

1 AN ACT in relation to employment.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 1. Short title. This Act may be cited as the  
5 Volunteer Firefighter Job Protection Act.

6 Section 3. Definitions. As used in this Act:

7 "Volunteer firefighter" means a firefighter who does not  
8 receive monetary compensation for his or her services to a fire  
9 department or fire protection district and who does not work  
10 for any other fire department or fire protection district for  
11 monetary compensation.

12 "Monetary compensation" does not include a monetary  
13 incentive awarded to a firefighter by the board of trustees of  
14 a fire protection district under Section 6 of the Fire  
15 Protection District Act.

16 Section 5. Volunteer firefighter; when termination of  
17 employment prohibited.

18 (a) No public or private employer may terminate an employee  
19 who is a volunteer firefighter because the employee, when  
20 acting as a volunteer firefighter, is absent from or late to  
21 his or her employment in order to respond to an emergency prior  
22 to the time the employee is to report to his or her place of  
23 employment.

24 (b) An employer may charge, against the employee's regular  
25 pay, any time that an employee who is a volunteer firefighter  
26 loses from employment because of the employee's response to an  
27 emergency in the course of performing his or her duties as a  
28 volunteer firefighter.

29 (c) In the case of an employee who is a volunteer  
30 firefighter and who loses time from his or her employment in  
31 order to respond to an emergency in the course of performing

1 his or her duties as a volunteer firefighter, the employer has  
2 the right to request the employee to provide the employer with  
3 a written statement from the supervisor or acting supervisor of  
4 the volunteer fire department stating that the employee  
5 responded to an emergency and stating the time and date of the  
6 emergency.

7 (d) An employee who is a volunteer firefighter and who may  
8 be absent from or late to his or her employment in order to  
9 respond to an emergency in the course of performing his or her  
10 duties as a volunteer firefighter must make a reasonable effort  
11 to notify his or her employer that he or she may be absent or  
12 late.

13 Section 10. Employer's violation; civil action. An  
14 employee who is terminated in violation of this Act may bring a  
15 civil action against his or her employer who violated this Act.  
16 The employee may seek reinstatement to his or her former  
17 position, payment of back wages, reinstatement of fringe  
18 benefits, and, where seniority rights are granted,  
19 reinstatement of seniority rights. The employee must commence  
20 such an action within one year after the date of the employer's  
21 violation.

22 Section 15. Home rule powers. A home rule unit may not  
23 regulate employment in a manner inconsistent with the  
24 regulation by the State of employment under this Act. This  
25 Section is a limitation under subsection (i) of Section 6 of  
26 Article VII of the Illinois Constitution on the concurrent  
27 exercise by home rule units of powers and functions exercised  
28 by the State.

29 Section 20. Applicability. This Act applies only to  
30 municipalities with a population of 3,500 or less.

31 Section 99. Effective date. This Act takes effect upon  
32 becoming law.