

S.307

Introduced by Senators Major, Plunkett and White

Referred to Committee on

Date:

Subject: Labor; employment practices; minimum wages; overtime; firefighters

Statement of purpose of bill as introduced: This bill proposes to require
overtime for firefighters for hours worked in excess of 42 hours a week.

An act relating to overtime pay for firefighters

It is hereby enacted by the General Assembly of the State of Vermont:

Sec. 1. SHORT TITLE

This act may be cited as the “Fire Service Weekly Overtime Standard Act.”

Sec. 2. PURPOSE

The purpose of this act is to establish a maximum average workweek for
career firefighters and to ensure that hours worked beyond this threshold are
compensated at an overtime rate consistent with other public safety
professionals. This act is intended to promote firefighter health and safety,
support recruitment and retention, and reduce fatigue-related risk in emergency
operations.

1 Sec. 3. 21 V.S.A. chapter 5, subchapter 3 is redesignated to read:

2 Subchapter 3. Minimum Wages and Overtime Pay

3 Sec. 4. 21 V.S.A. § 388 is added to read:

4 § 388. OVERTIME PAY FOR FIREFIGHTERS

5 (a) Definitions.

6 (1) “Firefighter” means a full-time firefighter as defined in 20 V.S.A.

7 § 3151(4).

8 (2) “Regular rate of pay” means the hourly compensation assigned to a
9 firefighter for scheduled hours of work, exclusive of overtime premiums.

10 (3) “Hours worked” means all hours during which a firefighter is
11 permitted or required to perform duties for the employer, including all paid
12 leave, paid time off, and paid standby time.

13 (b) Standard.

14 (1) No State, municipal, or county fire department shall employ any
15 firefighter for an average workweek greater than 42 hours unless the firefighter
16 is compensated at a rate of one and one-half times the firefighter’s regular
17 wage rate for all hours worked in excess of 42 hours based upon an average
18 workweek.

19 (2) An average workweek shall be calculated using the prior eight-week
20 period, based upon a seven-day workweek. For purposes of this subsection:

1 (A) total hours worked during the previous eight-week period shall
2 be divided by eight; and

3 (B) any resulting weekly total above 42 hours triggers overtime
4 payment for the excess hours worked in the current pay period.

5 (3) Nothing in this subsection shall prevent a bargaining unit,
6 municipality, or fire district from adopting a more protective overtime
7 threshold or rate through collective bargaining or local ordinance.

8 (c) Rulemaking. The Commissioner may adopt rules necessary to carry out
9 the purpose of this section, including uniform overtime calculation procedures
10 and reporting standards.

11 (d) Implementation. Municipalities and departments shall make any
12 necessary scheduling or staffing adjustments prior to January 1, 2027.

13 Sec. 5. EFFECTIVE DATE

14 This act shall take effect on July 1, 2026.