

113TH CONGRESS  
1ST SESSION

# H. R. 471

To provide for the more accurate computation of retirement benefits for certain firefighters employed by the Federal Government.

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IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 4, 2013

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

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## A BILL

To provide for the more accurate computation of retirement benefits for certain firefighters employed by the Federal Government.

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.**

4 This Act may be cited as the “Federal Firefighter  
5 Pay Equity Act”.

6 **SEC. 2. FINDINGS AND PURPOSE.**

7 (a) FINDINGS.—Congress finds that—

8 (1) certain firefighters employed by the Federal  
9 Government are required by law to work a regular  
10 tour of duty consisting of 72 hours per week;

1 (2) 19 of those 72 hours per week are consid-  
2 ered to be overtime hours for purposes of computing  
3 pay;

4 (3) the pay computed for those 19 overtime  
5 hours each week are not accurately accounted for  
6 when computing such firefighters' retirement bene-  
7 fits; and

8 (4) those inaccurate computations have led to  
9 reduced retirement benefits for Federal firefighters.

10 (b) PURPOSE.—The purpose of this Act is to correct  
11 the manner in which retirement benefits for Federal fire-  
12 fighters are computed so as to account for pay earned for  
13 regularly scheduled overtime hours during a normal tour  
14 of duty.

15 **SEC. 3. COMPUTATION OF ANNUITY BASED ON CERTAIN**  
16 **FIREFIGHTER SERVICE.**

17 (a) IN GENERAL.—Section 5545b of title 5, United  
18 States Code, is amended by adding at the end the fol-  
19 lowing:

20 “(e) For purposes of any determination of ‘average  
21 pay’ under section 8331(4) or 8401(3), in the case of a  
22 firefighter who is subject to subsection (b), the rate of  
23 basic pay in effect for such firefighter for a year of cred-  
24 itable service (or, in the case of an annuity under sub-  
25 section (d) or (e)(1) of section 8341 or under chapter 84

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

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

14 **SEC. 4. EFFECTIVE DATE.**

15 The amendments made by this Act shall apply with  
16 respect to any annuity, entitlement to which is based on  
17 a separation from service occurring after the end of the  
18 60-day period beginning on the date of the enactment of  
19 this Act.

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