

RESOLUTION
 CAL FIRE LOCAL 2881 58th ANNUAL CONVENTION
 SACRAMENTO, CA
 JANUARY 9 - JANUARY 12, 2025

SUBJECT: Timely Overtime Pay

SUBMITTED BY: Madera-Mariposa-Merced Chapter

INTENT: To Receive Overtime Checks in a More Timely Manner

FINANCIAL
 IMPACT: (To be assigned by fiscal steering committee/state finance director)

Sunset Date: _____ Continues Indefinitely X

Estimated Annual Revenue: _____ 0 _____

WHEREAS, (1) BU8 MOU Section 5.3.2 currently states “Overtime pay warrants shall be distributed to the employee on or before the end of the following 28-day work period” and this clause has been present in BU8’s MOU word-for-word since at least 1992, 32 years ago, at a time when hand written paper time cards were manually processed; and

WHEREAS, (2) Since then time cards are all handled electronically via ePay and are instantly accessible. Many CAL FIRE administrative units choose to distribute overtime pay warrants on an irregular, non-predictable basis, and due to various reasons such as human error, personnel vacation schedules, emergency activity, or otherwise, the distribution of pay warrants occasionally occurs near or on the 28-day time requirement noted in BU8’s MOU; and

WHEREAS, (3) The MOU provides no penalties when overtime pay warrants are not paid within 28 days after the end of a pay period, as such, the only recourse is a lengthy grievance and/or the employee has to file a claim with the California Division of Labor Standards Enforcement, which can be time consuming and costly for both the employee and department; and

WHEREAS, (4) Most CAL FIRE administrative units process overtime pay warrants in 7 days or less when they deem it desirable to do so in order to meet their needs, such as the end of the fiscal year, which shows that more timely processing of overtime pay warrants is possible. The personnel specialists have now received the directors award for superior accomplishments in 2024. As well, with the 2024 bargaining they now have more accurate time frames for time sheet approval; therefore, be it

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RESOLVED, (A) CAL FIRE Local 2881 Negotiate with CAL FIRE to Change BU8 MOU Section 5.3.2 to state "Overtime pay warrants shall be distributed to the employee in person or via electronic deposit no later than 14 days from the end of the work period. All late payments occurring past the 14-day cut off shall be subject to a \$200 penalty paid to that employee per work period."

RESOLVED, (B) CAL FIRE Local 2881 work with California Professional Firefighter to change legislation under CA Labor Code
 Division 2. Employment Regulation and Supervision
 Part 1. Compensation
 Chapter 1. Payment of Wages
 Article 1. General Occupations
 Section 203

Add sub section (c) to state the following:

(c) For those employees who are earning FSLA overtime, all overtime incurred within a work period shall be paid no later than 14 days after the close of that last work period.

ACTION:

To Executive Board of Directors _____ Adopt in Original Form _____

Adopt as Amended _____ Adopt as a Consolidation of Resolutions _____

Withdrawn by Author _____ Reject _____