

SUBJECT: Raising the number of hours that some part-time fire fighters may work

COMMITTEE: Urban Affairs — committee substitute recommended

VOTE: 5 ayes — Talton, Wong, Menendez, A. Allen, Blake

0 nays

2 absent — Bailey, Rodriguez

WITNESSES: For — Lawrence R. Di Camillo, Stafford Fire Department; Michael S. Melton, Leonard Scarcella, City of Stafford; Mark Poindexter, City of Rockwell; Bennett Sandlin, Texas Municipal League

Against — Mike Higgins, Texas State Association of Fire Fighters

BACKGROUND: Government Code, sec. 419.0321 allows fire departments to employ part-time fire fighters. A part-time fire fighter may not work more than 24 hours a week or more than 500 hours a year for the fire department.

DIGEST: CSHB would allow part-time fire fighters in certain fire departments to work up to 750 hours a year in fire suppression activities. Training hours would be excluded from the 750 hours, but hours in which the employee was on duty at the fire station would be included. To qualify, the fire department would have to have less than 10 full-time fire fighters and be located in a city that:

- had a population of less than 30,000;
- had not adopted municipal civil service; and
- was not covered by a collective bargaining agreement between the city and its full-time fire fighters.

The bill would take effect September 1, 2005.

SUPPORTERS SAY: CSHB 3057 would assist fire departments in small towns to transition from using volunteer to professional fire fighters. As cities grow and their fire suppression needs increase, they typically transition from all volunteer fire departments to full-time professional departments. However, in the

early stages of this process, these cities often can not afford the higher pay and benefits required for full-time fire fighters. Instead, many rely on part-time fire fighters, many of whom are full-time fire fighters in another department, to cover the day shifts when the department's volunteer fire fighters are working other jobs, and maintain an all or primarily volunteer force outside normal business hours.

The current 500 hour per year cap on part-time fire fighters severely hinders the functioning of these departments. Once a part-time fire fighter completes the required certifications and training, as well as department training on specific procedures and equipment - all of which count toward the 500 hour limit - little time is left in the cap for fire suppression activities. Hiring more part-time employees often is not a realistic option, since state regulations require each fire fighter to have individual gear, which may cost several thousand dollars. CSHB 3057 would help these fire departments meet their personnel needs by allowing part-time fire fighters to work up to 750 hours a year, excluding training hours. Allowing part-time fire fighters to work more hours also would allow them to better integrate into the department, earn additional income, and help train volunteer staff.

**OPPONENTS
SAY:**

CSHB 3057 could encourage some fire departments to take a full-time professional position with benefits and break that into several part-time positions with less pay and no benefits. The 500 hour cap on part-time employees was put in place specifically to protect the jobs of professional fire fighters from the pressure fire departments face to reduce costs. By raising the number of hours that a part-time fire fighter could work, the bill would make these employees relatively more attractive, especially as departments decide how to fill the positions of retirees.

NOTES:

The committee substitute limited application of the bill's provisions to fire departments with less than 10 employees in cities that have not adopted municipal civil service. The substitute also lowered from 1000 to 750 the number of hours that part-time fire fighters would be able to work in fire suppression activities, but specified that training hours would not count toward this total.