



Rep. Brandon W. Phelps

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10000SB1895ham001

LRB100 11131 SLF 26501 a

1 AMENDMENT TO SENATE BILL 1895

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 1895 by replacing  
3 everything after the enacting clause with the following:

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,

1 in the scope of acting as a volunteer emergency worker,  
2 responds to an emergency phone call or text message during work  
3 hours that requests the person's volunteer emergency services.  
4 This subsection (a-5) does not apply to a person employed by a  
5 public or private vehicle service provider and who is in the  
6 course of performing services as Emergency Medical Services  
7 personnel as defined in Section 3.5 of the Emergency Medical  
8 Services (EMS) Systems Act. This subsection (a-5) shall not  
9 diminish or supersede an employer's written workplace policy, a  
10 collective bargaining agreement, administrative guidelines, or  
11 other applicable written rules administered by the employer.  
12 Existing written policies governing the use of cell phones  
13 shall prevail and control.

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

19 (c) In the case of an employee who is a volunteer emergency  
20 worker and who loses time from his or her employment in order  
21 to respond to an emergency in the course of performing his or  
22 her duties as a volunteer emergency worker, the employer has  
23 the right to request the employee to provide the employer with  
24 a written statement from the supervisor or acting supervisor of  
25 the volunteer fire department or governmental entity that the  
26 volunteer emergency worker serves stating that the employee

1 responded to an emergency and stating the time and date of the  
2 emergency.

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

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