



House of Representatives

General Assembly

File No. 10

January Session, 2023

House Bill No. 6553

House of Representatives, March 6, 2023

The Committee on Labor and Public Employees reported through REP. SANCHEZ, E. of the 24th Dist., Chairperson of the Committee on the part of the House, that the bill ought to pass.

***AN ACT CONCERNING VOLUNTEER FIRE DEPARTMENTS AND
AMBULANCE COMPANIES AND THE DEFINITION OF EMPLOYER
UNDER THE STATE OCCUPATIONAL SAFETY AND HEALTH ACT.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (d) of section 31-367 of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective from*
3 *passage*):

4 (d) "Employer" means the state and any political subdivision thereof,
5 and, except as provided in section 31-369, any volunteer fire department
6 and any volunteer ambulance company;

7 Sec. 2. Subsection (a) of section 31-369 of the general statutes is
8 repealed and the following is substituted in lieu thereof (*Effective from*
9 *passage*):

10 (a) This chapter applies to all employers, employees and places of
11 employment in the state except the following: (1) Employees of the

12 United States government; [and] (2) working conditions of employees
13 over which federal agencies other than the United States Department of
14 Labor exercise statutory authority to prescribe or enforce standards or
15 regulations affecting occupational safety and health; and (3) any
16 volunteer fire department or volunteer ambulance company that is
17 regulated by the Occupational Safety and Health Act of 1970, 29 USC
18 651, et seq., as amended from time to time.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	31-367(d)
Sec. 2	<i>from passage</i>	31-369(a)

LAB *Joint Favorable*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact: None

Municipal Impact: None

Explanation

The bill requires volunteer fire departments and volunteer ambulance companies to comply with the state's Occupational Safety and Health Act (Conn-OSHA), unless they are regulated by federal OSHA law. This does not result in any fiscal impact as the Department of Labor has historically considered such entities within its jurisdiction.

From FY 19 through FY 23 year-to-date, these entities have paid between \$800 and \$10,000 annually in OSHA penalties.

The Out Years

State Impact: None

Municipal Impact: None

OLR Bill Analysis**HB 6553*****AN ACT CONCERNING VOLUNTEER FIRE DEPARTMENTS AND AMBULANCE COMPANIES AND THE DEFINITION OF EMPLOYER UNDER THE STATE OCCUPATIONAL SAFETY AND HEALTH ACT.*****SUMMARY**

This bill requires a volunteer fire department or volunteer ambulance company to comply with the state's Occupational Safety and Health Act (Conn-OSHA) as an employer unless it is regulated by the federal OSHA law. By law, Conn-OSHA governs workplace safety for the state and its political subdivisions as employers; so, certain non-governmental volunteer fire and ambulance companies are not considered under its jurisdiction. They are, generally, not covered by federal OSHA unless they are privately chartered and have paid employees.

EFFECTIVE DATE: Upon passage

BACKGROUND***Related Case***

In *Mayfield v. Goshen Volunteer Fire Company* (301 Conn. 739 (2011)), the state Supreme Court ruled that a privately chartered volunteer fire company is not a political subdivision of the state (and not subject to Conn-OSHA jurisdiction) if it is not controlled by a municipality or municipal officials.

COMMITTEE ACTION

Labor and Public Employees Committee

Joint Favorable

Yea 9 Nay 2 (02/16/2023)