SENATE . . . . No. 02183

Senate, Monday, March 19, 2012 – Recommended new draft from the Senate committee on Ways and Means for Senate, No. 913, relative to the state wildfire team

The Commonwealth of Massachusetts

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In the Year Two Thousand Twelve

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An Act relative to the state wildfire team.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1   Chapter 30 of the General Laws is hereby amended by inserting after section 9I the

2 following section:-

3   Section 9I ½ . For purposes of this section, "state wildfire team" shall mean any program

4 overseen by the bureau of forest fire control within the department of conservation and

5 recreation, in which persons who received a final certificate from a National Wildfire

6 Coordinating Group forest fire training program are deployed, in cooperation with the federal

7 government, to forest fires within or outside the commonwealth.

8   Whoever leaves a position as a state, city or town employee , other than a temporary

9 position, in order to serve as a member of the state wildfire team shall be entitled to be restored

10 to that employee's previous, or a similar, position with the same status, pay and seniority. The

11 employee's right to receive normal vacation, sick leave, bonus, advancement or other advantages

12 of employment normally anticipated in that employment position shall not be affected thereby;

13 provided, however, that such absence shall not exceed 21 aggregate days in any 1 calendar year,

14 the employee shall provide advanced notice, as reasonably practicable under the circumstances,

15 to the employer as to the date of departure and the date of return for the purposes of serving as a

16 member of the state wildfire team and the employee remains qualified to perform the duties of

17 the position. Any employee's absence which entitles the employee to restored employment

18 status shall be construed as an absence with leave and may be paid or unpaid leave at the

19 discretion of the employer.