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**FC-R-2015-44A**  
**CUMBERLAND FIRE DISTRICT**

**Resolution: Reimbursement of accumulated sick and vacation time to Fire Fighter Jason Lavallee.**

Be it resolved by the Cumberland Fire District as follows:

**Whereas,** RI General Law reads:

**45-19-1 Salary payment during line of duty illness or injury.** – (a) Whenever any police officer of the Rhode Island Airport Corporation or whenever any police officer, fire fighter, crash rescue crewperson, fire marshal, chief deputy fire marshal, or deputy fire marshal of any city, town, fire district, or the state of Rhode Island is wholly or partially incapacitated by reason of injuries received or sickness contracted in the performance of his or her duties or due to their rendering of emergency assistance within the physical boundaries of the state of Rhode Island at any occurrence involving the protection or rescue of human life which necessitates that they respond in a professional capacity when they would normally be considered by their employer to be officially off-duty, the respective city, town, fire district, state of Rhode Island or Rhode Island Airport Corporation by which the police officer, fire fighter, crash rescue crewperson, fire marshal, chief deputy fire marshal, or deputy fire marshal, is employed, shall, during the period of the incapacity, pay the police officer, fire fighter, crash rescue crewperson, fire marshal, chief deputy fire marshal, or deputy fire marshal, the salary or wage and benefits to which the police officer, fire fighter, crash rescue crewperson, fire marshal, chief deputy fire marshal, or deputy fire marshal, would be entitled had he or she not been incapacitated, and shall pay the medical, surgical, dental, optical, or other attendance, or treatment, nurses, and hospital services, medicines, crutches, and apparatus for the necessary period, except that if any city, town, fire district, the state of Rhode Island or Rhode Island Airport Corporation provides the police officer, fire fighter, crash rescue crewperson, fire marshal, chief deputy fire marshal, or deputy fire marshal, with insurance coverage for the related treatment, services, or equipment, then the city, town, fire district, the state of Rhode Island or Rhode Island Airport Corporation is only obligated to pay the difference between the maximum amount allowable under the insurance coverage and the actual cost of the treatment, service, or equipment. In addition, the cities, towns, fire districts, the state of Rhode Island or Rhode Island Airport Corporation shall pay all similar expenses incurred by a member who has been placed on a disability pension and suffers a recurrence of the injury or illness that dictated his or her disability retirement, subject to the provisions of subsection (j) herein.

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**Whereas,** Fire Fighter Jason Lavallee has been in IOD status and he has not been able to use the benefit of earned sick and vacation time. Having returned to duty the balance of benefits is due him.

**Whereas,** This is a calculation of benefits due:

Year	2011	2012	2013	2014	2015	Hours Used	Allowable Hours Banked	Balance Owed	Hourly Rate	Payment Due
Amount Earned SICK	144	144	144	144						
Allowed Accrued Amunt	984	1128	1272	1416	1512	0	1440	72	\$ 29.17	\$ 840.10
Amount Earned VACATION	192									
Allowed Accrued Amunt	384	576	576	576	576	66	192	318	\$ 29.17	\$ 9,276.06
										\$10,116.16

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**NOW, THEREFORE, BE IT RESOLVED BY THE CUMBERLAND FIRE DISTRICT AS FOLLOWS:**

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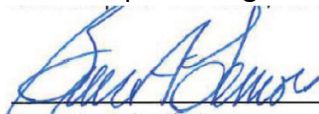
**Section 1.** The total payout for the sick and vacation time not used is \$10, 116.16, and shall be paid in the form of a CHFD payroll check.

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**Section 4.** This Resolution shall become effective upon passage.

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Date adopted: August 25, 2015

  
Bruce Lemois, Chairman

  
Deborah Auclair, Clerk

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**PASSED 5-1-1**

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**KOUTSOGIANE ABSTAINED**

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**SCULLIN VOTED NAY**