

# SENATE, No. 2351

## STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED APRIL 9, 2020

**Sponsored by:**

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**Senator LINDA R. GREENSTEIN**  
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**Assemblywoman LINDA S. CARTER**  
**District 22 (Middlesex, Somerset and Union)**  
**Assemblyman DANIEL R. BENSON**  
**District 14 (Mercer and Middlesex)**

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**SYNOPSIS**

Affords employment protections to certain emergency medical responders.

**CURRENT VERSION OF TEXT**

As introduced.



(Sponsorship Updated As Of: 4/13/2020)

1 AN ACT affording employment protections to emergency medical  
2 responders during a state of emergency and supplementing  
3 chapter 14 of Title 40A of the New Jersey Statutes.

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

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8 1. a. As used in this act:

9 “Emergency medical responder” means a paid or volunteer  
10 member of a duly incorporated first aid, rescue, or ambulance  
11 squad.

12 “First responder” means a law enforcement officer or paid or  
13 volunteer firefighter.

14 b. An employer shall not terminate, dismiss, or suspend an  
15 employee who fails to report to work because the employee is  
16 serving as an emergency medical responder during a state of  
17 emergency, provided the emergency medical responder provides the  
18 employer with (1) notice, at least one hour prior to when the  
19 employee’s shift is scheduled to begin, that the employee is  
20 rendering emergency medical services in response to a state of  
21 emergency; and (2) upon returning to the employee’s place of  
22 employment, a copy of the incident report and a certification by the  
23 incident commander, or other official or officer in charge, affirming  
24 that the emergency medical responder was actively engaged in, and  
25 necessary for, rendering emergency medical services and setting  
26 forth the date and time the emergency medical responder was  
27 relieved from emergency duty by that officer or official, as the case  
28 may be. If the emergency medical responder is actively engaged in  
29 rendering emergency medical services for more than one  
30 consecutive work day, the incident commander, or other official or  
31 officer in charge, shall direct that appropriate notice be given the  
32 emergency medical responder’s employer each day the volunteer is  
33 required to be absent.

34 c. A law enforcement agency or fire department or company  
35 shall not limit the ability of a first responder to serve as an  
36 emergency medical responder during a state of emergency.

37 d. Except as required by any other provision of law, an  
38 employer shall not be required to pay any employee for any work  
39 time that the employee is absent while serving as an emergency  
40 medical responder pursuant to this section. However, the  
41 emergency medical responder may use any vacation days or sick  
42 days that are available to the employee.

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44 2. This act shall take effect immediately.

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STATEMENT

This bill provides certain employment protections for emergency medical responders who, because they are providing emergency medical services related to a state of emergency, fail to report to work.

Under the bill, employers are prohibited from terminating, dismissing, or suspending an employee who fails to report to work because the employee is actively engaged in providing paid or volunteer emergency medical services related to a state of emergency. This protection is available, however, only if the employee provides the employer with (1) notice, at least one hour prior to when the employee’s shift is scheduled to begin, that the employee is rendering emergency medical services in response to a state of emergency; and (2) upon returning to the employee’s place of employment, a copy of the incident report and a certification by the incident commander, or other official or officer in charge, affirming that the emergency medical responder was actively engaged in, and necessary for, rendering emergency medical services and setting forth the date and time the emergency medical responder was relieved from emergency duty by that officer or official, as the case may be.

The bill also provides that if the emergency medical responder is actively engaged in rendering emergency medical services for more than one consecutive work day, the incident commander, or other official or officer in charge, is required to direct that appropriate notice be given to the emergency medical responder’s employer each day the volunteer is required to be absent.

In addition, this bill provides that a law enforcement agency or fire department or company is prohibited from limiting the ability of a first responder to serve as an emergency medical responder during a state of emergency.

The provisions of this bill do not require an employer to pay any employee for any work time that the employee is absent while serving as an emergency medical responder pursuant to this section. However, the emergency medical responder may use any vacation days or sick days that are available to the employee.

The bill defines “emergency medical responder” to mean a paid or volunteer member of a duly incorporated first aid, rescue, or ambulance squad. In addition, the bill defines “first responder” to mean a law enforcement officer or paid or volunteer firefighter.