

106TH CONGRESS
1ST SESSION

H. R. 1693

AN ACT

To amend the Fair Labor Standards Act of 1938
to clarify the overtime exemption for employees
engaged in fire protection activities.

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To amend the Fair Labor Standards Act of 1938 to clarify the overtime exemption for employees engaged in fire protection activities.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. DEFINITION OF FIRE PROTECTION ACTIVITIES.**

2 Section 3 of the Fair Labor Standards Act of 1938
3 (29 U.S.C. 203) is amended by adding at the end the fol-
4 lowing:

5 “(y) ‘Employee in fire protection activities’ means an
6 employee, including a firefighter, paramedic, emergency
7 medical technician, rescue worker, ambulance personnel,
8 or hazardous materials worker, who—

9 “(1) is trained in fire suppression, has the legal
10 authority and responsibility to engage in fire sup-
11 pression, and is employed by a fire department of a
12 municipality, county, fire district, or State; and

13 “(2) is engaged in the prevention, control, and
14 extinguishment of fires or response to emergency sit-
15 uations where life, property, or the environment is at
16 risk.”.

17 **SEC. 2. CONSTRUCTION.**

18 The amendment made by section 1 shall not be con-
19 strued to reduce or substitute for compensation standards
20 (1) contained in any existing or future agreement or
21 memorandum of understanding reached through collective
22 bargaining by a bona fide representative of employees in
23 accordance with the laws of a State or political subdivision
24 of a State, and (2) which result in compensation greater
25 than the compensation available to employees under the

1 overtime exemption under section 7(k) of the Fair Labor
2 Standards Act of 1938.

Passed the House of Representatives November 4,
1999.

Attest:

Clerk.