



IN REPLY REFER TO:
(505) 346-6803

United States Department of the Interior

BUREAU OF INDIAN AFFAIRS
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OIEP HUMAN RESOURCE BULLETIN: 99-550-01

MEMORANDUM

TO: All Office of Indian Education Program (OIEP) Employees

FROM: Joann F. Deere, Personnel Officer *Joann F. Deere*

SUBJECT: Overtime Pay Provisions

This bulletin, which covers overtime issues, is prepared for the use of OIEP supervisors and employees. Please circulate this information to all employees in your office.

General Summary of Overtime Pay Provisions

Authorization. Under the law, overtime pay is paid to full-time, part-time, and intermittent employees for work in excess of eight hours a day or 40 hours a week which is officially ordered and approved. An employee who is nonexempt (covered) under the Fair Labor Standards Act (FLSA) becomes entitled to overtime pay for hours worked in excess of 40 hours a week which management suffers or permits to be performed. To find out if you are covered by FLSA, refer to your most recent Notification of Personnel Action (SF 50-B), item 35, "FLSA Category." If the letter is "N" (non-exempt), you are covered by the Act. If the letter is "E" (exempt), you are not covered by the Act.

Overtime Pay/Compensatory Time

Must be:

Prior to working:
Requested in writing by Employee
Authorized in writing by Supervisor

Recorded on Time and Attendance Reports using PAY/PERS Instructions

Overtime Pay

Status Quo Employees (GS/WG):

Basic Pay Rate does not exceed GS-10, Step 1:

Overtime Rate is 1½ times Basic Pay Rate

Basic Pay Rate exceeds GS-10, Step 1:

Overtime Rate is 1½ times GS-10, Step 1 (currently \$26.15 per hour)

Contract Employees (CY/CE):

Hourly Rate is \$17.43 per hour or more:

Overtime Rate is \$26.15 per hour

Compensatory Time

Must be requested in writing by the employee prior to working

Must be approved in writing prior to working

Must be used within thirteen pay periods from the date the overtime work is performed.

Nonexempt Employees:

If overtime pay is based on FLSA provisions, overtime must be paid.

If basic pay rate is equal to or less than GS-10, Step 10:

Entitled to overtime pay, or

May request compensatory time off in lieu of overtime pay

If compensatory time is not taken within thirteen pay periods:

Must be paid overtime pay

Exempt Employees:

If compensatory time is not taken within the thirteen pay periods:

Will lose compensatory time and will not be paid overtime pay

(Unless exigency of service prevented usage per 370 DM 550,1.7)

Overtime questions concerning specific situations should be directed to this office at (505) 346-6803.