



State Human Resources Division Fact Sheet

Protecting Volunteer Emergency Service Providers

Last Reviewed: October 1, 2026

1. Purpose

This fact sheet explains employee and employer rights and responsibilities under Termination of Volunteer Emergency Services Provider Prohibited, [2-18-624](#), MCA, and does not create additional rights or obligations.

2. Overview

- Montana employers may not terminate qualifying employees for serving as volunteer emergency service providers or because the employee is absent from work while performing volunteer emergency duties, in accordance with, [2-18-624](#), MCA.
- The prohibition applies to both public agencies and private employers.

3. Definition

- **Volunteer emergency service providers** include volunteer firefighters, enrolled members of volunteer fire departments, and volunteer EMTs who are not employed or paid full-time for their volunteer emergency services role.
 - For example, a state employee who serves on a local volunteer fire department and receives only per-call or per-diem compensation is covered.

4. Employee Eligibility

To be eligible for protection, an employee who is a voluntary emergency service provider must:

- Provide written notification to the employer within 30 days of becoming or being hired as a volunteer emergency services provider.
- Complete their regular employer's established probationary period.
 - For example, a state employee who serves on a local volunteer fire department is required to complete the state's established probationary period.

- Notify the employer as soon as possible if late or absent due to performing emergency service duties during an emergency.
- Provide written verification from the volunteer service supervisor, if requested.
- Employees may use applicable accrued leave balances (annual leave, compensatory time) to cover time missed due to volunteer emergency duties.
- Employees may not claim hours worked (pay) with their regular employer while performing duties for their volunteer emergency services role.

5. Employer Requirements and Restrictions

Employers:

- May not terminate employees due to their status as a volunteer emergency service provider or because of an absence from work while performing volunteer emergency duties when the employee has met the requirements outlined in Section 4 of this fact sheet.
- May require prior authorization to leave work if absence would affect essential functions or public safety.
- May request written verification of emergency responses.
- May deduct pay for hours missed due to volunteer duties if an eligible employee claims hours worked (pay) for time missed.
- Determine whether an employee may leave work to respond to an emergency.