



OFFICE OF THE COUNTY EXECUTIVE

Marc Elrich
County Executive

February 28, 2024

TO: The Honorable Ben Barnes
Chair, Appropriations Committee

FROM: Marc Elrich
County Executive

RE: House Bill 900, *Employment Standards – Firefighters – Payment of Overtime and Payroll Information*
Oppose

House Bill 900 would require governmental units that employ firefighters to compute overtime pay for a firefighter based on each hour over 168 hours that the firefighter works during a 28-day work period. The overtime calculation would be based on all regularly scheduled hours, inclusive of earned or accrued leave. Currently, for its fire operations, Montgomery County utilizes a 24/48 schedule, which results in a standard work week of 48 hours. The bill also outlines certain requirements and procedures related to the provision of payroll information.

I oppose this bill.

If enacted, it would conflict with the County's existing collective bargaining agreement with the International Association of Fire Fighters union. "Hours of work" is a mandatory subject of bargaining under the Montgomery County Code, and the proposed change in the law would require the County to renegotiate the "hours of work" provisions. Any changes as a result of bargained revisions to "hours of work" would negatively impact County taxpayers who would be burdened with higher costs for firefighter compensation for the same level of service.

Also, changes to "hours of work" would result in a departure from the existing 24/48 schedule, which may also require an adjustment of an increase to the number of firefighters necessary to fully staff the County's 37 fire and rescue stations. Any increase in the number of firefighters requires a significant recruitment undertaking, and it could take anywhere from six to 24 months to fully staff to a new staffing level. As the County works towards full staffing, overtime would increase significantly to cover the gaps. Not only would this be costly from a financial standpoint, but concerning from a firefighter safety perspective since it would result in more firefighters working on less rest, thereby increasing the risk of injury to firefighters and the public they serve.

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Finally, it could be difficult to find firefighters willing to cover shifts, and the disruptions could result in critical training or retraining opportunities being delayed or missed, potentially placing firefighters and the public at risk.

For these reasons, I respectfully request that the Committee not advance this legislation.

cc: Members of the Appropriations Committee