

1 AN ACT concerning regulation.

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

4 Section 5. The Volunteer Emergency Worker Job Protection
5 Act is amended by changing Section 5 as follows:

6 (50 ILCS 748/5)

7 Sec. 5. Volunteer emergency worker; when termination of
8 employment prohibited.

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

15 (a-5) A public or private employer shall not discipline an
16 employee who is a volunteer emergency worker if the employee,
17 in the scope of acting as a volunteer emergency worker,
18 responds to an emergency phone call or text message during work
19 hours that requests the person's volunteer emergency services.
20 This subsection (a-5) does not apply to a person employed by a
21 public or private vehicle service provider and who is in the
22 course of performing services as Emergency Medical Services
23 personnel as defined in Section 3.5 of the Emergency Medical

1 Services (EMS) Systems Act. This subsection (a-5) shall not
2 diminish or supersede an employer's written workplace policy, a
3 collective bargaining agreement, administrative guidelines, or
4 other applicable written rules administered by the employer.
5 Existing written policies governing the use of cell phones
6 shall prevail and control.

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

12 (c) In the case of an employee who is a volunteer emergency
13 worker and who loses time from his or her employment in order
14 to respond to an emergency in the course of performing his or
15 her duties as a volunteer emergency worker, the employer has
16 the right to request the employee to provide the employer with
17 a written statement from the supervisor or acting supervisor of
18 the volunteer fire department or governmental entity that the
19 volunteer emergency worker serves stating that the employee
20 responded to an emergency and stating the time and date of the
21 emergency.

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

1 absent or late.

2 (Source: P.A. 93-1027, eff. 8-25-04; 94-599, eff. 1-1-06.)