

## ARTICLE 14. OVERTIME

### Section 1.

~~All employees shall be paid at the rate of time and one half (1-1/2) that of their regular rate of pay for all hours worked over their regular scheduled working hours.~~ All employees shall be paid overtime at the rate of one and one half (1-1/2) times that of their regular rate of pay for all hours worked after actually working their regular scheduled working hours in accordance with the Fair Labor Standards Act (the "FLSA"). Paid leave is not considered productive time for purposes of calculating overtime.

### Section 2.

All employees who are called back to work to an approved work location when they are off duty outside of their regular schedule shall be paid a minimum of two (2) hours at time and one-half (1-1/2) and shall be paid at the rate of time and one-half (1- 1/2) for all hours worked over two (2) hours. For all other work performed outside of their regular schedule, it will be paid in accordance with the FLSA.

### Section 3.

All Fire Suppression employees who are assigned a fifty-six (56) hour work week schedule shall receive time and one-half (1-1/2) their regular rate of pay for all hours worked in excess of one hundred fifty nine (159) hours per twenty-one (21) day work cycle. Accordingly, for each additional hour, or portion thereof, actually worked by said employee in excess of one hundred fifty nine (159) hours during the twenty-one (21) day cycle, that employee shall receive overtime pay based on the following: 1.5 times the number of hours actually worked in excess of 159 hours times the quotient of 159, divided into the employee's three week gross regular salary.

Under a twenty-one (21) day cycle, each employee shall lose no more than twenty-seven (27) hours of overtime pay per year as a result of scheduled vacation leave being counted as productive time for F.L.S.A. purposes. For the purpose of computing eligibility for F.L.S.A. overtime and application of the twenty-seven (27) hour limit in this paragraph, all other types of leave will take priority over vacation leave in application of this provision (i.e. when vacation and any other form of leave is used in the same 21 day cycle, the loss of F.L.S.A. overtime shall not apply to the twenty-seven (27) hour maximum.

It is intended that a Fire Fighter will lose only one cycle of F.L.S.A. overtime per scheduled vacation, even if a vacation period splits two cycles. F.L.S.A. overtime will be charged against the first three (3) vacation periods taken in that calendar year.

Employees shall, however, be allowed to exempt use of one shift of sick leave and/or military

leave each calendar year from the provisions of this paragraph.

**Section 4.**

When two (2) or more types of overtime or premium compensation are applicable to the same hours of work, only the higher rate(s) of compensation shall be paid. In no event shall overtime or premium compensation be pyramided.

Date: \_\_\_\_\_

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For the City

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For the Association

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