

**2018 CITY OF SAN JOSE - IAFF NEGOTIATIONS
TENTATIVE AGREEMENT**

IAFF PROPOSAL 14 – Contractual and FLSA Overtime

IAFF Proposed Language

- 14.5 ~~An employee authorized or required to work overtime who works in excess of eight (8) or nine (9) hours per day, or twenty four (24) hours per day if assigned to a work schedule of fifty six (56) hours per week, shall be compensated at the rate of one and one half (1.5) the employee's hourly rate, except when such excess hours result from a change in such employee's work week or shift or from the requirement that such employee fulfill their work week requirement. No overtime compensation shall be paid for overtime worked which does not exceed thirty (30) minutes per day. Overtime worked which exceeds thirty (30) minutes in any work day shall be computed to the nearest one-half (1/2) hour.~~

Employees shall be paid overtime at the Contractual Overtime Hourly Rate for all hours worked outside of their normal shift scheduled hours and times. Contractual Overtime Hourly Rate shall be the sum of the following pay items, divided by one hundred and twelve (112) for employees assigned to twenty-four hour shifts or eighty (80) for employees assigned to other than twenty-four hour shifts), and multiplied by one hundred and fifty percent (150%).

- 14.5.1 Biweekly base wage from Exhibit I based upon the rank and step for the employee.
- 14.5.2 *Emergency Medical Technician, Anti-Terrorism Training, Holiday In-Lieu, Paramedic, Support Paramedic, Special Operations for assigned personnel, Bilingual, Field Training Officer, Education, and Administrative Assignment* pays, each calculated as their respective contractual percentages multiplied by their respective biweekly base wage from Exhibit I (either Step 7 Firefighter or the rank and step for the employee, as relevant for each pay type).
- 14.5.3 The total *Administrative Assignment, Education, Special Operations for alternate personnel, Higher Class, and Health In-Lieu* pay earned in the biweekly pay period.

**Italicized items to be included, with language updated based upon the final status of other proposals under discussion.*

14.16 For the purposes of calculating the overtime owed under the Fair Labor Standards Act, time on paid vacation leave shall be considered time worked.

14.17 All time worked shall be reported in fifteen (15) minute increments.