

SENATE BUDGET AND APPROPRIATIONS COMMITTEE

STATEMENT TO

SENATE, No. 4443

STATE OF NEW JERSEY

DATED: JUNE 24, 2026

The Senate Budget and Appropriations Committee reports favorably Senate Bill No. 4443.

As reported, this bill establishes standards for overtime for employees engaged in fire protection activities to ensure compliance with the “Fair Labor Standards Act of 1938.” Under the bill “employee in fire protection activities” means an employee, including a firefighter, paramedic, emergency medical technician, rescue worker, ambulance personnel, or hazardous materials worker, who: is trained in fire suppression, has the legal authority and responsibility to engage in fire suppression, and is employed by a fire department established or operated by the State or any municipality, county, fire district, joint meeting or regional service agency within the State; and is engaged in the prevention, control, and extinguishment of fires or response to emergency situations where life, property, or the environment is at risk.

Specifically, the bill provides that effective and retroactive to February 4, 2019, the State and any county, municipality, or school district in the State, or any agency, authority, department, bureau, or instrumentality thereof, including a joint meeting and a regional service agency, will not be deemed to have violated overtime compensation requirements with respect to the employment of any employee in fire protection activities or any employee in sworn law enforcement activities, including security personnel in correctional institutions, if: in a work period of 28 consecutive days the employee receives for tours of duty which in the aggregate exceed 212 hours for fire protection activities or 171 hours for sworn law enforcement activities; or, in the case of such an employee to whom a work period of at least seven but less than 28 days applies, in the employee’s work period the employee receives for tours of duty which in the aggregate exceed a number of hours which bears the same ratio to the number of consecutive days in the employee’s work period as 212 hours for fire protection activities or 171 hours for sworn law enforcement activities bears to 28 days, compensation at a rate not less than one and one-half times the regular hourly rate at which the employee is employed.

The bill further provides that its provisions will be interpreted in a manner that is consistent with federal law and regulations.

FISCAL IMPACT:

The Office of Legislative Services (OLS) finds that the bill would potentially result in annual cost savings for the State and local governments. The bill addresses ambiguity in the application of State wage and hour laws to certain employees engaged in fire protection and sworn law enforcement activities with respect to overtime compensation.

The bill retroactively incorporates the overtime standards in the federal Fair Labor Standards Act to forestall legal challenges which would require the State and other public entities to pay overtime for any week in which an employee exceeded 40 working hours.