



UNIFORMED SERVICES UNIVERSITY OF THE HEALTH SCIENCES

SUBJECT: Approval and Payment of Overtime for Civilian Employees

Instruction 1406

MAY 3 2011

(CHR)

ABSTRACT

This Instruction provides the procedures and requirements for the request, approval, and payment of overtime worked by the civilian employees of the Uniformed Services University of the Health Sciences (USUHS).

A. Reissuance and Purpose.

This Instruction reissues 1406^a and implements 5 CFR, Parts 550 and 551. It establishes policies, criteria, and procedures for approval and payment of overtime for civilian employees.

B. References. See Enclosure 1.

C. Applicability.

This instruction applies to all General Schedule (GS) and Federal Wage System (WG, WL, WS) employees. Administratively Determined (AD) employees are excluded from compensatory time off and premium pay for overtime, Sunday, holiday, hazardous duty, or night differential work.

D. Policy.

It is USUHS policy that:

1. Overtime will be requested and approved only where additional work is necessary to meet approved and scheduled deadlines or because of unforeseen or

unusual work requirements. All overtime will be authorized in writing in advance by officials in paragraph E.1.

2. Employees performing authorized overtime work will be paid or granted compensatory leave time; however, the aggregate rate of pay (basic pay and premium pay) for any period may not exceed the greater of: 1) the maximum biweekly rate of basic pay of a GS-15; or 2) the biweekly rate of pay payable for level V of the Executive Service. No premium payments or compensatory leave time may be granted to employees whose rates of basic pay exceed that of a GS-15, Step 10, or the biweekly rate of pay payable for level V of the Executive Schedule.

3. Employees who are performing authorized overtime work and who are covered by the Fair Labor Standards Act (FLSA) will be paid for their overtime work. Such employees may elect compensatory time in lieu of overtime pay.

4. Employees who are performing authorized irregular or occasional overtime work and who are exempt from coverage by the FLSA will be either paid overtime or granted compensatory leave time at the discretion of the approving official.

5. Employees will be given a minimum of 24-hours advance notice concerning planned overtime work, unless unforeseen circumstances occur.

6. Overtime will **not** be approved for:

- Periods of less than 15 minutes.
- Employees who generate need for overtime by unscheduled or unauthorized absences during regular working hours.

7. Compensatory leave time will be used prior to approved annual leave within the 26 pay periods (52 weeks) after overtime is worked. If compensatory leave time is not taken within that 52-week time period, the employee loses the right to compensatory leave time and must be paid at the appropriate overtime rate, unless the failure is due to an exigency of the service beyond the employee's control.

8. Employees will not be expected to work overtime if it impairs their health or presents an extreme hardship.

E. Responsibilities.

1. The President USUHS; Deans of USUHS Schools; Vice Presidents; Brigade Commander; Department Chairs or Heads; and the Director of the Armed Forces Radiobiology Research Institute (AFRRI) are authorized to approve and order overtime work within their scope of responsibilities using Civilian Human Resources (CHR) Form 1406, see *Enclosure 2*.

2. Supervisors shall:

- Schedule work requirements to avoid overtime whenever possible.
- Request authorization for overtime work in advance using CHR-Form 1406.
- Permit employees covered by the FLSA to work only overtime which has been approved in advance.

3. The Director, Civilian Human Resources shall:

- Develop and coordinate the establishment of policy on overtime and compensatory leave time.
- Provide advice and assistance to supervisors, employees, and managers on overtime policy.
- Ensure that all requirements for the eligibility for overtime are met.
- Advise supervisors that their failure to follow correct overtime authorization procedures will obligate the USUHS to compensate employees covered by FLSA who are offered or permitted unauthorized overtime work.
- Resolve any problems or questions about the eligibility for, or the payment of, overtime.

4. The Director, Financial and Manpower Management shall:

- Complete Fund Certification on CHR-Form 1406.
- Maintain a record of the USUHS departments that request overtime work.
- Ensure only approved overtime is paid to employees.
- Retain CHR-Form 1406 for three years for overtime performed.
- Prepare a quarterly overtime report for the Vice President for Finance and Administration.

5. Time Keepers shall:

- a. Maintain accurate and up-to-date time and attendance records.
- b. Ensure that timesheets are properly annotated to show approved overtime.

F. Regulations Governing Entitlement for and Payment of Overtime.

1. When an employee works overtime during the same week in which he/she has leave without pay, the period of overtime service performed during that same administrative week shall be substituted for the leave without pay. In addition, the employee shall be paid at the rate applicable to the basic work week before such overtime pay is approved.

2. Per 5 CFR, Part 550.112^b, when an employee is required to return to his/her office after normal working hours or on weekends, he/she must be compensated for not less than 2 hours of work.

3. Overtime pay will be computed as follows:

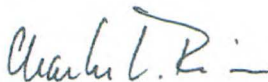
- a. Employees whose rate of compensation does not exceed that of a GS-10, Step 1, and employees who are non-exempt under the FLSA, will receive overtime pay at the rate of 1-1/2 times the regular hourly rate of compensation.

b. Per CFR, Part 550.113, employees whose rate of compensation exceeds that of a GS-10, Step 1 (except those non-exempt under FLSA), the employee's overtime hourly rate will be equal to the greater of: 1) 1-1/2 times the applicable minimum hourly rate of basic pay for GS-10; or 2) the employee's hourly rate of basic pay.

c. GS employees whose established work hours fall within 6 p.m. and 6 a.m. are entitled to night-differential pay of paid overtime computed on the rate basic compensation. Work Leader (WL), Work Supervisor (WS), and WG employees whose established work hours fall within night-pay entitlement are paid overtime computed on the night-pay rate (i.e., 1-1/2 times the night rate).

d. Employees are compensated for overtime performed on a holiday (beyond the 8-hour tour of duty), or a Sunday at the same rate of overtime provided in paragraph 3b, above.

e. Overtime compensation may be paid only to the extent that it does not cause the aggregate compensation for a bi-weekly pay period to exceed the rate of basic compensation of a GS-15, Step 10, or the biweekly rate of pay payable for level V of the Executive Schedule.



Charles L. Rice, M.D.
President

Enclosures:

1. References
2. CHR-Form 1406 and Preparation Instructions for CHR Form 1406

REFERENCES

(a) USUHS Instruction 1406, "Approval and Payment of Overtime for Civilian Employees," August 6, 1999 (hereby canceled)

(c) 5 Code of Federal Regulations, Part 551
"Pay Administration under the Fair Labor Standards Act"

(b) 5 Code of Federal Regulations, Part 550,
"Pay Administration (General)"

Preparation Instructions
Request for Overtime, Holiday Premium Pay, and Compensatory Time
CHR-Form 1406

<u>Block</u>	<u>Description</u>
1	Forward "TO" Financial and Manpower Management Directorate, (FMG.)
2	Forward "THRU" appropriate Department Chair/Activity Head depending upon employee's organization structure.
3	"FROM" the department preparing the request.
4	Indicate the reason for the request.
5	Enter the pay period in which the overtime is to be worked.
6	Show the area/organization cost code to which the person(s) is (are) currently being charged.
7	Enter each employee's name, grade, overtime hours requested, and date on which the overtime will be marked. The hourly overtime rate can be obtained from either the Office of Personnel Management (OPM) current year Salary Table or the CHR at 295-3412.
8	To be completed by FMG.
9	Type in the signature block of the USUHS official who will approve/disapprove the request (i.e., President, USUHS; DEN; Vice President or the Director, AFRR).

REQUEST FOR OVERTIME, HOLIDAY PREMIUM PAY, AND COMPENSATORY TIME

TO BE COMPLETED BY SUPERVISOR

1. TO	2. THRU	3. FROM
4. JUSTIFICATION (Include details requiring overtime)		5. PAY PERIOD
		6. Department Cost Code

7. NAME, OR NUMBER OF EMPLOYEES BY GRADE	GRADE	HOURS RE- QUESTED	DATE OVERTIME WILL BE WORKED	ESTIMATED		COMPENSATORY TIME	
				OVERTIME/ HOLIDAY RATE	TOTAL COST	HOURS	DATE
TOTAL							

DATE	TYPED NAME, GRADE AND TITLE OF REQUESTER	SIGNATURE
8. FUND CERTIFICATION		9. APPROVING AUTHORITY
ACCOUNTING CLASSIFICATION		<input type="checkbox"/> Approved <input type="checkbox"/> Disapproved
<input type="checkbox"/> FUNDS AVAILABLE <input type="checkbox"/> FUNDS NOT AVAILABLE	TYPED NAME, GRADE AND TITLE	DATE
DATE	SIGNATURE OF CERTIFYING OFFICIAL	SIGNATURE OF CERTIFYING OFFICIAL