

LEGISLATIVE BILL 773

Approved by the Governor May 12, 1971

Introduced by Harold D. Simpson, 46th District; Roland A. Luedtke, 28th District

AN ACT to amend section 35-302, Reissue Revised Statutes of Nebraska, 1943, relating to firemen; to change provisions regulating the hours of duty of firemen as prescribed; and to repeal the original section.

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

Section 1. That section 35-302, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

35-302. ~~On and after January 1, 1954, firemen employed in the fire department of cities having paid fire departments and not working on alternating day schedules, as hereinafter provided, shall not be required to remain on duty for periods of time which will aggregate in each month more than an average of seventy-two hours per week, and no single period of time or shift shall exceed twenty-four hours in length. Such hours shall be reduced to not more than sixty-eight effective January 1, 1964, not more than sixty-four effective January 1, 1965, and not more than sixty effective January 1, 1966. In the event a majority of the firemen employed in any such fire department petition the chief of said department to fix the hours within which they shall be assigned to duty so that each fireman shall alternately be on duty twenty-four hours continuously, and off duty for twenty-four hours without being subject to perform any work or service as such fireman during the period in which he is off duty, except in cases of extraordinary conflagrations or emergencies, and if the chief of such fire department shall determine that the best interests of the city and the fire department will be conserved by granting such petition, it shall be lawful for the chief of said fire department to enter an order fixing the hours of duty of such firemen in conformity therewith; Provided, that each fireman working on such alternating day schedule shall be allowed four additional twenty-four hour periods off duty each month. Firemen employed in the fire departments of cities having paid fire departments shall not be required to remain on duty for periods of time which will aggregate in each month more than an average of sixty hours per week. Each single duty shift~~

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

Sec. 2. That original section 35-302, Reissue Revised Statutes of Nebraska, 1943, is repealed.