



# Baltimore Fire Officers Association

Local No. 964

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CHARTERED FEBRUARY 20, 1948



February 26, 2024

The Honorable Ben Barnes  
Maryland House Appropriations Committee  
Room 121, House Office Building  
Annapolis, Maryland 21401  
**SENT VIA EMAIL**

RE: Recommending a Favorable Report on HB900

Chairman Barnes and Honorable Members of the House Appropriations Committee,

Thank you for your consideration of House Bill 900: Employment Standards – Firefighters – Payment of Overtime & Payroll Information. On behalf of the members of the Baltimore Fire Officers, we strongly encourage a favorable report. In order to give you further context on the issue, I have included text from a resolution passed at the 2023 Professional Fire Fighters of Maryland Convention last fall.

The Fair Labor Standards Act of 1938 (FLSA), § 207(k) as amended in 1974, provides for firefighters to receive overtime compensation for hours worked in excess of fifty-three (53) hours per week; or two hundred twelve (212) hours in twenty-eight (28) days. *Garcia v. San Antonio Metropolitan Transit Authority*, 469 U.S. 833 (1976) applied the provisions of FLSA to state and local governments. The State of Maryland, by and through the Maryland legislature, is empowered to enact legislation that provides rights more favorable to its citizens than those provided by the federal government.

Substantial data and experience have demonstrated that firefighter's health, well-being, and work life balance are negatively impacted by working longer hours than those of the general work population at large. The majority of the IAFF locals in this State have secured forty-two (42) hour work weeks through collective bargaining, demonstrating that such a schedule can be responsibly staffed, while providing opportunities for firefighters to achieve better health, avoidance of fatigue, and strike a better work life balance.

Currently, five (5) IAFF locals organized under respective jurisdictions of the laws of the State of Maryland have been unable to achieve a comparable work schedule through collective bargaining. Further, local governments are beginning to exploit the high work week hours

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permitted for firefighters under the Fair Labor Standards Act. Our firefighters are concerned that, left unchecked, this will lead to a statewide increase of work hours for all firefighters solely because the law does not offer further protection.

We appreciate your consideration of this matter. We greatly praise Del. Jared Solomon's leadership on this pressing issue facing professional firefighters throughout the State. We humbly ask that you return a favorable report.

Respectfully,

A handwritten signature in black ink, appearing to read 'J. Fannon', with a large, stylized flourish at the end.

Joshua L. Fannon, President  
IAFF Local 964 Baltimore Fire Officers

CC: Mr. Jeffrey Buddle, President, Professional Fire Fighters of Maryland