

ASSEMBLY, No. 3924

STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED APRIL 9, 2020

Sponsored by:

Assemblyman JAMES J. KENNEDY

District 22 (Middlesex, Somerset and Union)

Assemblywoman LINDA S. CARTER

District 22 (Middlesex, Somerset and Union)

Assemblyman DANIEL R. BENSON

District 14 (Mercer and Middlesex)

Co-Sponsored by:

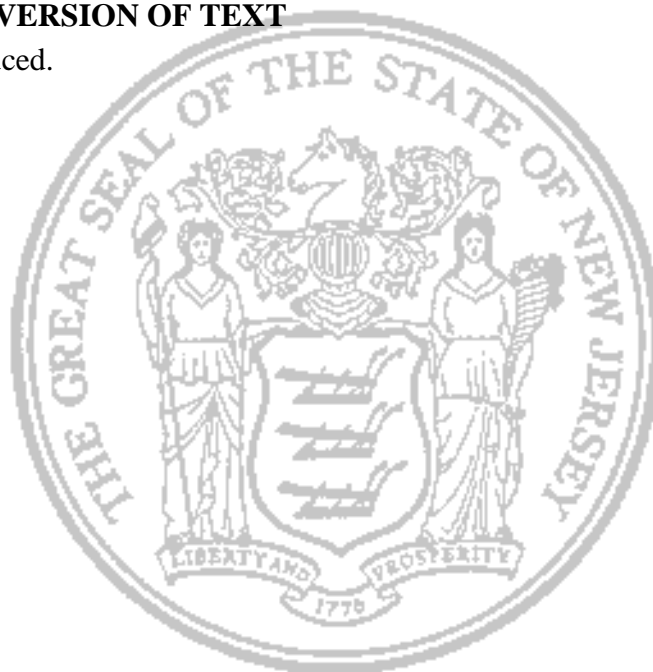
**Assemblymen Johnson, Holley, Assemblywoman Jasey, Assemblymen
Zwicker, Dancer, Rooney, Assemblywomen Pinkin, Swain, Assemblyman
Tully and Assemblywoman DiMaso**

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 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. 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 squad.

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

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

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

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

41
42 2. This act shall take effect immediately.

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45 **STATEMENT**

46
47 This bill provides certain employment protections for emergency
48 medical responders who, because they are providing emergency

1 medical services related to a state of emergency, fail to report to
2 work.

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

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

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

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

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