



# Baltimore Fire Officers Association

Local No. 964

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January 24, 2025

Maryland House Appropriations Committee  
Room 120, Taylor House Office Building  
Annapolis, Maryland 21401  
ATTN: Chair Ben Barnes and Vice Chair Mark S. Chang  
**SENT VIA EMAIL**

RE: Recommending a Favorable Report on HB205

Chair Barnes and Honorable Members of the House Appropriations Committee,

Thank you for your consideration of House Bill 205: Employment Standards – Firefighters – Payment of Wages & 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 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 federal and state laws do not offer further protection.

Firefighters risk their lives daily to protect our communities, and it is imperative that their financial wellbeing is safeguarded. HB 205 would:

- Require governmental units to compute overtime pay based on a 28-day, 168-hour work period, acknowledging the demanding and irregular schedules that firefighters face.
- Mandate that counties and municipalities provide detailed payroll information, including rates of pay, overtime rates, and gross earnings, ensuring transparency and accuracy in compensation.
- Establish a clear grievance procedure for firefighters or their representatives in cases of payroll discrepancies, providing a path to resolution and accountability.

This bill not only enhances payroll transparency but also promotes fairness by ensuring that all regularly scheduled hours, including those covered by earned or accrued leave, are included in overtime calculations. Furthermore, by outlining remedies for payroll errors, HB 205 demonstrates a commitment to protecting those who serve us so selflessly.

Passage of this legislation would be a meaningful step in recognizing the sacrifices made by our firefighters and reinforcing our commitment to their financial stability and overall wellbeing. I urge you to support HB 205 and work toward its swift enactment.

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

Respectfully submitted,

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