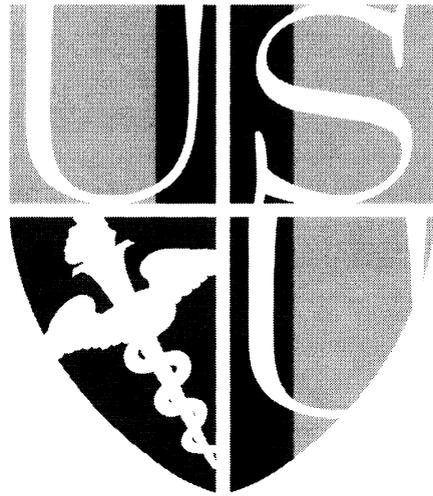


**USUHS  
INSTRUCTION  
1406**





# UNIFORMED SERVICES UNIVERSITY OF THE HEALTH SCIENCES



## SUBJECT: Overtime Approval and Payment for Civilian Employees

### Instruction 1406

AUG 6 1999

(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<sup>a</sup> and implements 5 CFR, Parts 550.112 and 550.113<sup>b,c</sup>, and 5 CFR, Part 610<sup>d</sup>, that apply to all General Schedule (GS)/Wage Grade (WG)/Administratively Determined (AD) employees. It establishes policies, criteria, and procedures for approval and payment of overtime for civilian employees of the USUHS.

**B. References** See *Enclosure 1*.

**C. 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 D.1.;

2. Employees performing authorized overtime work will be paid or granted compensatory leave time; however, the

aggregate rate of pay for any period may not exceed the maximum rate of pay of a GS-15. No premium payments or compensatory leave time may be granted to employees whose rates of basic pay equal or exceed that of a GS-15, Step 10;

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 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. However, the decision must be communicated to the employee prior to the work being performed;

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

6. Overtime will **not** be approved for:  
a. periods of less than 15 minutes,  
or  
b. 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 use of annual leave within the 26 pay periods (52 weeks) after the time 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 is paid at the appropriate overtime rate, unless the failure is due to an exigency of the service beyond the employee's control; and

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

#### **D. Responsibilities.**

1. The President, USUHS; Dean, School of Medicine (DEN); Dean, School of Nursing (DSN); Vice President, Administration and Management (VAM); Vice President, Executive Affairs (VEA); Vice President, Minority Affairs (MAO); Vice President, Research (VPA); Vice President, Resource Management (VPR); Vice President, Teaching and Research Support (TRS); Brigade Commander (BDE); Senior Executive Director, Continuing Education for Health Professionals (CHE); and the Director, Armed Forces Radiobiology Research Institute (AFRRI) are authorized to

approve and order overtime work within their scope of responsibilities on AF-Form 428, see *Enclosure 2*.

2. Supervisors shall:  
a. Schedule work requirements to avoid overtime wherever possible;  
b. Request authorization for overtime work in advance using AF-Form 428; and  
c. Permit employees covered by the FLSA to work only overtime which has been approved in advance.

3. The Director, Civilian Human Resources shall:  
a. Develop and coordinate the establishment of policy on overtime and compensatory leave time;  
b. Provide advice and assistance to supervisors, employees, and managers on overtime policy;  
c. Ensure that all requirements for the eligibility for overtime are met;  
d. 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; and  
e. Resolve any problems or questions about the eligibility for, or the payment of, overtime.

4. The Director, Financial and Manpower Management shall:  
a. Complete Fund Certification on AF-Form 428;  
b. Maintain a record of the USUHS departments that request overtime work;  
c. Ensure only approved overtime is paid to employees;

d. Retain AF-Form 428 for three years for overtime performed; and

e. Prepare a quarterly overtime report for the VPR.

5. Time and attendance clerks shall:

a. Maintain accurate and up-to-date time and attendance records; and

b. Ensure that timesheets are properly annotated to show approved overtime.

**E. 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<sup>b</sup>, 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

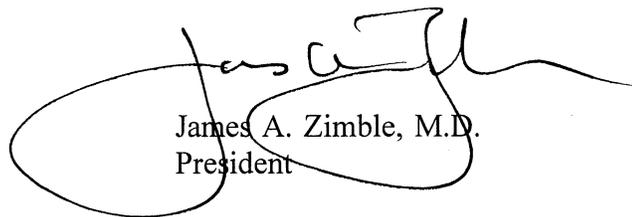
GS-10, Step 1, and employees who are non-exempt under the FLSA, will receive overtime pay at the rate of 1-1/2 times the regular hourly rate of compensation;

b. Per 5 CFR, Part 550.113<sup>c</sup>, employees whose rate of compensation exceeds that of a GS-10, Step 1 (except those non-exempt under FLSA), will receive overtime pay at the hourly rate of basic compensation of a GS-10, Step 1;

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 of 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. An employee is compensated for overtime performed on a holiday (beyond the 8-hour tour of duty), or on a Sunday at the same rate of overtime as on another day; and

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.



James A. Zimble, M.D.  
President

Enclosures:

1. References
2. AF-Form 428 and Preparation Instructions for AF Form 428



**REFERENCES**

- (a) USUHS Instruction 1406, "Approval and Payment of Overtime for Civilian Employees," dated July 6, 1988 (hereby cancelled)
- (b) 5 Code of Federal Regulations, Part 550.112, "Computation of Overtime Work"
- (c) 5 Code of Federal Regulations, Part 550.113, "Computation of Overtime Pay"
- (d) 5 Code of Federal Regulations, Part 610, "Hours of Duty"





Preparation Instructions  
Request for Overtime, Holiday Premium Pay, and Compensatory Time  
AF-Form 428

<u>Block</u>	<u>Description</u>
1	Forward "TO" Directorate, FMG.
2	Forward "THRU" the President, USUHS, or the VPR, 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 number to which the person(s) is(are) currently being charged.
7	Indicate the number of departmental/activity requests which have been prepared during the calendar year (i.e., 88-1, 88-2, etc).
8	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) Salary Table, No. 69, or Payroll Accounting at 295-3362.
9	To be completed by FMG.
10	Type in the signature block of the USUHS official who will approve/disapprove the request (i.e., President, USUHS; DEN; DSN: VAM; VEA; Vice President, MAO; VPA; VPR; Vice President, TRS; BDE; Senior Executive Director, CHE; or the Director, AFRRRI).