

Resolution No. 50

COMMITTEE ASSIGNMENT: Legislative & Political

Re: Make the Elimination of the FLSA Section 7(k) Exemption and the Reduction of Firefighter Work Hours a Federal Legislative Priority

1 WHEREAS, the Fair Labor Standards Act
2 (FLSA) Section 7(k) exemption permits public
3 employers to calculate firefighter overtime based on
4 extended work periods rather than the standard 40-
5 hour workweek, allowing firefighters to work up to
6 212 hours in a 28-day cycle – equivalent to
7 approximately 53 hours per week – before overtime
8 compensation is required; and

9 WHEREAS, Section 7(k) was enacted in 1974 to
10 address operational scheduling needs of the fire
11 service; however, the modern fire service has
12 evolved significantly, with increased emergency
13 responses and expanded roles including EMS,
14 hazardous materials response, technical rescue, and
15 disaster operations; and

16 WHEREAS, research demonstrates that extended
17 work hours and irregular schedules are associated
18 with increased risks of fatigue, sleep disruption,
19 cardiovascular disease, musculoskeletal injuries,
20 burnout, and post-traumatic stress disorder,
21 negatively impacting firefighter health, safety, and
22 workforce sustainability; and

23 WHEREAS, the current Section 7(k) framework
24 creates inequities in annual work hours, with

25 operational firefighters working significantly more
26 hours than similarly ranked personnel assigned to
27 standard 40-hour schedules; and

28 WHEREAS, labor policy research indicates that
29 exemptions from standard overtime protections
30 incentivize employers to rely on extended work hours
31 rather than workforce expansion; and

32 WHEREAS, reducing excessive work hours
33 improves firefighter health outcomes, enhances
34 recovery, supports recruitment and retention, and
35 strengthens operational effectiveness; and

36 WHEREAS, eliminating the FLSA Section 7(k)
37 exemption and aligning firefighters with the standard
38 40-hour workweek would promote labor equity and
39 modernize federal labor protections; and

40 WHEREAS, a phased elimination of the
41 exemption combined with time-limited federal
42 transition assistance provides a balanced approach
43 that advances equity while mitigating fiscal impacts
44 on local governments; therefore be it

45 RESOLVED, That the International Association
46 of Fire Fighters (IAFF) shall adopt as a federal
47 legislative priority the elimination of the Fair Labor
48 Standards Act Section 7(k) exemption for fire
49 protection personnel; and be it further

50 RESOLVED, That the IAFF shall advocate for
51 federal legislation that phases out the Section 7(k)
52 exemption over a defined multi-year period; and be it
53 further

54 RESOLVED, That the IAFF shall advocate for
55 the reduction of excessive firefighter work hours at

56 the federal level as a matter of occupational health,
57 safety, and workforce sustainability; and be it further
58 RESOLVED, That the IAFF shall support federal
59 legislation including time-limited transition
60 assistance to state and local governments to offset
61 costs associated with staffing, training, and
62 operational adjustments; and be it further
63 RESOLVED, That the IAFF shall work with
64 federal agencies and policymakers to ensure reforms
65 preserve operational readiness while improving
66 firefighter working conditions; and be it further
67 RESOLVED, That copies of this resolution be
68 forwarded to appropriate federal officials to advance
69 this legislative priority.

Submitted by: IAFF Local 0058, Dallas Fire Fighters
Association

Cost Estimate: **None**

Annual or Perpetual Designation: **N/A**

COMMITTEE RECOMMENDATION:

CONVENTION ACTION: