

# Wake County Fire Compensation Administrative Guidelines

## Updates

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## Wake County Fire Compensation Administrative Guidelines

**Effective July 1, 2016**

Revision on November 19, 2020  
Revision January 15, 2022  
Revision July 1, 2022  
Revision January 12, 2023  
Revision October 12, 2023  
Revision July 1, 2024  
Revision July 1, 2025  
**Revision October 9, 2025**

Adopted by the Wake County Fire Commission on 3/17/2016

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# UPDATES – Holiday Pay

- All shift personnel will receive 8 hours of straight pay (holiday pay) for each holiday the County observes when they are scheduled off for that holiday.
  - If they are scheduled to work on the observed holiday, then they will **not** receive holiday pay but instead receive holiday premium pay (double their hourly rate) for all hour's worked on the holiday, up to twenty-four (24) hours even if they do not exceed 40 hours a week.
  - All holiday pay and holiday premium pay will be paid out and will not be banked for future use.

# UPDATES – Holiday Pay

- Wake County Observed Holidays (13 Total Holidays)

<b>New Year’s Day</b>	<b>Independence Day</b>
<b>Martin Luther King Jr. Day</b>	<b>Labor Day</b>
<b>Good Friday</b>	<b>Veteran’s Day</b>
<b>Memorial Day</b>	<b>Thanksgiving (two days)</b>
<b>Juneteenth</b>	<b>Christmas (three days)</b>

- All the holidays listed above are either a legal public holiday established by the North Carolina State Legislature or a related day (ex. three days at Christmas).
- For Exempt non-shift employees: Unless a special schedule has been adopted, when the County observed holiday falls on a Saturday, the previous Friday is observed. When the holiday falls on a Sunday, the following Monday is observed.

# UPDATES - Federal Standard (Affordable Care Act - ACA)

## Under the ACA:

- Employers with 50 or more full-time equivalent (FTE) employees are required to offer health insurance to employees who work:
  - 30 or more hours per week, or
  - 130 or more hours per month (on average).

So, if a part-time employee averages 30+ hours per week, the employer must offer health benefits to avoid potential penalties.

# UPDATES - FIREFIGHTERS & THE ACA

## Exemption for Volunteer Firefighters

Under the ACA, volunteer firefighters are not considered employees for the purpose of determining full-time status or employer size if they meet certain conditions:

- In 2014, the IRS and U.S. Department of the Treasury clarified that:

Bona fide volunteers who receive only nominal compensation, such as stipends, per-call payments, or reimbursements, are not treated as employees under the ACA.

This means:

- Their hours do not count toward the 30-hour threshold that would require offering health insurance.
- Their hours also do not count toward the employer's total full-time equivalent (FTE) count (for determining if the employer is an "Applicable Large Employer" or ALE under the ACA).



# UPDATES - FIREFIGHTERS & THE ACA

## Career (Paid) Firefighters

Paid firefighters (as regular employees) are subject to ACA rules, just like any other employee:

- If a paid firefighter works an average of 30+ hours/week or 130+ hours/month, the employer must offer minimum essential coverage or face ACA penalties.
- Their hours do count toward determining if the fire department or municipality is an ALE.

## Combination Departments (Volunteer + Paid Staff)

- Only the paid staff's hours count toward the ACA coverage threshold and ALE determination.
- Volunteer hours are excluded, assuming they are truly volunteer and not compensated beyond nominal amounts.

# UPDATES - FIREFIGHTERS & THE ACA

## Be Careful About “Nominal Compensation”

- If a "volunteer" receives wages, significant stipends, or benefits similar to a paid employee, the IRS may reclassify them as an employee, which could trigger ACA obligations.

## Summary

Type of Firefighter	ACA Coverage Requirement?	Hours Count Toward ACA FTE?
Volunteer (nominal pay only)	✗ No	✗ No
Paid/Career	✓ Yes (if avg 30+ hrs/week)	✓ Yes
Mixed Roles (e.g., paid on-call with substantial pay)	⚠ Possibly	⚠ Possibly

# UPDATES - FIREFIGHTERS & THE ACA

## Other Benefits (Non-ACA)

For benefits other than health insurance (like paid time off, retirement, etc.), the rules vary:

- No federal law mandates benefits for part-time employees.
- Many employers define part-time status (e.g., under 20, 24, or 30 hours/week) and choose whether to offer benefits.
- Paid firefighters may be eligible for participation in the Local Governmental Employees' Retirement System (LGERS) if they are employed by an LGERS-participating employer in a regular position that requires at least 1,000 hours of work per calendar year.
  - However, they would not be eligible to contribute to LGERS if their role is considered temporary employment or statutorily required interim employment.



# UPDATES - CERTIFICATION AND EXPERIENCE REQUIREMENTS FOR NEW HIRES, NEW PROMOTIONS AND NEW APPOINTMENTS

- Adding “Valid Driver's License and "safe" driving record” to all

## Certification and Qualification Requirements:

- Page 11 Firefighter 1
- Page 11 Firefighter 2
- Page 13 Firefighter 1
- Page 13 Firefighter 2
- Page 14 Executive Officer 1
- Page 14 Executive Officer 2
- Page 14 Executive Officer 3

FS 8	Executive Officer 2	Deputy Chief	<ul style="list-style-type: none"> <li>• Firefighter Level I and II (NFPA 1001) (IFSAC, ProBoard, DOD)</li> <li>• Hazardous Materials Responder – Level 1 (NFPA 472 and OSHA 29 CFR 1910.120) (IFSAC, ProBoard, DOD)</li> <li>• NIMS 100, 200, 300, 400, 700, 800 (meeting objectives of NFPA 1561)</li> <li>• Bloodborne Pathogens Training (meeting objectives of NFPA 1581 and OSHA 29 CFR 1910.1003.</li> <li>• Bachelor's Degree related to fire service management or education and experience equivalent.</li> <li>• <b>Valid Driver's License and "safe" driving record</b></li> </ul>
FS 9	Executive Officer 3	Fire Chief	<ul style="list-style-type: none"> <li>• Firefighter Level I and II (NFPA 1001) (IFSAC, ProBoard, DOD)</li> <li>• Hazardous Materials Responder – Level 1 (NFPA 472 and OSHA 29 CFR 1910.120) (IFSAC, ProBoard, DOD)</li> <li>• NIMS 100, 200, 300, 400, 700, 800 (meeting objectives of NFPA 1561)</li> <li>• Bloodborne Pathogens Training (meeting objectives of NFPA 1581 and OSHA 29 CFR 1910.1003.</li> <li>• Bachelor's Degree related to fire service management or education and experience equivalent.</li> <li>• NC Chief 101(within 12 months)</li> <li>• <b>Valid Driver's License and "safe" driving record</b></li> </ul>

## 9. LEAVE GUIDELINES

9. Departments agree to incorporate these leave guidelines into their existing guidelines for leave for continued participation in the compensation program.

### 9.1 Annual Leave

9.1.1 It shall be policy to grant paid annual leave as a privilege to employees.

9.1.2 Annual leave for probationary or regular full-time (40-hour week period or 56-hour week period) employees shall be computed at the following rates, and each department's leave guidelines will provide for accrual rates in an amount not to exceed:

#### 40 Hour Work Week

#### 56 Hour Work Week

Vacation	Months of Service	Hours Earned Annually		Vacation	Months of Service	Hours Earned Annually
	1 – 23	96			1 – 23	135
	24 – 59	112			24 – 59	157
	60 – 119	136			60 – 119	191
	120 – 179	160			120 – 179	225
	180 – 239	184			180 – 239	258
	240 +	208			240 +	292
Sick		96		Sick		135

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Benefits eligible employees will accrue prorated annual leave in direct proportion to the regularly scheduled hours in their work period. Employees may be granted annual leave only as it is earned and at a time approved in advance by the appropriated department head.

### 9.1.3 Accumulation of Annual Leave

# Updates

- Adding “Valid Driver's License and "safe" driving record” to all Job Descriptions:
  - Page 26 Firefighter 1
  - Page 30 Firefighter 2
  - Page 34 Firefighter 3
  - Page 39 Driver/Operator
  - Page 43 Officer 1
  - Page 48 Officer 2
  - Page 53 Executive Officer 1
  - Page 58 Executive Officer 2
  - Page 63 Executive Officer 3

JOB REQUIREMENTS	
Formal Education / Knowledge	Work requires knowledge necessary to understand basic operational, technical, or office processes. GED or high school diploma required.
Experience	No experience required.
Certification and Other Requirements	Valid Driver's License and "safe" driving record
Reading	Basic - Ability to recognize meaning of common two- or three-syllable words. Ordinarily, such education is obtained in elementary school up to high school. However, it may be obtained from experience and self-study.
Math	Intermediate - Ability to deal with system of real numbers; practical application of fractions, percentages, ratios/proportions and measurement. Ordinarily, such education is obtained in high school up to college. However, it may be obtained from experience and self-study.
Writing	Basic - Ability to write simple sentences containing subject, verb, and object, and/or series of numbers, names, and addresses. Ordinarily, such education is obtained in elementary school up to high school. However, it may be obtained from experience and self-study.



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