

FINAL BILL REPORT

SSB 5384

C 105 L 21
Synopsis as Enacted

Brief Description: Concerning volunteer firefighters.

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

Senate Committee on Labor, Commerce & Tribal Affairs
House Committee on Labor & Workplace Standards

Background: The Industrial Welfare Act (IWA) contains a number of provisions dealing with wages, hours, and working conditions, including child labor, work apparel, and other matters. Under the IWA, an employer may not discharge from employment or discipline a volunteer firefighter because of leave taken related to an alarm of fire or an emergency call.

A volunteer firefighter may file a complaint for an alleged violation of these provisions with the Department of Labor and Industries (L&I) and L&I must investigate. If L&I determines the employer violated the provisions, a volunteer firefighter may bring an action against the employer for reinstatement or withdrawal of the disciplinary action, including back pay.

For purposes of the IWA protections, 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.

The protections under the IWA for volunteer firefighters only applies to employers with 20 or more full-time equivalent employees in the previous year.

Summary: The definition of volunteer firefighter is changed for purposes of the protections under the IWA.

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.

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.

Votes on Final Passage:

Senate	49	0
House	98	0

Effective: April 16, 2021