

AN ACT in relation to employment.

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

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

Section 3. Definitions. As used in this Act:

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

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

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

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

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

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

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

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

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

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

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

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