

Powers, Duties, Rights, Privileges, and Immunities: Emergency Disaster Assistance Volunteer Providing Aid in Another Jurisdiction

Tenn. Code Ann. 58-8-109

An individual who responds to a request for assistance under the Mutual Aid and Emergency Disaster Assistance Agreement will retain the same powers, duties, rights, privileges, immunities, and entitlement to workers' compensation as they would they enjoy in carrying out job functions in their regular place of employment.

Scope of authority -- Workers' compensation coverage -- Liability

(a) When employees of the responding party are sent from the employing jurisdiction to another jurisdiction or jurisdictions in response to a request for aid or assistance under this chapter, they have the same powers, duties, rights, privileges, and immunities as if they were performing their duties in the jurisdiction in which they normally function.

(b) Employees of the responding party will be considered as the responding party's employees at all times while performing their duties under this chapter for purposes of the workers' compensation law and for that purpose will be considered as acting within the course and scope of their employment with the responding party.

(c) Under § 29-20-107(f), for liability purposes only, employees of the responding party are to be considered employees of the requesting party while performing their duties under this chapter at the scene of the occurrence or emergency or other locations necessary for the response while under the supervision of the requesting party. At all other times in the response, including traveling to the scene and returning to the employing jurisdiction, such

employees are to be considered for liability purposes to be employees of the responding party.