as provided in  
12 section 1 or section 1.2 may be charged to the employee's  
13 regular pay.

14 Section 3. Section 3 of the act, amended December 5, 1988  
15 (P.L.1102, No.131), is amended to read:

16 Section 3. (a) Any employee losing time as provided in  
17 section 1 shall supply his employer with a statement from the  
18 chief executive officer of his volunteer fire company, ambulance  
19 service or rescue squad or its affiliated organization stating  
20 that he responded to a call and the time thereof.

21 (b) Any employee losing time from his employment as provided  
22 in section 1.2 shall supply his employer with a statement from  
23 the chief executive officer of his fire company identifying the  
24 instruction and stating the time, date, place and nature of such  
25 instruction and stating that the employee's participation was at  
26 the request of such chief executive officer.

27 Section 4. This act shall take effect in 60 days.