
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 196 Session of
2005

INTRODUCED BY FLICK, TIGUE, GABIG, YOUNGBLOOD, BARRAR, BUNT,
GEIST, GILLESPIE, HARRIS, KAUFFMAN, KILLION, LaGROTTA,
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PETRARCA, REICHLEY, SATHER, E. Z. TAYLOR, THOMAS, WALKO,
WANSACZ AND WILT, FEBRUARY 1, 2005

REFERRED TO COMMITTEE ON VETERANS AFFAIRS AND EMERGENCY
PREPAREDNESS, FEBRUARY 1, 2005

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 Employment Preference Hiring 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,

1 including training and drills, by a member of a volunteer
2 emergency service organization.

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

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

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

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

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

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

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

1 are released into the environment.

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

5 Section 3. Preference in employment hiring.

6 (a) Commonwealth examinations.--If a volunteer emergency
7 service provider successfully passes a civil service appointment
8 examination for a paid emergency organization position under
9 this Commonwealth, or any political subdivision thereof, and
10 establishes the qualifications required by law for appointment
11 to the position, he shall be marked or graded an additional five
12 points above the mark or grade credited for the examinations,
13 and the total mark or grade thus obtained shall represent the
14 final mark or grade of the volunteer emergency service provider,
15 and determine his standing on any eligible list, certified or
16 furnished to the appointing power.

17 (b) Municipal examinations.--If a volunteer emergency
18 service provider takes any examination for appointment in the
19 civil service of any of the various municipal agencies within
20 this Commonwealth, as required by any existing law or any law
21 which may hereafter be enacted, his examination shall be marked
22 or graded 10% perfect before the quality or contents of the
23 examination shall be considered. When the examination of the
24 volunteer emergency service provider is completed and graded,
25 such grading or percentage as the examination merits shall be
26 added to the 10%, and such total mark or grade shall represent
27 the final grade or classification of the volunteer emergency
28 service provider and determine his order of standing on the
29 eligible list.

30 (c) Exceptions.--No volunteer emergency service provider

1 shall receive a preference under subsection (a) if any of the
2 following applies:

3 (1) The provider performed no emergency service
4 organization duties for a period of two years or more prior
5 to taking the civil service examination.

6 (2) The provider discontinued emergency service
7 organization duties for any of the following reasons:

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

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

11 (iii) Intoxication while on duty.

12 Section 4. Documentation.

13 The commission shall require an emergency service provider to
14 produce certification from each volunteer emergency service
15 organization with which the provider served during the last
16 three years of consecutive service prior to taking the civil
17 service examination. The certification shall state whether the
18 provider consistently made himself available for emergency
19 service organization duties, whether the provider actually
20 performed emergency service organization duties during the
21 relevant period and the percentage of calls the provider
22 responded to during that period. The commission may require the
23 provider to produce such documentation as it deems sufficient to
24 establish eligibility for the preference granted under section
25 3.

26 Section 5. Effective date.

27 This act shall take effect in 60 days.