

CHAPTER 17**(HB 388)**

AN ACT relating to emergency service personnel.

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

Section 1. KRS 337.100 is amended to read as follows:

- (1) No employer shall terminate an employee who is a volunteer firefighter, *rescue squad member, emergency medical technician, peace officer, or a member of an emergency management agency* because that employee, when acting as a volunteer firefighter, *rescue squad member, emergency medical technician, peace officer, or a member of an emergency management agency*, 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, *rescue squad member, emergency medical technician, peace officer, or a member of an emergency management agency* 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 *supervisor or acting supervisor*~~[chief]~~ of the volunteer fire department, *rescue squad, emergency medical services agency, law enforcement agency, or the director of the emergency management agency* 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 *where seniority rights are granted, the* 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 01, 2002