

111TH CONGRESS
2D SESSION

H. R. 3243

IN THE SENATE OF THE UNITED STATES

NOVEMBER 15, 2010

Received; read twice and referred to the Committee on Homeland Security and
Governmental Affairs

AN ACT

To amend section 5542 of title 5, United States Code, to provide that any hours worked by Federal firefighters under a qualified trade-of-time arrangement shall be excluded for purposes of determinations relating to overtime pay.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. TREATMENT OF HOURS WORKED UNDER A**
2 **TRADE-OF-TIME ARRANGEMENTS.**

3 Section 5542 of title 5, United States Code, is
4 amended by adding at the end the following:

5 “(g)(1) Notwithstanding any other provision of this
6 section, any hours worked by a firefighter under a quali-
7 fied trade-of-time arrangement shall be disregarded for
8 purposes of any determination relating to eligibility for or
9 the amount of any overtime pay under this section.

10 “(2) For purposes of this section—

11 “(A) the term ‘qualified trade-of-time arrange-
12 ment’ means an arrangement under which 2 fire-
13 fighters who are employed by the same agency
14 agree, solely at their option and with the approval
15 of their employing agency, to substitute for one an-
16 other during scheduled work hours in performance
17 of work in the same capacity; and

18 “(B) the term ‘firefighter’ has the meaning
19 given such term by sections 8331(21) and 8401(14),
20 respectively.”.

Passed the House of Representatives September 30
(legislative day September 29), 2010.

Attest: LORRAINE C. MILLER,
Clerk.