

2010 SESSION

INTRODUCED

10100571D

HOUSE BILL NO. 712

Offered January 13, 2010

Prefiled January 12, 2010

A BILL to amend and reenact § 9.1-701 of the Code of Virginia, relating to overtime compensation rate; law-enforcement employees.

Patron—Peace

Referred to Committee on Militia, Police and Public Safety

Be it enacted by the General Assembly of Virginia:

1. That § 9.1-701 of the Code of Virginia is amended and reenacted as follows:

§ 9.1-701. Overtime compensation rate.

A. Employers shall pay fire protection or law-enforcement employees overtime compensation or leave, as under the Fair Labor Standards Act, 29 U.S.C. § 207 (o), at a rate of not less than one and one-half times the employee's regular rate of pay for all hours of work between the statutory maximum permitted under 29 U.S.C. § 207 (k) and the hours for which an employee receives his salary, or if paid on an hourly basis, the hours for which the employee receives hourly compensation. A fire protection or law-enforcement employee who is paid on an hourly basis shall have paid leave counted as hours of work in an amount no greater than the numbers of hours counted for other fire protection or law-enforcement employees working the same schedule who are paid on a salaried basis in that jurisdiction.

B. Nothing in this chapter shall be construed to affect the right of any employer to provide overtime compensation to fire protection or law-enforcement employees in an amount that exceeds the amounts required by this section.

C. ~~The provisions of this section pertaining to law-enforcement employees shall only apply to employers of 100 or more law-enforcement employees.~~

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