



## 104TH GENERAL ASSEMBLY

### State of Illinois

2025 and 2026

HB1353

Introduced 1/28/2025, by Rep. Brandun Schweizer

#### SYNOPSIS AS INTRODUCED:

50 ILCS 748/5  
50 ILCS 748/10  
50 ILCS 748/20

Amends the Volunteer Emergency Worker Job Protection Act. Provides that employment protections for volunteer emergency workers apply to volunteer emergency workers participating in required training, including a prohibition on termination and penalizing (rather than only termination). Provides that the employer may not require the employee to take vacation time or other compensatory time in order to respond to an emergency or participate in training. Provides that the Act does not apply to any employer that is a municipality with a population of 15,000 or more (currently 7,500 or more). Makes conforming changes.

LRB104 05894 RTM 15925 b

1 AN ACT concerning government.

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 Sections 5, 10, and 20 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 or  
10 penalize an employee who is a volunteer emergency worker  
11 because the employee, when acting as a volunteer emergency  
12 worker, is absent from or late to his or her employment in  
13 order to respond to an emergency prior to the time the employee  
14 is to report to his or her place of employment or is  
15 participating in training that the employee is required to  
16 participate in as a volunteer emergency worker.

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

1 who is in the course of performing services as Emergency  
2 Medical Services personnel as defined in Section 3.5 of the  
3 Emergency Medical Services (EMS) Systems Act. This subsection  
4 (a-5) shall not diminish or supersede an employer's written  
5 workplace policy, a collective bargaining agreement,  
6 administrative guidelines, or other applicable written rules  
7 administered by the employer. Existing written policies  
8 governing the use of cell phones shall prevail and control.

9 (b) An employer may charge, against the employee's regular  
10 pay, any time that an employee who is a volunteer emergency  
11 worker loses from employment because of the employee's  
12 response to an emergency in the course of performing his or her  
13 duties as a volunteer emergency worker or participation in  
14 training that the employee is required to participate in as a  
15 volunteer emergency worker. The employer may not require the  
16 employee to take vacation time or other compensatory time in  
17 order to respond to an emergency or participate in training.

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

1 volunteer emergency worker serves stating that the employee  
2 responded to an emergency and stating the time and date of the  
3 emergency.

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

12 (Source: P.A. 100-324, eff. 1-1-18.)

13 (50 ILCS 748/10)

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

23 (Source: P.A. 93-1027, eff. 8-25-04.)

24 (50 ILCS 748/20)

1           Sec. 20. Applicability. This Act does not apply to any  
2 employer that is a municipality with a population of 15,000  
3 ~~7,500~~ or more.

4           (Source: P.A. 94-599, eff. 1-1-06; 95-59, eff. 1-1-08.)