

ASSEMBLY, No. 229

STATE OF NEW JERSEY 213th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2008 SESSION

Sponsored by:

Assemblyman JON M. BRAMNICK

District 21 (Essex, Morris, Somerset and Union)

SYNOPSIS

Requires employers to provide time off from work for members of certain volunteer organizations to respond to fires under certain conditions.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel



A229 BRAMNICK

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1 AN ACT concerning time off from work for members of certain
2 volunteer organizations and amending N.J.S.40A:14-36 and
3 supplementing chapter 14 of Title 40A of the New Jersey
4 Statutes.

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6 **BE IT ENACTED** by the Senate and General Assembly of the State
7 of New Jersey:

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9 1. (New section) Each employer not so required under
10 N.J.S.40A:9-160.1 shall grant time off from work to an employee
11 who is a member of a volunteer fire company, first aid or rescue
12 squad, or who serves as a volunteer driver of a municipally-owned
13 or operated ambulance:

14 a. When the employee is called to respond to a fire occurring
15 anywhere in the municipality in which he is employed; or

16 b. When the employee is called to respond to a fire occurring in
17 any other municipality, provided that the fire station or other
18 facility operated by a local fire department or force or first aid,
19 rescue or emergency squad from which the alarm originates and to
20 which the employee is required to report is located within five miles
21 of his place of employment.

22 The employee must present adequate proof to the employer of
23 his status as an active volunteer who is faithfully and actually
24 performing volunteer service for a recognized emergency service
25 organization in order to be granted time off in accordance with this
26 section.

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28 2. (New section) An employee who does not receive
29 compensation from his employer for time taken from work pursuant
30 to section 1 of P.L. , c. (C.) (now pending before the
31 Legislature as this bill) shall be eligible for compensation computed
32 at a rate comparable to his wages and appropriated pursuant to
33 N.J.S.40A:14-36 by the municipality in which the fire occurs.

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35 3. N.J.S.40A:14-36 is amended to read as follows:

36 40A:14-36. a. The governing body of a municipality, by
37 resolution, may appropriate annually such sums of money as they
38 shall deem necessary for the purpose of compensating any volunteer
39 fireman, not in receipt of compensation for his services, for any
40 losses sustained by him while performing his duties as such
41 volunteer fireman.

42 b. The governing body of a municipality, by resolution, may
43 appropriate annually such sums of money as they shall deem
44 necessary for the purpose of compensating any volunteer in a first
45 aid or rescue squad, or volunteer driver of a municipally-owned or

EXPLANATION – Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

1 operated ambulance, not in receipt of compensation for his services,
2 for any losses sustained by him while performing his duties as such
3 volunteer first aid or rescue squad member, or driver, when granted
4 time off to respond to a fire in accordance with P.L. , c. (C.)
5 (now pending before the Legislature as this bill).
6 (cf: N.J.S.40A:14-36)

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8 4. This act shall take effect immediately.

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STATEMENT

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13 This bill would require each employer in the State to provide
14 time off from work for an employee who is a member of a volunteer
15 fire company, first aid or rescue squad, or who serves as a volunteer
16 driver of a municipally-owned or operated ambulance under certain
17 conditions. Presently, only municipal governments are required by
18 State law to grant time off to these volunteers so that they can
19 respond to alarms occurring during the hours of their employment.
20 N.J.S.A.40A:9-160.1.

21 The conditions which would require an employer to grant time
22 off from work to a volunteer are: 1) the employee is called to
23 respond to a fire in the municipality in which he is employed; or 2)
24 the employee is called to respond to a fire in a separate
25 municipality, and the fire station or other facility operated by the
26 local fire department or first aid, rescue or emergency squad from
27 which the alarm originates and to which the employee is required to
28 report is located within five miles of his work place. An employee
29 would also be required to present adequate proof to the employer of
30 his status as an active volunteer in order to be granted time off in
31 accordance with the provisions of the bill.

32 The bill would also make the enumerated volunteers eligible to
33 receive compensation, if not already provided for by an employer,
34 for time spent away from work responding to a fire. The
35 compensation would be collected and paid for by the municipality
36 in which the fire occurred. The provisions of N.J.S.A.40A:14-36,
37 which currently apply only to the compensation of volunteer
38 firefighters, is amended by the bill in order to accommodate the
39 broader scope of volunteers who would be eligible for
40 compensation.