

FIRST REGULAR SESSION

# SENATE BILL NO. 211

102ND GENERAL ASSEMBLY

INTRODUCED BY SENATOR BEAN.

1130S.01H

KRISTINA MARTIN, Secretary

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Section A. Section 320.336, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 320.336, to read as follows: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

19 order to respond to an emergency before the time the  
20 employee is to report to his or her place of employment.

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

30 4. In the case of an employee who is a volunteer  
31 firefighter, or a member of Missouri-1 Disaster Medical  
32 Assistance Team, Missouri Task Force One, Urban Search and  
33 Rescue Team, or FEMA and who loses time from his or her  
34 employment in order to respond to an emergency in the course  
35 of performing his or her duties as a volunteer firefighter,  
36 or a member of Missouri-1 Disaster Medical Assistance Team,  
37 Missouri Task Force One, Urban Search and Rescue Team, or  
38 FEMA, the employer has the right to request the employee to  
39 provide the employer with a written statement from the  
40 supervisor or acting supervisor of the volunteer fire  
41 department or the commander of Missouri-1 Disaster Medical  
42 Assistance Team or the FEMA supervisor stating that the  
43 employee responded to an emergency and stating the time and  
44 date of the emergency.

45 5. An employee who is a volunteer firefighter, or a  
46 member of Missouri-1 Disaster Medical Assistance Team,  
47 Missouri Task Force One, Urban Search and Rescue Team, or  
48 FEMA and who may be absent from or late to his or her  
49 employment in order to respond to an emergency in the course  
50 of performing his or her duties as a volunteer firefighter,

51 or a member of Missouri-1 Disaster Medical Assistance Team,  
52 Missouri Task Force One, Urban Search and Rescue Team, or  
53 FEMA shall make a reasonable effort to notify his or her  
54 employer that he or she may be absent or late.

55 **6. Any member of Missouri Task Force One shall be**  
56 **entitled to the initial employment rights, reemployment**  
57 **rights, retention in employment rights, promotion rights,**  
58 **and discrimination protections provided by Title 38 of the**  
59 **United States Code, the Revised Statutes of Missouri, and**  
60 **all amendments thereto. The attorney general shall enforce**  
61 **the rights and protections contained in this subsection for**  
62 **members of Missouri Task Force One.**

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