

113TH CONGRESS
2D SESSION

S. 2435

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

JUNE 5, 2014

Mr. BEGICH 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. SHORT TITLE.**

4 This Act may be cited as the “Federal Firefighter
5 Flexibility and Fairness Act”.

1 **SEC. 2. TREATMENT OF HOURS WORKED UNDER A QUALI-**
 2 **FIED TRADE-OF-TIME ARRANGEMENT.**

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,
 9 or the amount of, any overtime pay under this section.

10 “(2) For purposes of this subsection—

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 the option of the firefighters and
 15 with the approval of the agency employing the fire-
 16 fighters, to substitute for one another during sched-
 17 uled work hours in the performance of work in the
 18 same capacity; and

19 “(B) the term ‘firefighter’ means—

20 “(i) a firefighter, as defined in section
 21 8331(21); and

22 “(ii) a firefighter, as defined in section
 23 8401(14).”.

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