

111TH CONGRESS
2D SESSION

S. 3365

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.

IN THE SENATE OF THE UNITED STATES

MAY 13, 2010

Mr. WEBB introduced the following bill; which was read twice and referred to the Committee on Homeland Security and Governmental Affairs

A BILL

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,*

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

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

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

6 “(2) For purposes of this section—

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

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

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