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## Labor & Workplace Standards Committee

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### SSB 5384

**Brief Description:** Concerning volunteer firefighters.

**Sponsors:** Senate Committee on Labor, Commerce & Tribal Affairs (originally sponsored by Senators Warnick, Short and Wilson, L.).

<p style="text-align: center;"><b>Brief Summary of Substitute Bill</b></p> <ul style="list-style-type: none"><li>• Modifies the definition of volunteer firefighter for purposes of employment protection provisions.</li></ul>
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**Hearing Date:** 3/16/21

**Staff:** Lily Smith (786-7175).

**Background:**

An employer with 20 or more full-time equivalent employees may not discharge from employment or discipline a volunteer firefighter because of leave taken related to an alarm of fire or an emergency call.

The Department of Labor and Industries (L&I) must investigate complaints filed by volunteer firefighters of alleged violations of these protections. If L&I determines a violation occurred, the volunteer firefighter may bring an action against the employer for reinstatement or withdrawal of the disciplinary action, including back pay.

For the purposes of these provisions, a volunteer firefighter is a firefighter who:

- is not paid;
- is not already at their place of employment when called to serve as a volunteer, unless the

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- employer agrees to provide such accommodation; and
- has been ordered to remain at their position by the commanding authority at the scene of the fire.

**Summary of Substitute Bill:**

The definition of volunteer firefighter is modified for the purposes of employment protections.

A volunteer firefighter is a firefighter covered under the Volunteer Firefighters' and Reserve Officers' Pension and Relief System who:

- voluntarily performs, regardless of reimbursement, any assigned or authorized duties on behalf of, or at the direction of, a firefighting or emergency response unit of a city, county, fire district, regional fire protection district, port district, or the state, including service performed under the state fire service mobilization plan; and either
- has notified their employer of their firefighter status and intent to serve as a volunteer if already at the place of employment when called to serve as a volunteer; or
- if not already at the place of employment when called to serve as a volunteer, has been ordered to remain at their position by the commanding authority at the scene of the fire.

Provisions requiring a firefighter to be unpaid and not already at their place of employment are removed.

**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date:** The bill contains an emergency clause and takes effect immediately.