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**TORRANCE COUNTY**  
**BOARD OF COUNTY COMMISSIONERS**  
**RESOLUTION NO. R 2021- 47**

**FIRE PROTECTION PERSONNEL OVERTIME EXEMPTION**

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

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

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

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

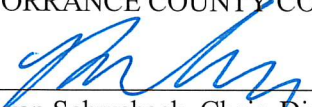
**WHEREAS**, Section 7(k) of the FLSA provides that employees engaged in fire protection or law enforcement may be paid overtime on a “work period” basis which may be from seven (7) consecutive days to 28 consecutive days in length; for work periods of at least seven (7) but less than 28 days, overtime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

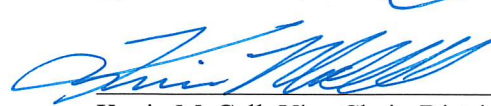
**NOW, THEREFORE BE IT RESOLVED** that the proposed Fire Protection Personnel Overtime Exemption is hereby approved granting fire protection personnel overtime after 106 hours worked during a 14-day work week; and

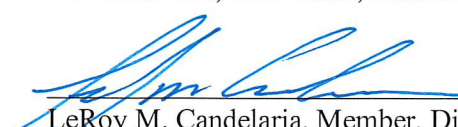
This Resolution shall supersede Resolution No. R 2021-38 in its entirety and shall take effect immediately upon its adoption.

**DONE THIS 27<sup>th</sup> DAY OF OCTOBER, 2021.**

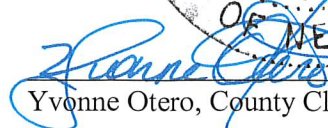
TORRANCE COUNTY COMMISSION

  
\_\_\_\_\_  
Ryan Schwebach, Chair, District 2

  
\_\_\_\_\_  
Kevin McCall, Vice Chair, District 1

  
\_\_\_\_\_  
LeRoy M. Candelaria, Member, District 3

Attest:

  
\_\_\_\_\_  
Yvonne Otero, County Clerk



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42 Approved as to form only:

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John M. Butrick, County Attorney