



Personnel

FINANCIAL MANAGEMENT OF CIVILIAN OVERTIME

COMPLIANCE WITH THIS PUBLICATION IS MANDATORY

OPR: HQ ARPC/FMA (Ms Susan Luthye)
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This regulation establishes policies, responsibilities, procedures, and authority for the use, control, reporting, and payment of civilian overtime, holiday premium pay, and compensatory time within ARPC.

SUMMARY OF REVISIONS

This change corrects office symbols and to amends the level of approval authority. It is now necessary to process requests for compensatory time in the same manner as requests for overtime. Unused compensatory time is paid out after 1 year as overtime. Directors may authorize overtime up to \$1,000.00. Additional information concerning overtime/compensatory time in conjunction with TDY travel has been added.

1. References:

- 1.1. AFI 36-807, *Weekly and Daily Scheduling of Work and Holiday Observance*.
- 1.2. DFAS-DER 177-104, *Civilian Pay Transactions at Base Level*.
- 1.3. Federal Employees Pay Comparability Act of 1990 (Pub L 101-509).
- 1.4. 5 Code of Federal Regulations 550.114.
- 1.5. 5 United States Code 5542.

2. Policy: Except for unforeseen short suspense requirements, overtime is authorized only when all other alternatives have been considered.

2.1. Such alternatives are:

- 2.1.1. Reallocation of directorate resources by detailing personnel from lower priority work.
- 2.1.2. Requesting personnel details from other directorates.
- 2.1.3. Deferring lower priority workloads for accomplishment during slack workload periods.

2.1.4. Schedule temporary duty (TDY) travel within an employee's regularly scheduled tour of duty to the maximum extent possible to avoid paying overtime.

2.2. Supervisors are responsible for ensuring the availability of assigned personnel is consistent with the organization's workload. Therefore, employees will not normally be scheduled to work overtime during the same work week (Sunday-Saturday) in which they have been on annual leave. This policy does not apply to previously scheduled leave, emergency annual leave, or sick leave.

2.3. As a general rule, all overtime or compensatory time requests are initiated at least 2 days in advance, and cover only one pay period. The supervisor will provide the employee a minimum of 5 hours notice, except in the event of an emergency, of required overtime.

2.4. Employees who are Fair Labor Standards Act (FLSA) exempt may perform overtime without compensation, if they desire. However, they may not be directed or expected to work overtime without compensation either in the form of overtime pay or compensatory time. Those exempt employees, whose rate of pay exceeds the maximum rate of GS-10 step 10, may receive overtime compensation or compensatory time off: however, management makes the determination to pay overtime or time off.

2.5. Those employees, who are nonexempt under FLSA, must receive overtime pay unless they request compensatory time off in lieu of payment. If the director has questions related to non-exempt or exempt employees, contact MSC for guidance.

2.6. For each employee whose rate of basic pay does not exceed the minimum rate for GS-10, the overtime hourly rate is 1 ½ times his or her hourly rate of basic pay. For each employee whose rate of basic pay exceeds the minimum rate for GS-10, the overtime hourly rate is 1 ½ times the hourly rate of basic pay at the minimum rate for GS-10.

2.7. If an employee is to receive compensatory time in place of receiving overtime pay, the employee will be compensated for irregular or occasional overtime work with an equivalent amount of compensatory time off.

3. Responsibility and Authority:

3.1. The supervisor determines requirement for overtime.

3.2. The director (or deputy) reviews the requirement according to the above policies.

3.3. The director of the work unit requesting overtime or compensatory time reviews and approves or disapproves all requests as the approving authority up to \$1,000.00. Approval authority may not be delegated below the level of director. Requests in excess of \$1,000.00 will be forwarded to the Commander or the Vice Commander, in the Commander's absence, for approval. The Financial Analysis Division (FMA) will monitor use of overtime and report usage to the Command Section on a quarterly basis, or when usage appears excessive (ex. exceeds \$1,000.00).

3.4. FMA certifies funds availability for all overtime and compensatory time requests, and provides budget status of funds reports to the CC. Overtime will be briefed as a part of

Civilian Pay at Financial Management Board meetings. FM will monitor and report troublesome trends (like persistent use of overtime in a particular area) to CC, when appropriate.

4. Procedures: AF Form 428, **Request for Overtime, Holiday Premium Pay, and Compensatory Time (Attachment 1)** is used to request, approve, and report all civilian overtime and compensatory time. The AF Form 428 must be completely processed through FMA before overtime or compensatory time is worked (bona fide emergencies may be approved verbally, but must be documented on an AF Form 428 as soon as practicable). Processing procedures are established as follows:

- 4.1. Supervisor prepares AF Form 428, completing all blocks indicated in attachment 1.
 - 4.1.1. Special attention must be given in the justification block. A brief statement of the requirement should be provided; e.g., "Typing support for the IG team" or "Provide technical support for the Lieutenant Colonel Promotion Board."
 - 4.1.2. Leave the Responsibility Center/Cost Center (RC/CC) block blank.
 - 4.1.3. The request number block is completed by the directorate secretary or designee using a new set of request numbers at the beginning of each fiscal year (1 October).
- 4.2. The supervisor signs the original as the requester and forwards form to the director for approval. Supervisor retains a copy for record.
- 4.3. The director reviews the request and the justification, completes the information in "Approving Authority" area of the AF Form 428 signifying approval or disapproval, the date, the typed name, grade and title of the approving official and signs in block named "Signature of Approving Official", and forwards it to FMA. If the request is in excess of \$1,000.00, the Commander or Vice Commander signs as the approving official.
- 4.4. FMA reviews the AF Form 428 for proper completion, confirms availability of funds, and returns the AF Form 428 to the director of the requesting work unit. FMA will forward a copy of the AF Form 428 to XPM. XPM will review the AF Form 428 to determine if appropriate manning exists for work centers requiring overtime.
- 4.5. The director returns a copy of the form to the requesting supervisor notifying the supervisor of approval or disapproval.
- 4.6. The supervisor ensures that the total cost of the overtime does not exceed the amount previously approved. Substitutions of employees or hours can be made, but the total cost of the overtime cannot exceed the approved amount.
- 4.7. At the end of the pay period, the supervisor marks the original copy of the AF Form 428 to show actual overtime worked and ensures the hours reported agree with amounts recorded on ARPC Form 2, **Employee Time and Leave Record (Attachment 2)**. The original copy of the AF Form 428 is then returned to FMA for accounting of actual overtime costs. The timekeeper will attach a copy of the AF Form 428 to the ARPC Form 2 when submitted for pay.

4.8. Requests for compensatory time are processed in the same manner as requests for overtime since a monetary responsibility exists if the individual does not use the earned compensatory time. After 1 year, unused compensatory time is paid, automatically by the pay system, as overtime. Therefore, there is a monetary obligation involved and FMA must track the compensatory time requests.

5. Overtime/Compensatory Time in Connection with TDY Travel:

5.1. TDY travel outside the hours of the employee's regularly scheduled administrative workweek may result in overtime or compensatory time depending on the time of the travel and whether the employee is covered by the Fair Labor Standards Act. The chart below covers the most common travel related situations and whether the travel qualifies as work for purposes of determining overtime.

Table 1. Travel Counting as Work

Situation	FLSA Exempt	FLSA Non-Exempt
1. Travel on workdays during normal duty hours	Y	Y
2. Travel on non-workdays (requires overnight stay)	N	Y *
3. Travel not controlled by the Executive branch of the government (regardless of duty hours or work days)	Y	Y
4. One day assignment , no overnight stay	N	Y
5. Travel to/from alternate work site outside duty station area exceeds normal travel time to work	Y **	Y **

* credit will only be for the hours that coincide within the normal duty day start/stop times

** less normal driving time to/from work

NOTE: For questions or other situations involving travel and overtime compensation, contact the MSC.

KIRK A. JAMISON
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Directorate Communications and Information

Attachment 1—OVERTIME HOURS REQUESTED

Attachment 2—EMPLOYEE TIME AND LEAVE RECORD

Attachment 3—EMPLOYEE TIME AND LEAVE RECORD

Attachment 2 Employee Time and Leave Record

EMPLOYEE ID 011-01-0011		BU/GRP	AT/CUC LVA/FORMU	DST JA	EMPLOYEE NAME (Last Name, First, MI) HATHAWAY, CAROL					PLT/PT	PERIOD ENDING 12 Oct 96	SECT No								
STD/JOB I00120								HOURS OF WORK CV02/GLIDING												
EMPLOYEE'S WORK SCHEDULE																				
	AVNS	SUN 1/1	MON 1/2	TUE 1/3	WED 1/4	THUR 1/5	FRI 1/6	SAT 1/7	SUN 2/1	MON 2/2	TUE 2/3	WED 2/4	THUR 2/5	FRI 2/6	SAT 2/7	PHONE EXT OF CERTIFYING OFFICER				
TOR	2		8	8	8	8	8			8	8	8	8	8						
TPSFT			RG	RG	RG	RG	RG			RG	RG	RG	RG	RG			6-6494			
GRADED NO																				
LEAVE DEDUCTIONS																				
WK	DAY	TYPE HOUR	HOURS	JOB ORDER NUMBER				BM HR	LST HR	TRP SH	NIGHT OFF	START TIME	END TIME	NT						
2	2	OS	2	Overtime Performed, AF Form 428 Attached								1500	1700	CH						
2	3	OS	2	Overtime Performed, AF Form 428 Attached								1500	1700	CH						
2	4	OS	2	Overtime Performed, AF Form 428 Attached								1500	1700	CH						
2	5	OS	2	Overtime Performed, AF Form 428 Attached								1500	1700	CH						
2	6	OS	2	Overtime Performed, AF Form 428 Attached								1500	1700	CH						
BREAKDOWN																				
REG		OT		COMP		HL		SUN		2ND		3RD		ND		EN		LV		MPLV

