

## **Workers' Benefits: Emergency Volunteer Injury Leave**

### **KRS 337.100(4)-(5)**

An employer cannot terminate an employee, who is an emergency volunteer, if they are absent for up to 12 months due to injury that was incurred while providing their services as an emergency volunteer. An employer can request a written statement from the supervisor of the emergency volunteer and a licensed physician.

---

### **Volunteer firefighter, rescue squad member, emergency medical technician, peace officer, or emergency management agency member absent from employment due to emergency or injury incurred in the line of duty.**

(4) No employer shall terminate an employee who is a volunteer firefighter, rescue squad member, emergency medical technician, peace officer, or member of an emergency management agency who is absent for a period of no more than twelve (12) months from the employee's employment because of injuries incurred in the line of duty. The volunteer firefighter, rescue squad member, emergency medical technician, peace officer, or member of an emergency management agency shall provide, at the request of his or her employer:

(a) A written statement from the supervisor, acting supervisor, or director of the volunteer fire department, rescue squad, emergency medical services agency, law enforcement agency, or emergency management agency under whose command the employee was on active duty and on assignment with that fire department, rescue squad, emergency medical services agency, law enforcement agency, or emergency management agency when the injury occurred; and

(b) A written statement from at least one (1) licensed and practicing physician stating that the volunteer firefighter, rescue squad member, emergency medical technician, peace officer, or member of an emergency management

agency is injured and a date for the employee's return to work.

(5) Any employee that is terminated in violation of the provisions of this section may bring a civil action against his or her employer. The employee may seek reinstatement to the employee's former position, payment of back wages, reinstatement of fringe benefits, and where seniority rights are granted, the reinstatement of seniority rights. In order to recover, the employee shall file this action within one (1) year of the date of the violation of this section.