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|  | ROFR Section: 110 | | TFCA Best Practices: |  |
| | Effective: 9/2011 | Revision: 5/2016 | Fire Chief:  | |

WAGE AND BENEFITS

110.1 HOURS OF WORK / PAY PERIODS

Section 1

The normal work-shift for all fifty six (56) hour Employees shall consist of one (1) twenty four (24) hour shift of duty beginning at 7:00 a.m. and ending at 7:00 a.m. the following day, and shall normally be followed by forty eight (48) hours off duty. The work period shall consist of 21 consecutive days starting at 7:00 a.m. on Saturday morning and ending at 7:00 a.m. on the Saturday three weeks later. The work period is established pursuant to § 207(k) of the Fair Labor Standards Act, so that overtime compensation shall be owed only for hours worked in excess of 159 during a work period. A work week, applicable to Employees regularly working 40 hours per week, shall consist of 7 consecutive days starting at 7:00 a.m. on Saturday morning and ending at 7:00 a.m. on the Saturday one week later. The pay period does not necessarily coincide with nor equal the work period.

Section 2

The normal work shift for all Employees who regularly work 40 hours/week shall consist of five consecutive 8 hour days, beginning at 8:00 a.m. and ending at 5:00 p.m., Monday through Friday. Deviations from such schedule may be made as needed for special events or meetings, educational activities, or other events as determined by the Fire Chief.

Section 3

Subject to the provisions of this policy dealing with compensatory time off, for non-exempt Employees who regularly work an average of 56 hours/week, all hours worked in excess of 159 hours in a work period shall be compensated at a rate of one and one-half times the Employee's regular rate of pay. Subject to the provisions of this policy dealing with compensatory time off, for non-exempt Employees who regularly work 40 hours/week, all hours worked in excess of 40 in a work week shall be compensated at a rate of one and one-half times the Employee's regular rate of pay.

Section 4

An Employee who is called back to work when off duty and who timely reports to work as required and as directed shall be paid, according to Section 18.7 of the City of Red Oak Personnel Policy, for a minimum of two (2) hours at the Employee's regular rate of pay.

Section 5

The pay period for all Employees shall be a period of two work weeks. For all Employees the pay period will cover the two work weeks preceding the pay day. The Employee will be paid on pay day for the two work weeks ending on 7:00 a.m. of the Saturday prior to the pay day.

110.2 OVERTIME

Section 1

When a shift is determined by the Fire Chief or his designee to be below the minimal staffing level, established by the Fire Chief and the City Manager, the Fire Department shall continue to utilize the minimal staffing policy within the departments SOP's as a guideline for selecting employees to work overtime.

Section 2

It is understood that in emergency situations, the Fire Chief or his/her designee may adopt any procedure for selecting Employees for overtime work.

Section 3

At no time shall an Employee be allowed to work more than forty eight (48) consecutive hours, unless otherwise approved by the Fire Chief. Members must have a minimum of an 8-hour rest period before eligible to return to duty.

110.3 HIGHER CLASSIFICATION PROCEDURES

Section 1

Each Employee temporarily working in a higher classification position for at least one hour will be paid at a differential rate per local government code 141.033, differential rate shall be a 5% increase of the current rate.

In the Local Government Code, Chapter 141, Subchapter A. Compensation, Expenses, and Payroll Deductions, §141.033 Classification of Positions; Salary Schedule states, (b) A member of the fire or police department who is required to perform the duties of a particular classification is entitled to be paid the salary prescribed for that position during the time the member performs those duties.

Section 2

A person may be temporarily assigned to a position above the rank then regularly held by the Employee only with the approval of the Fire Chief or his/her designee. The Fire Chief shall develop a policy for determining who is eligible to work in each higher position on a temporary basis to fill a vacant position due to vacation, holiday, sick, or there is not an employee assigned to the position that is vacant.

Section 3

Acting out of classification pay will be provided when a member of the classified service is called upon to perform the duties of a higher classification. Employees will be compensated for acting out of classification only when officially assigned and notified of such duty assignment by an appropriate supervisor.

Section 4

When a member of the classified service is absent and a member of a lower classification is assigned to perform the duties of such absent superior, the member of the lower classification performing such services shall be paid at a 5% higher rate in addition to other applicable pay the member should received. Payment will be on an hour-for hour basis.

Section 5

An assignment to a higher level classification shall never be made when the individual serving in the higher rank is reasonably available to handle the duties assigned to his/her position.

Section 6

Assignments will be made in the most cost effective manner possible without significantly compromising operational effectiveness.

110.4 CLASSIFICATIONS

Section 1

The City has the following work classifications for the Fire Department:

Administration:

Fire Chief
Deputy Chief / Fire Marshal
Administrative Assistant

Operations:

Shift Captain
Driver Engineer
Firefighter

Section 2

Nothing in this policy shall prevent the City from adding or eliminating a classification, or changing the duties of an existing classification in the departments rank structure.

110.5 HOLIDAYS

Section 1

Personnel working a 40 hour week, covered by this policy shall be entitled to the same paid holidays as the full time employees of the city who are not covered by this policy. These holidays are defined in the City of Red Oak Personnel Policy Manual Article XX-Fringe Benefits portion.

Section 2

Employees working a 56 hour week are entitled to 120 hours of paid holiday hours per calendar year. These hours begin to accumulate on first day of January. Personnel may schedule this time anytime throughout the calendar year based on

the approval of the Fire Chief or Chief's Designee.

Section 3

Holiday hours for 56 hour week employees may not accumulate and carry over to the next calendar year. All holiday hours must be used within the same year earned. The holiday bank zeros out and starts over with 120 hours on the first day of each January.

Section 4

In the event an employee terminates employment with the city and the employee has exhausted all their holiday time before the time has been accrued, the employee must reimburse the city for the time taken in a deduction of the employees final pay check. No payment under any circumstances will be made for unused Holiday time.

110.6 SICK LEAVE

Section 1

Paid sick leave will be accrued at a rate of 5.54 hours per pay period for 24 hour shift Fire employees, and at 4.62 hours per pay period for 40 hour/week employees.

Section 2

Sick leave may be used for any bona-fide illness or injury. If the Employee exhausts all accrued sick leave, the Employee may use vacation leave or any other type of accrued leave upon approval of the Fire Chief. On request by the Fire Chief or his designee, the employee shall provide written verification by a physician or other health care provider of an illness or injury that result in an absence in excess of three consecutive days or two consecutive 24 hour shifts. No payment under any circumstances will be made for unused sick time.

Section 3

In the event an Employee is unable to work due to illness, injury, or disability as provided above, the Employee must notify his/her immediate supervisor of such absence and the nature of the illness/injury at least 30 minutes before the beginning of his/her shift.

Sick Accruals for Fire Personnel

| Service | Hire date and Over |
|---|---------------------------|
| Sick Leave Accrual for 56-Hour a Week Employees | 5.54 hrs per pay period |
| Sick Leave Accrual for 40-Hour a Week Employees | 4.62 hrs per pay period |

110.7 Article VIII - VACATION LEAVE PROVISIONS

Section 1

Vacation Accruals for Fire Personnel

| Service | Hire date to 4 years | Completion 5 Years to 9 Years | Completion 10 Years and Over |
|---|--|--|---|
| Vacation Leave Accrual for 56-Hour a Week Employees | 5.54 hrs per pay period, which = 6 shifts per year or 144.04 hours | 6.46 hrs per pay period, which = 7 shifts per year or 167.96 hours | 9.23 hrs per pay period, which = 10 shifts per year or 239.98 hours |
| Vacation Leave Accrual for 40-Hour a Week Employees | 4.00 hrs per pay period, which = 13 days or 104 hours | 4.62 hrs per pay period, which = 15 days or 120.12 hours | 6.47 hrs per pay period, which = 21 days or 168.22 hours |

24-Hour employees can carry over 15 days to the following year (360 hours). 8-Hour employees can carry over 45 days to the following year (360 hours). It is taken from you on your anniversary date (not promotion date) if you have in excess of 360 hours.

Section 3

Employees who have completed the probationary period of 12 months separates from the City; he/she will be eligible to be paid for unused vacation if all criteria are met (defined within the City of Red Oak Personnel Policy Manual article XIV section 14.2).

Section 4

Vacation hours used by employees who are regularly scheduled to work an average of 56 hours/week shall be treated as hours worked for determining overtime compensation for Standard Overtime Hours. As used in this Section 4, Standard Overtime Hours shall mean the regularly scheduled nine (9) hours in excess of 159 in each three-week work period for those regularly scheduled to work an average of 56 hours/week. For illustrative purposes, if an Employee who is regularly scheduled to work an average of 56 hours/week uses vacation leave for one 24 hour shift, they will be paid the full regular wage for the corresponding pay period, as if the regularly scheduled Standard Overtime Hours constituted hours in excess of 159 for the three week work period. If, however, the Employee works an additional shift other than the regularly scheduled 168 hours during the work period, the hours of the extra shift will not be paid at the overtime rate except to the extent actual hours worked (not including the shift for which vacation leave was taken) in the work period are in excess of 159 hours.

110.8 Article IX - WAGES

Section 1

For the purposes of this Policy, the year (longevity) shall refer to the current anniversary year of the Fire Fighter (e.g. a Fire Fighter who has been continuously employed by the City for one calendar year beyond his anniversary date, up until the

day before his second anniversary date, will be deemed a “one year” Fire Fighter.) Longevity pay shall be paid at \$4.00 per month for each complete year of service. Payment shall be a lump sum, which is calculated by complete years of service as of December 1st of each calendar year.

Section 3

Fire Personnel who are not covered by the pay grades identified in Section 2 will follow suit of the city employees not identified in this policy (Fire Chief, Deputy Chief / Fire Marshal, Administrative Assistant). The Fire Chief and the Deputy Fire Chief are identified as Exempt employees. The Administrative Assistant position is considered non-exempt status.

Section 4

Personnel identified within Section 2 will not qualify to move to the next pay grade within their classification until 365 days have passed from their last increase, annual performance evaluation is at minimum a satisfactory rating, and certification / education requirements are met. Personnel that are on a probationary status due to a disciplinary action will not be eligible to progress to the next step within the salary step plan until the employee has successfully completed the probationary status.

Section 5

Personnel identified within Section 2 shall not promote to the next higher classification grade unless there is a vacancy within that next higher classification and a promotional process determined by the Fire Chief has been successfully completed and requirements are met by the job description of the next higher classification.

Section 6

Personnel who promote to the next higher classification grade will move to the appropriate step based on the employee’s longevity, to allow for an increase of their current hourly pay rate.

Section 7

Personnel who receive a demotion from their current classification will regress to the classification assigned by the Fire Chief. Longevity status of the employee will determine the step personnel will be classified as within the Salary Step Plan.

Section 8

The Salary Step Plan shall be reevaluated every third year from the adoption date. Any adjustments to the plan must be approved by the City Manager and City Council. The City Manager and City Council have the options of making adjustments before the three years as needed.

Section 9

All annual step increases, adjustments and alterations to the salary step plan will be based on the funding capabilities of the city and approval from the City Manager and City Council during the adoption process of the city’s annual operating budget.

| Step plan | | | | | | | | | | |
|----------------------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|
| Rank | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 |
| Captain | | | | | 58,834 | 60,852 | 62,310 | 63,731 | 65,116 | 71,636 |
| Promotion Increase % | | | | | 11% | 12% | 12% | 13% | 13% | 10% |
| Driver/ Engineer | | | 51,073 | 52,152 | 53,203 | 54,333 | 55,433 | 56,501 | 57,539 | 65,019 |
| Promotion Increase % | | | 13% | 13% | 13% | 11% | 9% | 7% | 5% | 5% |
| Firefighter | 43,000 | 44,000 | 45,310 | 46,235 | 47,133 | 49,038 | 50,923 | 52,788 | 54,631 | 61,800 |

Chart values are base step values only, FLSA, Certification, Education, Longevity, and step up are additional in addition to base values.

Steps correlate with the employees years of employment.

Step progression is based on measurements of employee performance and years of employment.

Promotion / Demotion receives vertical movement on the scale based on years with the city. No horizontal movements on the scale.

Step plan employees that top out will receive the same approved COLA as non step plan city employees.

Lateral entry program will allow hiring qualified experienced Firefighters up to step 4 plus cert/edu pay.

Lateral entry new hires must complete time in grade and certification requirements with Red Oak before promotion eligibility.

New employees hired prior to 12/31 will have eligibility to advance a step on 4/1. Jan, Feb, March new hires don't qualify.

16 of 24 or 67% of employees will reach top out during this cycle.

Topped out employees that receive COLA's will receive a lump sum promotion bonus

| Certificate / Education Pay | |
|-----------------------------|------|
| Paramedic | 1500 |
| Education | |
| Associate | 600 |
| Bachelor | 900 |
| Master | 1200 |
| TCFP | |
| Intermediate | 300 |
| Advanced | 600 |
| Master | 1200 |

110.9 Article X - INCENTIVE AND EDUCATIONAL PAY

Section 1

Employees shall receive incentive compensation as set forth below, which shall be added to the rate at which the affected Employee is paid, as applicable.

Incentive Pay:

1. EMT-Paramedic \$1,500 annually
 2. TCFP-Intermediate \$300.00 annually
 3. TCFP-Advanced \$600.00 annually
 4. TCFP-Master \$1,200 annually
- (Only one of items 2-4 may apply to any employee at a given time.)*

Educational Pay:

5. Associate Degree \$600 annually
 6. Bachelors or Masters Degree \$1,200 annually
- (Only one of items 5 and 6 may apply to any employee at any given time.)*

The City may require adequate proof of the employee's eligibility for incentive pay. Only degrees from duly accredited institutions of higher education will be recognized for the purpose of educational incentive pay.

Section 2

All Incentive and Educational Pay shall be included into each Employee's hourly rate.

Section 3

Employees who regularly work 40 hours/week are eligible only for incentive and educational pay that fall under section 2 of the wage section.

Section 4

All annual incentive and educational pay increases, adjustments and alterations will be based on the funding capabilities of the city and approval from the City Manger and City Council during the adoption process of the city's annual operating budget.

110.10 Explanation of Fire Payroll

Section 1

PAYROLL FACTS

- Payroll system based on a 21 day work period
- The work year is composed of 2,912 hours or 168 hours per 21 day cycle
- The work cycle is 21 days
- Shifts are composed of 24 hour periods
- The FLSA overtime thresh hold is 2,756 hours in a year or 159 hours per 21 day cycle
- This means that every firefighter will get paid 9 hours of overtime every cycle, provided no sick time is taken
- Potentially 156 hours of FLSA overtime is available per year, this is based off the members sick time usage.

In addition, every firefighter will be paid 9 hours for the difference between 159 hours and 168 hours as required by FLSA. This will be paid at overtime rate if no sick time has been taken. It will be paid at Straight time if sick time has been taken.

The payroll system documents this in two lines:

1. Cycle Straight – Paid every End of cycle
 2. Cycle Half – Paid End of cycle if no sick time has been taken
- The payroll system takes the annual salary of every firefighter and divides by 26 pay periods ($\$38,000/26$) = \$1,461.54 this is your bi-weekly pay rate for the two week pay period
 - Any overtime worked in the pay period, pays them at regular time (extra 24 hours worked = 24 hours*\$13.79 rate (38,000 salary/2756 hours). Upon completion of the 21 day cycle if no sick time has been taken then the system pays them the additional Half time pay.
 - Overtime – Hours paid at Straight Time until 159 hours
 - FOTH-Fire Overtime Half – Paid at the end of the cycle if no sick time has been taken within the 21 day cycle

Section 2

STEP UP PAY

- This will be paid when an employee is required to step up into a next higher classification
- The System will calculate this based on a 5% increase for the period in which the employee is required to step up (24 hours step up, 5% of your hourly rate will be paid for 24 hours)

Section 3

DEFINITIONS

- **Pay Period** – Every two weeks
- **Pay Date** – the Friday following the end of the pay period
- **FLSA Work Cycle** – 21 days
- **Shift** – 24 hours
- **End of Cycle** – Completion of the 21 day work cycle (may fall in the middle of pay periods)
- **Overtime** – Time and a half paid in excess of 159 hours worked in a Cycle
- **Hours Worked** – Regular time, Vacation, Comp, Holiday are considered hours worked (SICK is NOT considered hours worked)
- **Cycle Straight Time** – Paid at end of every cycle
- **Cycle Half Time** – Paid at end of every cycle if no sick time has been taken within the cycle

FOTH-Fire Overtime Half – Paid at the end of the Cycle if no Sick time has been taken