

[First Reprint]

ASSEMBLY, No. 1263

STATE OF NEW JERSEY
213th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2008 SESSION

Sponsored by:

Assemblyman PAUL D. MORIARTY

District 4 (Camden and Gloucester)

Assemblyman JOHN J. BURZICHELLI

District 3 (Salem, Cumberland and Gloucester)

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District 3 (Salem, Cumberland and Gloucester)

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District 4 (Camden and Gloucester)

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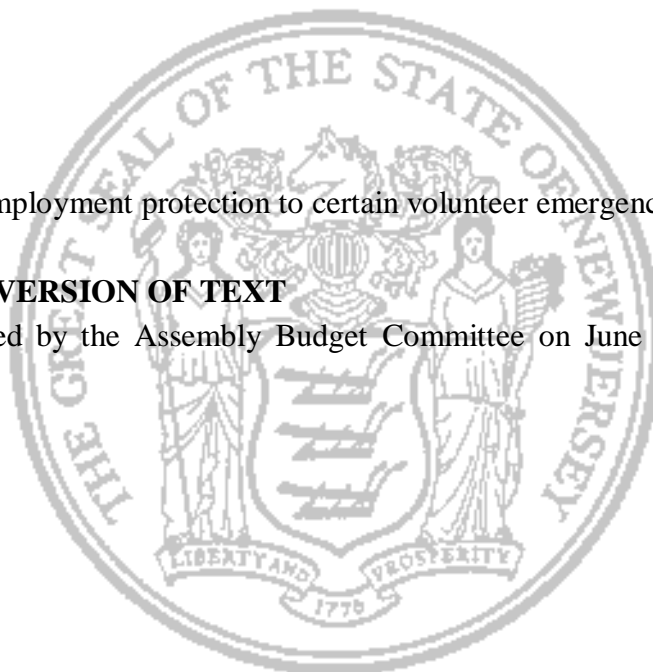
**Assemblymen Albano, Scalera, Ribble, Chivukula, Assemblywomen
Greenstein, Riley, Assemblyman Conaway, Senators Sweeney, Madden,
Girgenti and Baroni**

SYNOPSIS

Affords employment protection to certain volunteer emergency responders.

CURRENT VERSION OF TEXT

As reported by the Assembly Budget Committee on June 22, 2009, with amendments.



(Sponsorship Updated As Of: 1/12/2010)

1 AN ACT affording employment protections to volunteers responding
2 to emergency alarms in certain cases, and supplementing chapter
3 14 of Title 40A of the New Jersey Statutes.
4

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

7
8 1. This act shall be known and may be cited as the “Emergency
9 Responders Employment Protection Act.”
10

11 2. a. As used in this act, “volunteer emergency responder”
12 means an active member in good standing of a volunteer fire
13 company, a volunteer member of a duly incorporated first aid,
14 rescue or ambulance squad, or a member of any county or
15 municipal volunteer Office of Emergency Management, provided
16 the member’s official duties include responding to a fire or
17 emergency call.

18 b. No employer shall terminate, dismiss or suspend an
19 employee who fails to report for work at his place of employment
20 because he is serving as a volunteer emergency responder during a
21 state of emergency declared by the President of the United States or
22 the Governor of this State or is ¹actively engaged in responding to
23 an emergency alarm; provided the volunteer emergency responder
24 provides his employer with (1) notice, at least one hour before he is
25 scheduled to report to his place of employment, that he is rendering
26 emergency services in response to a declared state of emergency or
27 emergency alarm; and (2) upon returning to his place of
28 employment, a copy of the incident report and a certification by the
29 incident commander, or other official or officer in charge, affirming
30 that the volunteer emergency responder was actively engaged in ¹,
31 and necessary for,¹ rendering emergency services and setting forth
32 the date and time the volunteer emergency responder was relieved
33 from emergency duty by that officer or official, as the case may be.
34 If the volunteer emergency responder is actively engaged in
35 rendering emergency services for more than one consecutive work
36 day, the incident commander, or other official or officer in charge,
37 shall direct that appropriate notice be given the volunteer
38 emergency responder’s employer each day the volunteer is required
39 to be absent from his employment.

40 c. No employer shall be required to pay any employee for any
41 work time that the employee misses while serving as a volunteer
42 emergency responder pursuant to this subsection; provided,
43 however, a volunteer emergency responder may charge his absence

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.

Matter enclosed in superscript numerals has been adopted as follows:

¹Assembly ABU committee amendments adopted June 22, 2009.

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1 as a vacation day or a sick day, if the volunteer has such days
2 available.

3 d. The provisions of this act shall not apply to any employee
4 who, by statute or contract, is deemed an essential employee.

5

6 3. This act shall take effect on the first day of the third month
7 following enactment.