



NEW YORK STATE SENATOR

Shirley L. Huntley

Protecting Volunteers from Employment Termination

SHIRLEY L. HUNTLEY May 25, 2010

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Senator Shirley L. Huntley Protects the Men and Women

Who Protect Our Communities

Employees cannot be terminated for volunteering time!

(D-Jamaica) Senator Huntley and the Democratic Majority has passed legislation (S. 4988) protecting volunteer firefighters and emergency medical service providers (EMS) from being terminated from their paid employment for missing work time due to performing those duties. The bill passed with unanimous bipartisan support, which speaks to the strength and need of the bill.

“More than 80 percent of New York State relies on the services of volunteer firefighters and EMS men and women who cannot be replaced without enormous cost to local governments,” Senator Huntley said. “Attracting and retaining volunteers has become a challenge for local fire and EMS companies, yet their services are critical to the safety and well being of New Yorkers. Volunteers should not have to choose between their job and protecting their

communities.”

Volunteer firefighters and emergency medical service providers protect our children, our families, and our communities. This bill expresses our appreciation of the work they perform by providing protection for them while they are busy protecting others. Their dedication, commitment, and sacrifice, has given our communities prompt and efficient service during emergencies. It has made our neighborhoods a safer place to live.

This bill not only protects volunteer firefighters and emergency medical service providers but their employers as well. The volunteer must present verification from a commanding officer that they were in fact dispatched. Not only that, but the absences will be charged against the employee’s accrued leave. In the event that the employee does not have accrued time to offset any time lost, the employer must either grant at least three hours of authorized absence in any twelve month period or allow authorized absence for volunteer response during work hours at least two times per calendar year. The latter provisions will act as a safeguard against abuse and fraud.

They are a crucial aspect of our communities and we need them to continue the good work they have been doing. This piece of legislation will ensure that they will not be penalized for serving their communities. Eight states including Ohio, Illinois and California have passed laws to protect their emergency volunteers. It’s time we do the same.