

112TH CONGRESS
1ST SESSION

S. 531

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

MARCH 9, 2011

Mr. WEBB (for himself and Mr. LIEBERMAN) 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**
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 subsection—

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 the option of the firefighters and
11 with the approval of the agency employing the fire-
12 fighters, to substitute for one another during sched-
13 uled work hours in performance of work in the same
14 capacity; and

15 “(B) the term ‘firefighter’ means—

16 “(i) a firefighter, as defined in section
17 8331(21); and

18 “(ii) a firefighter, as defined in section
19 8401(14).”.

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