

# TOWN OF PALM BEACH

Information for Town Council Meeting on: December 13, 2022

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To: Mayor and Town Council

Via: Kirk Blouin, Town Manager

From: Darrel Donatto, Fire Rescue Chief

Re: Firefighter Overtime Pay

Date: December 4, 2022

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## **STAFF RECOMMENDATION**

Staff presents for the Mayor and Town Council's review and consideration a change to current firefighter overtime pay calculations. Staff recommends that the Town adjust the firefighter overtime pay policy to pay overtime for all hours worked over 144 hours in a 21-day (3-week) Fair Labor Standards Act (FLSA) pay cycle.

## **GENERAL INFORMATION**

Palm Beach Fire Rescue (PBFR) maintains 16 firefighters on duty each day as a minimum staffing level to ensure all of our units are staffed and ready to respond to a request for an emergency. In order to maintain a 16 firefighter minimum, PBFR must utilize overtime to cover shortages that occur from things like sick time, injury leave and worker's compensation, long term disability leave, bereavement leave, military leave, jury duty, or other unscheduled leave time.

The problem is PBFR is experiencing challenges getting its members to voluntarily work overtime to cover staffing shortages. When employees do not accept overtime on a voluntary basis, PBFR is forced to hold employees on mandatory overtime in order to ensure operational readiness. Mandatory overtime means an employee is told at 8:00 AM that they are being forced to work up to an additional 24 hours of unscheduled and planned time after just completing a 24-hour work period.

The number of times employees have been required to work mandatory overtime has been increasing.

Year	# of Mandatory Overtimes
2018	11
2019	9
2020	10
2021	20
2022	29

As you can imagine, this is very unpopular with our employees. Many of our employees leave work to take care of their children while their spouse goes to work. We like to think that we are just as much in the customer service business as we are in the fire and EMS business. Mandatory overtime is not part of

the formula for promoting great customer service.

Currently an employee must work more than 159 hours in a 3-week (21 day) FLSA pay cycle before qualifying for time and one-half overtime pay. Our employees are scheduled to work 144 hours in a three week cycle. This means, and employee works an extra 24 hour shift will receive 15 hours of straight time ( $159 - 144 = 15$ ) and 9 hours of overtime. If an employee is held to work 15 extra hours, then all of those hours would be paid at a straight time rate.

When asked, our employees have cited the fact that they must work 15 hours of extra time at a straight time pay rate before they qualify for overtime at a time and a half rate as an issue that makes working overtime less desirable and that contributes to the need for mandatory overtime.

Not only are PBFR's current overtime policies not attractive to our employees, but they are also not competitive with the surrounding fire rescue employment market. PBFR is the only fire rescue agency in Palm Beach County that requires its employees to work and additional 15 hours of straight time before being eligible for overtime.

Organization	Workweek	Pay Cycle Days	Overtime Threshold
Town of Palm Beach Fire Rescue	48	21	Paid 15 straight hours before qualifying for OT
Boca Raton Fire Rescue	42	14	Paid OT for all hours in excess of regular scheduled
Boynton Beach Fire Rescue	48	21	Paid OT for all hours in excess of regular scheduled
Delray Beach Fire Rescue	48	21	Paid OT for all hours in excess of regular scheduled
Greenacres Fire Rescue	48	21	Paid OT for all hours in excess of regular scheduled
North Palm Beach	48	21	Paid OT for all hours in excess of regular scheduled
Palm Beach County Fire Rescue	48	21	Paid OT for all hours in excess of regular scheduled
Palm Beach Gardens	48	21	Paid OT for all hours in excess of regular scheduled
Riviera Beach	48	28	Paid OT for all hours in excess of regular scheduled
Tequesta	48	21	Paid OT for all hours in excess of regular scheduled
West Palm Beach Fire Rescue	48	21	Paid OT for all hours in excess of regular scheduled

The current overtime policy has not always been the past practice. The current policy coming into effect in 2012 with the imposition of a bargaining agreement by the Town Council. Prior to 2012, the Town had the same overtime policy as its neighboring fire rescue departments, paying overtime for hours worked in excess of the scheduled 48 hours per week.

A change in the overtime policy to provide for overtime for hours worked in excess of 144 ours in the 3-week pay cycle will make PBFR more competitive in the fire rescue employment market, improve employee morale, and will help in getting employees to work overtime on a voluntary versus mandatory basis. PBFR can accommodate the any additional costs within its existing budget if implemented in April 2023.

### **FUNDING / FISCAL IMPACT**

The estimated cost of implementing the recommended change effective April 2023 would be approximately \$35,000 for the remainder of this fiscal year, which will be funded from within the existing allocated overtime budget.

Attachment

cc: Carolyn Stone, Deputy Town Manager  
Robert Miracle, Deputy Town Manager  
Gillian Barth, Director of People & Culture  
Jane LeClainche, Director of Finance