

THE GENERAL ASSEMBLY OF PENNSYLVANIA

**HOUSE BILL**  
**No. 1076** Session of  
1981

INTRODUCED BY KOLTER, MARCH 31, 1981

REFERRED TO COMMITTEE ON URBAN AFFAIRS, MARCH 31, 1981

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.--(a) The director of the department having charge  
13 of the fire bureau in each city shall divide the officers and  
14 members of companies of the uniformed fire force in the employ  
15 of such cities, and any other firemen and drivers regularly  
16 employed and paid by the city, excepting the chief engineer and  
17 assistant chiefs, and those employed subject to call, into two  
18 bodies or platoons to perform service during such hours as the

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

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

10 (b) The provisions of this section are mandatory in the  
11 absence of any collective bargaining agreement to the contrary.  
12 The provisions of this section are superseded by any collective  
13 bargaining agreement which addresses the hours of service,  
14 vacation, sick time or pay for such work.

15 Section 2. This act shall take effect immediately.