

**Testimony from Brian M. Daniels, Executive Director
In Support of Overtime Exemption for Central Coventry Fire District (H5405)
House Committee on Labor
February 24, 2021**

Thank you, Madam Chair and members of the committee, for the opportunity to testify. Two years ago, the League opposed passage of the 42-hour overtime standard for firefighters, and we are already starting to see the impacts of that law on our communities' finances.

When we testified two years ago, several towns were using a three-platoon structure for firefighter scheduling, which was entirely permissible under the Fair Labor Standards Act – the Federal law and regulations that govern minimum wages and overtime. FLSA specifically allows higher overtime thresholds for police and firefighters than the standard 40 hours. Under FLSA, firefighters are not required to receive overtime unless they have worked more than 212 hours in 28 days. The passage and enactment of a law requiring a 42-hour workweek for firefighters in Rhode Island appears to be unique in the nation, and it is now having an adverse impact on municipal officials' ability to manage their public safety workforces in a fiscally responsible manner.

Until passage of that law, several communities, including the Central Coventry Fire District, used their authority under FLSA to establish platoon structures that met local public safety needs while protecting taxpayers. This cost-effective flexibility was particularly important in light of Rhode Island's high costs of fire protection services. In December 2019, the RI Public Expenditure Council updated its report, "[How Rhode Island Expenditures Compare](#)." It found that Rhode Island had the second highest per capita spending on fire protection services in Fiscal Year 2017 – almost 70% more than the national average. That high level of spending contributes to a high property taxes – [the Tax Foundation reports that Rhode Islanders have the 9th highest property tax burden](#) in the nation.

Passage of the firefighter overtime law in 2019 deprived mayors, town managers and fire districts of an important tool to find efficiencies through platoon structure and scheduling. As a result, communities like Coventry are facing substantial increases in fire district taxes if they are not granted relief from the law. We support passage of this legislation to avoid substantial tax increases in Central Coventry, and we urge repeal of the underlying 42-hour firefighter overtime law for all communities. Thank you for your consideration of our views.