

## ORDINANCE NUMBER 1174

AN ORDINANCE PROHIBITING EMPLOYERS FROM DISCHARGING OR DISCRIMINATING AGAINST EMPLOYEES OR VOLUNTEER FIREFIGHTERS WERE MEMBERS OF THE VOLUNTEER AMBULANCE SERVICES DUE TO VOLUNTEER SERVICE. REMEDIES.

BE IT ORDAINED by the Governing Body of the City of Yates Center;

**Section 1. First-Responder Protection.** Chapter 7 of the City Code for Fire, Article 1 shall be amended to include Section 7-109 that shall read:

**7-109.** (a) No employer within the city limits of Yates Center, Kansas shall discharge, or cause to be discharged, or in any manner discriminate against any employee who is an active volunteer firefighter or member of a volunteer ambulance service or company because such employee is late arriving to work or absent from work as a result of responding to a fire or ambulance call prior to or during the employee's regular hours of employment.

(b) Each employee covered by this section shall:

- (1) Not later than thirty days after August 21, 2023, or the date on which the employee is certified as a volunteer firefighter or member of a volunteer ambulance service or company, whichever is later, submit to the employer a written statement signed by the chief of the volunteer fire department or the medical director or chief administrator of the ambulance service or company, as the case may be, notifying the employer of the employee's status as a volunteer firefighter or member of a volunteer ambulance service or company;
- (2) Make every effort to notify the employer that the employee may report to work late or be absent from work in order to respond to an emergency fire or ambulance call prior to or during the employee's regular hours of employment;
- (3) If unable to provide prior notification to the employer of a late arrival to work or an absence from work in order to respond to an emergency fire or ambulance call, at the employer's request, submit to the employer a written statement signed by the chief of the volunteer fire department or the medical director or chief administrator of the volunteer ambulance service or company, explaining why the employee was unable to provide such prior notification;
- (4) At the employer's request, submit a written statement from the chief of the volunteer fire department or the medical director or chief administrator of the volunteer ambulance service or company verifying that such employee responded to a fire or ambulance call and specifying the date, time and duration of such response;
- (5) Promptly notify the employer of any change to the employee's status as a volunteer firefighter or member of a volunteer ambulance service or company, including, but not limited to, the termination of such status.

(c) Any employer of labor, his agent or employee, who shall violate the provisions of this ordinance shall be guilty of a misdemeanor and shall upon conviction be fined for each offense the sum of \$100 and 30 days imprisonment in the county jail.

(d) For purposes of this section, "employer" means a person engaged in business who has employees, including the state and any of its political subdivisions.

**Section 2:** This Ordinance shall take effect and be enforced as of the date as voted on and passed by the Governing Body of the City of Yates Center, Kansas.

Passed by the Governing Body of the City of Yates Center, Kansas, this 21<sup>st</sup> day of August 2023, and approved by the Mayor on such date.



  
JUSTIN W. WESTON, Mayor

  
Janet Thompson, City Clerk

APPROVED AS TO FORM:

  
Brian P. Duncan, City Attorney