

HOUSE BILL REPORT

SSB 5384

As Reported by House Committee On:
Labor & Workplace Standards

Title: An act relating to volunteer firefighters.

Brief Description: Concerning volunteer firefighters.

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

Brief History:

Committee Activity:

Labor & Workplace Standards: 3/16/21, 3/19/21 [DP].

Brief Summary of Substitute Bill

- Modifies the definition of volunteer firefighter for purposes of employment protection provisions.

HOUSE COMMITTEE ON LABOR & WORKPLACE STANDARDS

Majority Report: Do pass. Signed by 7 members: Representatives Sells, Chair; Berry, Vice Chair; Hoff, Ranking Minority Member; Mosbrucker, Assistant Ranking Minority Member; Bronoske, Harris and Ortiz-Self.

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.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not part of the legislation nor does it constitute a statement of legislative intent.

The Department of Labor and Industries must investigate complaints filed by volunteer firefighters of alleged violations of these protections. If the Department of Labor and Industries 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 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.

Staff Summary of Public Testimony:

(In support) None.

(Opposed) None.

Persons Testifying: None.

Persons Signed In To Testify But Not Testifying: None.