

Delaware Firefighters Join Castle on Capitol Hill in Introducing Bipartisan Legislation Enabling Firefighters to More Readily Respond to Presidentially Declared Disasters -- March 29, 2007

WASHINGTON, D.C. -- Working with Delaware volunteer firefighters, Delaware Congressman Mike Castle today introduced legislation -- "The Volunteer Firefighter and EMS Personnel Job Protection Act," to ease the ability of volunteer firefighters to ably respond to a "Presidentially-declared disaster." The following firefighters from Delaware joined Castle at a Capitol Hill press conference.

- Alan Robinson, President of the Delaware Volunteer Firemen's Association
- Kenneth H. McMahon, Chairman, Delaware State Fire Prevention Commission
- Jim Watson, Delaware Volunteer Firemen's Association
- Allen Metheny, Delaware Volunteer Firemen's Association
- Jim Cabbage, Delaware Volunteer Firemen's Association
- Ron Marvel, Delaware Volunteer Firemen's Association
- Kevin Wilson, Delaware Volunteer Firemen's Association

"Over the past few years we have seen small and large national disasters throughout the United States -- from the flooding in New Orleans to the forest fires in the west. Time and time again, our volunteer firefighters and EMS personnel rose to the occasion and proved to be crucial in the rescue operations. Unfortunately, under current law, volunteer firefighters and EMS personnel are not protected from termination or demotion by their employer when they respond to national disasters," Castle said.

"The bill we are introducing today would remove this disincentive and enable first-responders to more readily respond to Presidentially-declared disasters by protecting their jobs while they are out saving lives."

Volunteer firefighters comprise nearly 75% of the nation's fire service and their assistance is crucial in natural or man-made disasters such as a terrorist attack. The protection offered in the Castle legislation would be similar to job protections given to members of the National Guard who are called up for service.

A FACT SHEET ON THE VOLUNTEER FIREFIGHTER AND EMS PERSONNEL JOB PROTECTION ACT IS ATTACHED

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The Volunteer Firefighter and EMS Personnel Job Protection Act

The Problem:

- Currently, volunteer firefighters and emergency medical services personnel when asked to respond to a national emergency are not protected from termination or demotion by their employer should they miss work in the process (which volunteer firefighters feel is a disincentive to lend their time).

- Volunteer firefighters comprise nearly 75 percent of the nation's fire service and in the wake of Hurricane Katrina, their assistance in responding to national disasters has become all the more evident.
- 8 states currently have legislation protecting volunteer firefighters from job termination or demotion: PA, IL, NJ, MA, WV, OH, KY and WA.

The Solution: Volunteer Firefighter and EMS Personnel Job Protection Act

- Prohibits an employer from terminating, demoting or otherwise discriminating against an employee for time absent from their job due to their service as a volunteer emergency responder in response to a national emergency/disaster.
- Protects volunteers' paid jobs for up to 14 days a year while they carry out their duties as a volunteer emergency responder during national emergencies or major disasters.
- Employers are not obligated to pay the firefighters' salary while away and the employee is required to make a reasonable effort to notify their employer they will be absent or late.
- Legislation only protects missed time due to a Presidentially-declared disaster/emergency.
- The employer may request written verification from FEMA or state/local authorities that the employee responded to the emergency or major disaster with time and date certification.
- A person who has been terminated, demoted or discriminated against in terms and conditions of employment may file civil suit in district court.
- The employee may seek reinstatement, payment of back wages, reinstatement of fringe benefits, and reinstatement of seniority.
- The employee must commence such action within 1 year after the date of violation.
- The protection offered in this legislation would be similar to job protections given to members of the National Guard who are called up for service.