

No. 1977-83

AN ACT

HB 677

Prohibiting employers from firing employees who lose time from employment in the line of duty as volunteer firemen and providing penalties.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. No employer shall terminate an employee who is a volunteer fireman and in the line of duty has responded to a call prior to the time he was due to report for work resulting in a loss of time from his employment.

Section 2. Any time lost from employment as provided in section 1 may be charged to the employee's regular pay.

Section 3. Any employee losing time as provided in section 1 shall supply his employer with a statement from the chief of his volunteer fire company stating that he responded to a call and the time thereof.

Section 4. As used in this act, "line of duty" shall mean going to, coming from or during fire prevention and safety activities which includes fire prevention, first aid, rescue and salvage, ambulance service, fire police work, assistance at accidents, control of crowds both on the fire grounds and at occasions of public or general assembly, animal rescue, abatement of conditions due to storm, flood or general peril, abatement or removal of hazards to safety and such other activities as are commonly undertaken by fire companies and their affiliated organizations. The term "employer" includes any individual, partnership, association, corporation, business trust, or any person or group of persons acting directly or indirectly in the interest of an employer in relation to any employee.

Section 5. Any employer who willfully and knowingly violates the provisions of this act shall be required to reinstate such employee to his former position and shall be required to pay such employee all lost wages and benefits for the period between termination and reinstatement. Any action to enforce the provisions of this act shall be commenced within the period of two years within the date of violation and such action shall be commenced in the court of common pleas in which the employer is located.

Section 6. This act shall take effect immediately.

APPROVED—The 1st day of December, A. D. 1977.

MILTON J. SHAPP