

SENATE No. 2563

The Commonwealth of Massachusetts

In the Year Two Thousand Ten

An Act relative to the state wildfire team.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Chapter 149 of the General Laws is hereby amended by inserting after
2 section 52A¹/₂ the following section:-

3 Section 52A³/₄. Whoever, in order to serve as a member of the state wildfire team within
4 the department of recreation and conservation, leaves a position in the employ of the
5 commonwealth or of any city or town, other than a temporary position, shall be entitled to be
6 restored to his previous, or a similar, position with the same status, pay and seniority. The
7 employee's right to receive normal vacation, sick leave, bonus, advancement or other advantages
8 of his employment normally to be anticipated in such employment position shall not be affected
9 thereby; provided, however, that such absence shall not exceed 21 days in the aggregate in any 1
10 calendar year; such member shall have provided advance notice, as reasonably practicable under
11 the circumstances, to his employer as to the date of departure and the date of return for the
12 purposes of serving as a member of the state wildfire team; and such member remains qualified
13 to perform the duties of such position with such employer. Any member's absence which

- 14 entitles the employee to restored employment status shall be construed as an absence with leave
- 15 and, within the discretion of the employer, such leave may be a paid leave or not.