

FIRST REGULAR SESSION

HOUSE BILL NO. 317

101ST GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE TOALSON REISCH.

1088H.011

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To repeal section 320.336, RSMo, and to enact in lieu thereof one new section relating to reemployment rights of Missouri Task Force One members.

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Section A. Section 320.336, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 320.336, to read as follows: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

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

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.

18 volunteer firefighter, or a member of Missouri-1 Disaster Medical Assistance Team, Missouri
19 Task Force One, Urban Search and Rescue Team, or FEMA.

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

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

36 **6. Any member of Missouri Task Force One who is called to active duty shall, upon**
37 **being relieved from such duty, be entitled to the same reemployment rights provided by**
38 **Title 38 of the United States Code, the Revised Statutes of Missouri, and all amendments**
39 **thereto. The attorney general shall enforce the reemployment rights contained in this**
40 **subsection for members of Missouri Task Force One.**

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