

SECOND REGULAR SESSION
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1883
94TH GENERAL ASSEMBLY

Reported from the Special Committee on Rural Community Development March 11, 2008 with recommendation that House Committee Substitute for House Bill No. 1883 Do Pass by Consent. Referred to the Committee on Rules pursuant to Rule 25(21)(f).

D. ADAM CRUMBLISS, Chief Clerk

4667L.02C

AN ACT

To repeal section 320.336, RSMo, and to enact in lieu thereof one new section relating to employee job protection.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Section 320.336, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 320.336, to read as follows:

320.336. 1. No public or private employer shall terminate an employee for joining any fire department or fire protection district, including but not limited to any municipal, volunteer, rural, or subscription fire department or organization[, a] **or any** volunteer fire protection association, as a volunteer firefighter, **or the** Missouri-1 Disaster Medical Assistance Team, Missouri Task Force One, or Urban Search and Rescue Team, **or being activated to a national disaster response by the Federal Emergency Management Agency (FEMA)**.

2. No public or private employer shall terminate an employee who is a volunteer firefighter, a member of Missouri-1 Disaster Medical Assistance Team, Missouri Task Force One, or Urban Search and Rescue Team because the employee, when acting as a volunteer firefighter, **or as** a member of Missouri-1 Disaster Medical Assistance Team, Missouri Task Force One, [or] Urban Search and Rescue Team, **or FEMA** is absent from or late to his or her employment in order to respond to an emergency before the time the employee is to report to his or her place of employment.

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

14 3. An employer may charge against the employee's regular pay any **employment** time
15 [that] **lost by** an employee who is a volunteer firefighter, **or** a member of Missouri-1 Disaster
16 Medical Assistance Team, Missouri Task Force One, [or] Urban Search and Rescue Team [loses
17 from employment], **or FEMA** because of the employee's response to an emergency in the course
18 of performing his or her duties as a volunteer firefighter, **or** a member of Missouri-1 Disaster
19 Medical Assistance Team, Missouri Task Force One, [or] Urban Search and Rescue Team, **or**
20 **FEMA**.

21 4. In the case of an employee who is a volunteer firefighter, **or** a member of Missouri-1
22 Disaster Medical Assistance Team, Missouri Task Force One, [or] Urban Search and Rescue
23 Team, **or FEMA** and who loses time from his or her employment in order to respond to an
24 emergency in the course of performing his or her duties as a volunteer firefighter, **or** a member
25 of Missouri-1 Disaster Medical Assistance Team, Missouri Task Force One, [or] Urban Search
26 and Rescue Team, **or FEMA**, the employer has the right to request the employee to provide the
27 employer with a written statement from the supervisor or acting supervisor of the volunteer fire
28 department or the commander of Missouri-1 Disaster Medical Assistance Team **or the FEMA**
29 **supervisor** stating that the employee responded to an emergency and stating the time and date
30 of the emergency.

31 5. An employee who is a volunteer firefighter, or a member of Missouri-1 Disaster
32 Medical Assistance Team, Missouri Task Force One, [or] Urban Search and Rescue Team, **or**
33 **FEMA** and who may be absent from or late to his or her employment in order to respond to an
34 emergency in the course of performing his or her duties as a volunteer firefighter, or a member
35 of Missouri-1 Disaster Medical Assistance Team, Missouri Task Force One, [or] Urban Search
36 and Rescue Team, **or FEMA** shall make a reasonable effort to notify his or her employer that
37 he or she may be absent or late.

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