

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)



119th MAINE LEGISLATURE

FIRST REGULAR SESSION-1999

Legislative Document

No. 1571

H.P. 1112

House of Representatives, March 2, 1999

**An Act to Protect the Rights of Employees Who Volunteer Time As
Firefighters.**

Reference to the Committee on Labor suggested and ordered printed.

A handwritten signature in black ink that reads "Joseph W. Mayo".

JOSEPH W. MAYO, Clerk

Presented by Representative JONES of Pittsfield.

Cosponsored by Representatives: NUTTING of Oakland, SAXL of Portland.

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, subsection 3**
who, in response to fire or other emergency, is absent from a
position other than a temporary position in the employ of any
employer shall:

16 **A. Give notice to the employer of the employee's absence**
18 **for firefighting duties; and**

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

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

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

36 **SUMMARY**

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