

DEPARTMENT OF NATURAL RESOURCES
AND CONSERVATION

Forestry Division • Fire Protection Bureau

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July 2, 2024

MEMORANDUM

TO: State, local, and federal wildland fire management agencies and Incident Management Organizations

FROM: Cory Calnan - Deputy Chief
Fire Protection Bureau
Montana Dept. of Natural Resources & Conservation (DNRC)

SUBJECT: Meal periods for State of Montana resources on wildfire and emergency incidents

A blue ink signature of Cory Calnan.

The purpose of this memorandum is to provide direct reference to Montana DNRC's policy regarding compensable time under hire. When engaged in support of wildfire and emergency incidents, resources mobilized via the State of Montana **remain in paid status for the entirety of their operational shift, including during meal breaks.** These employees are not considered "completely relieved of duty" and are not required to note a meal break on shift tickets or any other timekeeping documents.

Guiding policy regarding this matter is documented in the [Northern Rockies Chapter 50 Supplement](#) to the SIIBM and in the [Montana DNRC 300 - Incident Business Management Manual](#), as follows:

The NRCG Chapter 50 Supplement states:

01.3-2 Meal Periods

The guidelines of Chapter 10 of the SIIBM conflict with Montana Law and the Fair Labor Standards Act (FLSA). When committed or assigned to a wildfire or emergency incident, DNRC employees (including EFFs), other MT state agency employees, and LGFF employees, will remain in paid status (including meal breaks) throughout the duration of their shift. Documentation or notation of meal breaks (or lack thereof) on a shift ticket is not required.

The Montana DNRC 300 - Incident Business Management Manual states:

For all state employees, including EFFs, meal periods should be applied in accordance with the NRCG supplement to Chapter 50 of the SIIBM. While committed or assigned to a wildfire incident (not a prescribed fire), employees will remain in paid status for the entirety of their shift, therefore a meal break is not required to be noted on any shift ticket.

Posted: <https://dnrc.mt.gov/Forestry/Wildfire/forms-information>