

1 TORRANCE COUNTY
2 BOARD OF COUNTY COMMISSIONERS
3 RESOLUTION NO. R 2021- 38

4 FIRE PROTECTION PERSONNEL OVERTIME EXEMPTION

5 WHEREAS, in the course of providing services to the people of Torrance County, it is
6 imperative that the Torrance County Fire Department provide twenty-four (24) hour service; and

7 WHEREAS, fire protection personnel include firefighters, paramedics, emergency
8 medical technicians, rescue workers; and

9 WHEREAS, there is no limit on the amount of nonexempt work that an employee
10 employed in fire protection activities may perform, so long as the employee meets the criteria set
11 forth in the Fair Labor Standards Act (FLSA); and

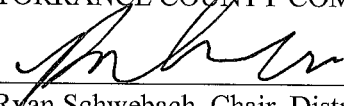
12 WHEREAS, Section 3(s)(1)(C) of the FLSA covers all public agency employees of a
13 State, a political subdivision of a State, or an interstate government agency; and


14 WHEREAS, Section 7(k) of the FLSA provides that employees engaged in fire
15 protection or law enforcement may be paid overtime on a "work period" basis which may be
16 from seven (7) consecutive days to 28 consecutive days in length; for work periods of at least
17 seven (7) but less than 28 days, overtime pay is required.

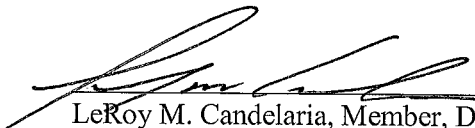
18 NOW, THEREFORE BE IT RESOLVED that the proposed Fire Protection Personnel
19 Overtime Exemption is hereby approved; and

20 DONE THIS 13th DAY OF OCTOBER, 2021.

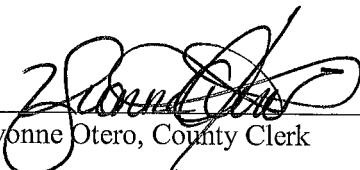
21
22 TORRANCE COUNTY COMMISSION

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24 _____
25 Ryan Schwebach, Chair, District 2
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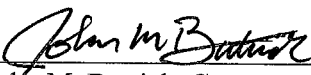
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28 _____
29 Kevin McCall, Vice Chair, District 1

30 
31 _____
32 LeRoy M. Candelaria, Member, District 3

33 Attest:

34 
35 _____
36 Yvonne Otero, County Clerk

37 Attest as to form only:

38
39 
40 _____
41 John M. Butrick, County Attorney

