

CHAPTER 162**(HB 101)**

AN ACT relating to the dismissal of volunteer firefighters.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

SECTION 1. A NEW SECTION OF KRS CHAPTER 337 IS CREATED TO READ AS FOLLOWS:

- (1) No employer shall terminate an employee who is a volunteer firefighter because that employee, when acting as a volunteer firefighter, is absent or late to the employee's employment in order to respond to an emergency prior to the time the employee is to report to his or her place of employment.*
- (2) An employer may charge any time that an employee who is a volunteer firefighter loses from employment because of the employee's response to an emergency against the employee's regular pay.*
- (3) An employer may request an employee who loses time from the employee's employment to respond to an emergency to provide the employer with a written statement from the chief of the volunteer fire department stating that the employee responded to an emergency and listing the time and date of the emergency.*
- (4) Any employee that is terminated in violation of the provisions of this section may bring a civil action against his or her employer. The employee may seek reinstatement to the employee's former position, payment of back wages, reinstatement of fringe benefits, and reinstatement of seniority rights. In order to recover, the employee shall file this action within one (1) year of the date of the violation of this section.*

Approved March 22, 2001