

Commission on Local Government

Estimate of Local Fiscal Impact

2016 General Assembly Session

Bill: SB 704

Patron: Lucas

Date: 1/29/2016

In accordance with the provisions of §30-19.03 of the Code of Virginia, the staff of the Commission on Local Government offers the following analysis of the above-referenced legislation:

Bill Summary:

Overtime compensation; fire protection employees. Broadens the definition of "fire protection employee" for the purposes of determining eligibility for overtime compensation.

Executive Summary:

SB 704 amends the definition of "fire protection employee" for the purpose of determining eligibility for overtime compensation.

Localities noted that this bill would not likely have any fiscal impact other than potentially increasing the number of employees eligible for overtime compensation.

Local Analysis:

Locality: City of Chesapeake

Estimated Fiscal Impact: \$1.00

We do not believe this bill has an impact on Chesapeake City. Generally firefighters are working in the Fire Department and their overtime is covered under existing statutes. We believe that any other employee who might on occasion assist in a fire or other hazard would receive overtime pay under existing FLSA. We do not see an occasion where an employee who is exempt from the FLSA would fall under the proposed legislation.

Locality: City of Danville

Estimated Fiscal Impact: \$0.01

It is our understanding that this would have limited, if any, impact. Employees are already covered by overtime compensation under the current definition and broadening the definition should not incorporate any additional employees.

Locality: City of Lynchburg

Estimated Fiscal Impact: \$1.00

The City of Lynchburg does not believe there will be any fiscal impact here.

Locality: City of Norfolk

Estimated Fiscal Impact: \$0.01

This bill as proposed will have no impact to the City of Norfolk. The bill broadens the definition of fire protection employees to EMS and firefighters who are either engaged in fire suppression or engaged in fire prevention. The bill may increase the number of fire protection employees eligible for overtime compensation for a locality. Currently, the city's Fire-Rescue members cross train in both areas and are eligible for overtime.

Locality: Henrico County

Estimated Fiscal Impact: \$0.01

We anticipate this bill would be a minor change and have no impact on Henrico County due to the nature of how our class specs are written and our expectations of fire suppression personnel.

Locality: Mecklenburg County

Estimated Fiscal Impact: \$0.01

Mecklenburg County doesn't have any paid firefighters at this time.

Locality: Prince George County

Estimated Fiscal Impact: \$1.00

Prince George County: This will not affect the way we currently pay overtime. The estimated fiscal impact wouldn't change over what we already are paying our Fire/EMS employees. There is no further analysis on this as it is currently the way we are operating. The word "OR" actually clarifies the law versus the poorly worded "AND" which is currently in place.

Locality: Rappahannock County

Estimated Fiscal Impact: \$1.00

we have no employees who meet the definition, even so expanded by the replacement of "and" with "or"

Locality: Spotsylvania County

Estimated Fiscal Impact: \$1.00

We do not have any additional employees that would meet this new definition.

Locality: Town of Boones Mill

Estimated Fiscal Impact: \$0.01

No impact on small towns for which public safety is provided by the county department.

I don't think this change would impact the structure of Franklin County Public Safety or other smaller county departments, where all staff are cross-trained.