

THE GENERAL ASSEMBLY OF PENNSYLVANIA

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# HOUSE BILL

## No. 1241

Session of  
1981

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INTRODUCED BY DOMBROWSKI, CAPPABIANCA AND BOYES, APRIL 21, 1981

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REFERRED TO COMMITTEE ON URBAN AFFAIRS, APRIL 21, 1981

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AN ACT

1 Amending the act of June 23, 1931 (P.L.932, No.317), entitled  
2 "An act relating to cities of the third class; and amending,  
3 revising, and consolidating the law relating thereto,"  
4 further providing for hours of service for firemen.

5 The General Assembly of the Commonwealth of Pennsylvania  
6 hereby enacts as follows:

7 Section 1. Section 2103, act of June 23, 1931 (P.L.932,  
8 No.317), known as "The Third Class City Code," reenacted and  
9 amended June 28, 1951 (1952 P.L.662, No.164) and amended July  
10 19, 1957 (P.L.1012, No.448), is amended to read:

11 Section 2103. Platoon System; Hours of Service; Vacation;  
12 Sick Leave.--The director of the department having charge of the  
13 fire bureau in each city shall divide the officers and members  
14 of companies of the uniformed fire force in the employ of such  
15 cities, and any other firemen and drivers regularly employed and  
16 paid by the city, excepting the chief engineer and assistant  
17 chiefs, and those employed subject to call, into two bodies or  
18 platoons to perform service during such hours as the director

1 shall fix, except as herein otherwise provided. The hours of day  
2 service shall not exceed ten, commencing at eight o'clock in the  
3 morning; the hours of night service shall not exceed fourteen,  
4 commencing at six o'clock in the afternoon; and the hours of day  
5 service shall not exceed fifty hours in any one calendar week,  
6 and the hours of night service shall not exceed seventy hours in  
7 any one calendar week, unless the hours of day and night service  
8 shall be equalized, in which case neither the hours of day or  
9 night service shall, absent any collective bargaining agreement  
10 to the contrary, exceed fifty-six in any one calendar week:  
11 Provided, That for the duration of any war in which the United  
12 States is engaged, and six months thereafter, the hours of  
13 service may exceed the number hereinbefore provided as the  
14 maximum number of hours of service, and in such cases, council  
15 shall provide for the payment of extra compensation for any  
16 hours of service, at the same rate as paid for regular service  
17 in excess of such maximum hours of service. The employees of such  
18 fire forces shall be allowed to have at least twenty-four  
19 consecutive hours of rest in every calendar week, to have an  
20 annual vacation of not less than fourteen working days, and  
21 shall be entitled to twenty-one days sick leave annually without  
22 diminution of the salary or compensation fixed by ordinance. In  
23 those instances in which sick leave exceeds four days at any one  
24 time, it shall be necessary for the employe to present evidence  
25 satisfactory to the director of the department showing either  
26 injury, hospitalization, or illness attended to by a physician.  
27 In cases of riot, serious conflagration, times of war, public  
28 celebrations, or other such emergency, the chief engineer of the  
29 bureau of fire, or the assistant chief deputy, or chief officer  
30 in charge at any fire shall have the power to assign all the

1 members of the fire force to continuous duty, or to continue any  
2 member thereof on duty, if necessary. No member of any of said  
3 shifts, bodies or platoons shall be required to perform  
4 continuous day service or continuous night service for a longer  
5 consecutive period than two weeks, nor be kept on duty  
6 continuously longer than ten hours in the day shifts, bodies or  
7 platoons or fourteen hours in the night shifts, bodies or  
8 platoons, excepting as may be necessary to equalize the hours of  
9 duty and service, and also excepting in cases of emergency, as  
10 above provided.

11 Section 2. This act shall take effect immediately.