

LEGISLATURE OF NEBRASKA

ONE HUNDRED FIRST LEGISLATURE

FIRST SESSION

LEGISLATIVE BILL 537

Introduced by Giese, 17.

Read first time January 21, 2009

Committee: Business and Labor

A BILL

1 FOR AN ACT relating to fire departments; to amend section
2 35-302, Reissue Revised Statutes of Nebraska; to change
3 provisions relating to hours of duty of firefighters; and
4 to repeal the original section.

5 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 35-302, Reissue Revised Statutes of
2 Nebraska, is amended to read:

3 35-302 (1) Firefighters employed in the fire departments
4 of cities of the metropolitan or primary class having paid fire
5 departments shall not be required to remain on duty for periods
6 of time which will aggregate in each month more than an average
7 of sixty hours per week. Each single-duty shift shall consist of
8 twenty-four consecutive hours and shall be followed by an off-duty
9 period as necessary to assure compliance with the requirements of
10 this section unless by voluntary agreement between the city and the
11 firefighter, any firefighter may be permitted to work an additional
12 period of consecutive time and may return to work after less than
13 a twenty-four-hour off-duty period. Any firefighter may be assigned
14 to work less than a twenty-four-hour shift, but in such event the
15 firefighter shall not work in excess of forty hours per week. No
16 firefighter shall be required to perform any work or service as
17 such firefighter during any period in which he or she is off duty
18 except in cases of extraordinary conflagration or emergencies or
19 job-related court appearances.

20 (2) Firefighters employed in the fire departments of
21 cities of the first or second class having paid fire departments
22 with more than five full-time paid firefighters shall not be
23 required to remain on duty for periods of time which will aggregate
24 in each month more than an average of sixty hours per week.
25 Each single-duty shift shall consist of twenty-four consecutive

1 hours and shall be followed by an off-duty period as necessary
2 to assure compliance with the requirements of this section unless
3 by voluntary agreement between the city and the firefighter,
4 any firefighter may be permitted to work an additional period
5 of consecutive time and may return to work after less than a
6 twenty-four-hour off-duty period. Any firefighter may be assigned
7 to work less than a twenty-four-hour shift, but in such even the
8 firefighter shall not work in excess of forty hours per week. No
9 firefighter shall be required to perform any work or service as
10 such firefighter during any period in which he or she is off duty
11 except in cases of extraordinary conflagration or emergencies or
12 job-related court appearances.

13 Sec. 2. Original section 35-302, Reissue Revised Statutes
14 of Nebraska, is repealed.