FIRE DEPARTMENT HOURS OF LABOR

Act 125 of 1925

AN ACT to regulate the hours of labor of employes in the fire departments of municipalities, and providing penalties for the violation thereof.

History: 1925, Act 125, Eff. Aug. 27, 1925

The People of the State of Michigan enact:

123.841 Fire department employees; period of duty; days off duty; work hours per week.

Sec. 1.

It shall be unlawful for any municipality, or any officer or employee thereof, in municipalities which maintain or may hereafter maintain an organized paid or part-paid fire department, to require any person in the employ of the fire department who is engaged in fire fighting or subject to the hazards thereof to be on duty in such employment more than 24 hours, or to be off duty less than 24 consecutive hours out of any 48-hour period. All persons in the employ of any organized paid or part-paid fire department who are engaged in fire fighting or subject to the hazards thereof shall be entitled to an additional 24 consecutive hours off duty in every 12-day period, beginning July 1, 1966, thereby requiring firemen to work not more than an average of 63 hours per week, and effective July 1, 1967, an additional 24 consecutive hours off duty in every 6-day period, thereby requiring firemen to work not more than an average of 56 hours per week.

History: 1925, Act 125, Eff. Aug. 27, 1925 ;-- CL 1929, 2725 ;-- Am. 1937, Act 38, Eff. Oct. 29, 1937 ;-- Am. 1941, Act 57, Eff. Jan. 10, 1942 ;-- Am. 1947, Act 335, Eff. Oct. 11, 1947 ;-- CL 1948, 123.841 ;-- Am. 1965, Act 115, Eff. Mar. 31, 1966

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123.842 Exemptions.

Sec. 2.

The provisions of section 1 shall not apply

(a) To the chief officer or the assistant chief officer in command of the fire department of a municipality.

(b) To employees of a fire department who are employed subject to call.

(c) To the members or employees of a fire department when required to remain on duty by the chief officer of such department, his aides or assistants, in cases of public necessity arising from great conflagration, riot, flood, epidemic of pestilence, or disease, necessary absence of regularly employed men due to military service, or for disciplinary measures.

(d) To the members of any volunteer fire department.

(e) To any municipality which, by agreement with the collective bargaining agent representing affected employees, does not require its employees engaged in fire fighting or subject to the hazards thereof, to be on duty more than 40 hours in any consecutive 7-day period.

History: 1925, Act 125, Eff. Aug. 27, 1925 ;-- CL 1929, 2726 ;-- Am. 1937, Act 38, Eff. Oct. 29, 1937 ;-- Am. 1947, Act 335, Eff. Oct. 11, 1947 ;-- CL 1948, 123.842 ;-- Am. 1973, Act 78, Imd. Eff. July 31, 1973

123.843 Penalty for violations.

Sec. 3.

Any officer or employe or agent of such municipality who shall require any employe or other person in any such fire department, save as hereinbefore excepted in section 2 of this act, to be on duty in such employment for a longer time than that hereinbefore provided, or to be off duty for a lesser time than that hereinbefore provided, shall be guilty of a misdemeanor and on conviction thereof shall be punished by a fine of not more than 100 dollars or by imprisonment in the county jail for not more than 3 months, or by both such fine and imprisonment.

History: 1925, Act 125, Eff. Aug. 27, 1925 ;-- CL 1929, 2727 ;-- CL 1948, 123.843

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