

118TH CONGRESS
1ST SESSION

H. R. 1235

To amend title 5, United States Code, to provide for pay equality and the more accurate computation of retirement benefits for certain firefighters employed by the Federal Government, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 28, 2023

Mr. CONNOLLY introduced the following bill; which was referred to the Committee on Oversight and Accountability

A BILL

To amend title 5, United States Code, to provide for pay equality and the more accurate computation of retirement benefits for certain firefighters employed by the Federal Government, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE; PURPOSES.**

4 (a) **SHORT TITLE.**—This Act may be cited as the
5 “Federal Firefighter Pay Equity Act”.

6 (b) **PURPOSES.**—The purposes of this Act are—

1 (1) to improve pay equality between Federal
2 firefighters, other Federal employees, and municipal
3 and other public sector firefighters;

4 (2) to enhance recruitment and retention of
5 firefighters in order to maintain the highest quality
6 of Federal fire service;

7 (3) to include the pay of all regularly reoccur-
8 ring scheduled hours during the firefighter workweek
9 when computing such retirement benefits of fire-
10 fighters; and

11 (4) to establish the regular workweek for Fed-
12 eral firefighters.

13 **SEC. 2. COMPUTATION OF PAY.**

14 Section 5545b(c)(1)(B) of title 5, United States
15 Code, is amended by striking “2756” and inserting
16 “2087”.

17 **SEC. 3. COMPUTATION OF ANNUITY BASED ON CERTAIN**
18 **FIREFIGHTER SERVICE.**

19 (a) IN GENERAL.—Section 5545b of title 5, United
20 States Code, as amended by section 2, is further amended
21 by adding at the end the following:

22 “(e) For purposes of any determination of ‘average
23 pay’ under section 8331(4) or 8401(3), in the case of a
24 firefighter who is subject to subsection (b), the rate of
25 basic pay in effect for such firefighter for a year of cred-

1 itable service (or, in the case of an annuity under sub-
2 section (d) or (e)(1) of section 8341 or under chapter 84
3 based on less than 3 years of creditable service, for any
4 other period of creditable service) shall, in addition to the
5 amount determined under subsection (b) for such year (or
6 other period), include an amount equal to one-half the
7 firefighter’s basic hourly rate (as computed under sub-
8 section (b)(1)(A)) for such year (or other period) times
9 the number of overtime hours included as part of such
10 firefighter’s regular tour of duty during such year (or
11 other period).”.

12 (b) CONFORMING AMENDMENTS.—Sections 8331(4)
13 and 8401(3) of title 5, United States Code, are amended
14 by striking the semicolon at the end and inserting “, sub-
15 ject to section 5545b(e);”.

16 **SEC. 4. ESTABLISHMENT OF A MAXIMUM HOURS OF FED-**
17 **ERAL FIREFIGHTERS’ REGULAR WORKWEEK.**

18 Section 5545b of title 5, United States Code, as
19 amended by section 3, is further amended by adding at
20 the end the following:

21 “(f) Not later than one year after the date of enact-
22 ment of the Federal Firefighter Pay Equity Act, the Office
23 of Personnel Management shall prescribe regulations es-
24 tablishing the maximum number of regularly reoccurring
25 hours which comprise a workweek for a firefighter covered

1 by this section. The maximum number of such hours shall
2 not exceed an average of 60 hours per week.”.

3 **SEC. 5. EFFECTIVE DATE.**

4 The amendments made by this Act shall apply with
5 respect to any annuity entitlement to which is based on
6 a separation from service occurring after the end of the
7 60-day period beginning on the date of the enactment of
8 this Act.

○