



For Immediate Release

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## **BOLI prevails in overtime case that directs \$100,000 to firefighters**

*Avakian praises Oregon Court of Appeals decision as a victory for public safety workers*

**Portland, OR**—Labor Commissioner Brad Avakian today praised an Oregon Court of Appeals victory for the agency that will result in the payment of more than \$100,000 in back wages and overtime for firefighters working in Grants Pass.

Yesterday's Court of Appeals decision affirms an earlier declaratory ruling from Labor Commissioner Brad Avakian concerning how the city of Grants Pass must compensate city firefighters. The Court of Appeals decision can be found [here](#).

In June 2011, the International Association of Fire Fighters, Local 3564 (IAFF) petitioned the Bureau of Labor and Industries (BOLI) for a ruling about whether the city of Grants Pass must include authorized vacation and sick leave time when calculating the overtime wages of its members.

Commissioner Avakian concurred with IAFF that enactment of the Public Employees Collective Bargaining Act (PECBA) did not create a collective bargaining exception to the overtime requirements of ORS 652.070. This week's ruling affirms BOLI's interpretation of Oregon law and rejects the "novel theory" argued by the city of Grants Pass.

**"This decision is a significant victory for the workers and firefighters that keep our communities safe,"** said Labor Commissioner Avakian. **"The ruling will help ensure that those who protect life and property will be fairly compensated for their critical work."**

The Oregon Department of Justice represented BOLI in the case, along with the Tedesco Law Group arguing for IAFF. The city of Grants Pass will have 35 days to petition the Oregon Supreme Court or begin directing deferred overtime payments to the affected firefighters.

For more information about BOLI's efforts to protect Oregon employees and support Oregon employers, please visit <http://www.oregon.gov/BOLI>. A copy of the original BOLI declaratory ruling can be found [here](#).

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