

ASSEMBLY BILL

No. 11

Introduced by Assembly Member Logue

December 3, 2012

An act to amend Section 230.4 of the Labor Code, relating to employees.

LEGISLATIVE COUNSEL'S DIGEST

AB 11, as introduced, Logue. Employees: reserve peace officers and emergency rescue personnel.

Existing law requires an employer employing 50 or more employees to permit an employee who is a volunteer firefighter to take temporary leaves of absence, not to exceed an aggregate of 14 days per calendar year, for the purpose of engaging in fire or law enforcement training.

This bill would revise these provisions to require those employers to permit an employee who performs emergency duty as a volunteer firefighter, reserve peace officer, or as emergency rescue personnel, as defined, to take the leave of absence described above for the purpose of engaging in fire or law enforcement training.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 230.4 of the Labor Code is amended to
2 read:
3 230.4. (a) An employee who ~~is~~ *performs duty as* a volunteer
4 firefighter, *a reserve peace officer, or as emergency rescue*
5 *personnel, as defined in Section 230.3*, and *who* works for an

1 employer employing 50 or more employees, shall be permitted to
2 take temporary leaves of absence, not to exceed an aggregate of
3 14 days per calendar year, for the purpose of engaging in fire or
4 law enforcement training.

5 (b) An employee who works for an employer employing 50 or
6 more employees who is discharged, threatened with discharge,
7 demoted, suspended, or in any other manner discriminated against
8 in the terms and conditions of employment by his or her employer
9 because the employee has taken time off to engage in fire or law
10 enforcement training as provided in subdivision (a), is entitled to
11 reinstatement and reimbursement for lost wages and work benefits
12 caused by the acts of the employer.

13 (c) An employee seeking reinstatement and reimbursement
14 pursuant to this section may file a complaint with the Division of
15 Labor Standards Enforcement in accordance with Section 98.7,
16 and upon receipt of ~~such a~~ *this type of* complaint, the Labor
17 Commissioner shall proceed as provided in that section.