

MAINE STATE LEGISLATURE

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118th MAINE LEGISLATURE

FIRST REGULAR SESSION-1997

Legislative Document

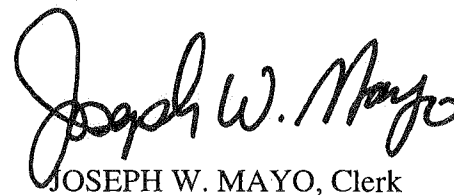
No. 452

H.P. 330

House of Representatives, January 23, 1997

An Act to Protect the Rights of Employees Who Volunteer Their Time as Firefighters.

Reference to the Committee on Labor suggested and ordered printed.


JOSEPH W. MAYO, Clerk

Presented by Representative JONES of Pittsfield. (By Request)
Cosponsored by Representatives: BUCK of Yarmouth, CIANCHETTE of South Portland,
TREADWELL of Carmel.

2 **Be it enacted by the People of the State of Maine as follows:**

4 **Sec. 1. 26 MRSA c. 7, sub-c. IV-C is enacted to read:**

6 **SUBCHAPTER IV-C**

8 **LEAVE FOR VOLUNTEER FIREFIGHTING**

10 **§809. Absence for volunteer firefighting**

12 1. Notice of absence. Any active member of a volunteer fire
14 association as defined in Title 30-A, section 3151 who, in
16 response to fire or other emergency, is absent from a position
18 other than a temporary position in the employ of any employer
20 shall:

22 A. Give notice to the employer of the employee's absence
24 for firefighting duties; and

26 B. If the employer so requests, obtain a confirmation from
28 the fire chief or other responsible individual of the time
30 and duration of the call to firefighting duty.

32 2. Absence with leave. An employee who is in compliance
34 with this section may not be penalized by the employer for that
36 absence from work. The period of absence must be construed as an
38 absence with leave and, within the discretion of the employer,
40 the leave may be with or without pay.

3. Remedies. If an employer fails to comply with this
section, the employee may, at the employee's election, bring a
civil action for damages for the noncompliance or apply to the
courts for such equitable relief as may be just and proper under
the circumstances.

SUMMARY

This bill prohibits an employer from penalizing an employee who is absent from work to perform volunteer firefighting duties if the employee has provided proper notice to the employer.