

ORDINANCE NO. 2024-02

**AN ORDINANCE OF THE FOX RIVER & COUNTRYSIDE FIRE / RESCUE DISTRICT
ESTABLISHING A 27-DAY WORK PERIOD FOR FIREFIGHTING PERSONNEL**

WHEREAS, the Fox River & Countryside Fire / Rescue District (the “District”) is a fire protection district duly organized under the laws of the State of Illinois; and

WHEREAS, the Board of Trustees of the District (the “Board”) has full power pursuant to 70 ILCS 705/6, to pass all necessary ordinances, and rules and regulations for the proper management and conduct of the business of the Board for carrying into effect the objects for which the District was formed; and

WHEREAS, the Federal Fair Labor Standards Act ("FLSA") applies nationwide to regulate a number of aspects of employment including working hours and overtime wages; and

WHEREAS, the FLSA generally requires that employees be paid overtime for all work performed in excess of 40 hours in any 7-day period; and

WHEREAS, Section 7k of the FLSA (209 U.S.C. § 207k) carves out an exemption for firefighters, paramedics, and EMTs and allows fire departments to set a 27-day work period for calculating overtime, and

WHEREAS, moving to a 27-day work period will reconfigure the overtime calculations, resulting in firefighters being paid overtime only after they work 204 hours in any 27-day period; and

WHEREAS, the Illinois Minimum Wage Law further specifically allows and authorizes this method of calculating overtime in 820 ILCS 105/4a(4); and

WHEREAS, in an ongoing effort to contain costs and work to deliver the best possible service to the community within the budgets available, the Board believes transitioning from the current 14-day work period to a 27-day work period allowed by Section 7k is in the best interest of the District; and

THEREFORE, BE IT ORDAINED by the Board of Trustees of the Fox River & Countryside Fire / Rescue District as follows:

SECTION 1: From the end of the current work period going forward, the District shall utilize a 27-day work period for the purposes of calculating overtime for firefighters, paramedics, and EMTs, consistent with 209 U.S.C. § 207k and 820 ILCS 105/4a(4).

SECTION 2: The Fire Chief may allow the schedule of paychecks to employees to be made on a 14-day or any other permissible basis if it is deemed more administratively efficient.

SECTION 3: This Ordinance shall supersede any ordinances or motions or parts of ordinances or motions in conflict with any part herein, and any such ordinances or motions or parts of such ordinances are hereby repealed.

SECTION 4: If any section, paragraph or provisions of the Ordinance shall be held invalid or unenforceable for any reason, such invalidity or unenforceability shall not affect any of the remaining provisions of this Ordinance.

SECTION 5: The provisions of this Ordinance shall be in full force and effect immediately upon adoption.

ADOPTED this 4th day of April, 2024, by the following roll call vote:

AYES: _____

NAYS: _____

ABSENT: _____

President, Board of Trustees,
Fox River & Countryside Fire /
Rescue District

ATTEST:

Secretary, Board of Trustees
Fox River & Countryside Fire / Rescue District

STATE OF ILLINOIS)
)
COUNTY OF KANE)

SS

SECRETARY'S CERTIFICATE

I, _____, the duly qualified and acting Secretary of the Board of Trustees of the Fox River & Countryside Fire / Rescue District do hereby certify that I am the keeper of its books and records and that the attached hereto is a true and correct copy of an Ordinance entitled:

ORDINANCE NO. _____

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which Ordinance was duly adopted by said Board of Trustees at a regular meeting held on the 4th day of April, 2024.

I do further certify that a quorum of said Board of Trustees was present at said meeting and that the Board complied with all requirements of the Illinois Open Meetings Act.

IN WITNESS WHEREOF, I have hereunto set my hand this 4th day of April, 2024.

Secretary, Board of Trustees,
Fox River & Countryside Fire /
Rescue District