

Workers' Benefits: Volunteer Emergency Responder Leave

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An employer cannot demote, terminate, or take any other disciplinary action against an employee who is a volunteer emergency responder if they are absent due to: responding to a state declaration of emergency for up to 7 consecutive days, a national declaration of emergency for up to 14 consecutive days, or sustained an injury due to their response to a state or national declaration of emergency.

This section does not apply to essential state employees, members of the armed forces, members of the National Guard, EMTs or paramedics employed by a hospital, or employees of public utilities.

Employer; prohibited acts

(a) No employer shall terminate, demote or take any other disciplinary action against any employee who is a volunteer emergency responder if:

(1) Such employee, when acting as a volunteer emergency responder, is absent from his or her place of

employment in order to respond to a Governor-declared state of emergency lasting up to 7 consecutive days; or

(2) Such employee, when acting as a volunteer emergency responder, is absent from his or her place of

employment in order to respond to a President-declared national emergency lasting up to 14 consecutive days; or

(3) Such employee is absent from his or her place of employment due to injury sustained by such employee when acting as a volunteer emergency responder including responding to an emergency.

(b) Paragraphs (a)(1) and (a)(2) of this section shall not apply to:

(1) Essential state employees;

(2) Members of the armed forces;

(3) Members of the National Guard;

- (4) Employees of a hospital licensed pursuant to Chapter 10 of Title 16; and
- (5) Employees of public utilities or providers of voice over IP service or cellular telephone service who are necessary to maintain the integrity of networks, facilities or assist first responders.