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Kansas City proposes to settle ambulance workers' overtime lawsuit for \$1.975 million

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The Kansas City Star

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The case arose after the Fire Department merged with Metropolitan Ambulance Services Trust in 2010. The lawsuit was filed in 2011 and involved former MAST paramedics and emergency medical technicians who worked 24-hour shifts for the Fire Department. The plaintiffs accused Kansas City of violating federal law in its overtime pay policies by failing to pay them for all hours worked in excess of 40 hours a week. FILE PHOTO *The Kansas City Star*



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The Kansas City Council is proposing to settle a class action lawsuit over ambulance employees' overtime for nearly \$2 million.

An ordinance with the proposed \$1,975,000 settlement was introduced Thursday, and the council's finance committee will formally consider it next week. But the council has already verbally authorized the settlement following a closed session discussion.

"We're extremely happy about the resolution of this case," said Michael Hodgson, one of the attorneys who represented nearly 110 plaintiffs in the case.

Hodgson said a judge must sign off on the settlement, and he will work with the city to obtain that approval.

The case arose after the Fire Department merged with Metropolitan Ambulance Services Trust in 2010. The lawsuit was filed in 2011 and involved former MAST paramedics and emergency medical technicians who worked 24-hour shifts for the Fire Department.

The plaintiffs accused Kansas City of violating federal law in its overtime pay policies by failing to pay them for all hours worked in excess of 40 hours a week.

The city believed the employees fell under the firefighter exemption in the Fair Labor Standards Act and therefore should be paid overtime only after working more than 49 hours a week.

But a federal judge ruled recently in the plaintiffs' favor on that issue. The parties agreed the actual wage damages were \$1.3 million, and attorney fees were expected to reach \$500,000 even before a trial, which was scheduled for early August.

The Law Department recommended settling because it said that a trial could find the city liable for greater damages and fees and that the judgment could exceed \$3.2 million.

The \$1.3 million will come from the Fire Department budget and the rest from a legal claims fund.

Fire Chief Paul Berardi said Thursday that fire and city officials and union representatives have been meeting to figure out a way to cover the workload and provide reasonable response times while assigning ambulance crews to 40-hour workweeks.

“We’re confident we’ll be able to do that,” he said.

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