DEPARTMENT OF THE ARMY
US ARMY INSTALLATION MANAGEMENT COMMAND
HEADQUARTERS, UNITED STATES ARMY GARRISON, FORT HAMILTON
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BROOKLYN NEW YORK 11252-5300

GARRISON POLICY
DHR-01

IMHA-HR

23 July 2014

MEMORANDUM FOR All Members of the USAG Fort Hamilton Community

SUBJECT: Overtime/Compensatory Time

1. PURPOSE. Overtime/Compensatory time should only be used to accomplish mission essential duties and requirements. Supervisors should consider such actions as extending deadlines, rescheduling tasks, reviewing work functions and processes to reduce, streamline, or eliminate unnecessary duties, and detailing other employees to assist in projects that would otherwise necessitate approval of overtime.

2. APPLICABILITY. This policy applies to all Appropriated Fund (AF) and Nonappropriated Fund (NAF) personnel.

3. POLICY. Approval authority for overtime and compensatory time off for AF and NAF employees is delegated to directors. This authority cannot be further delegated and is required in order to control and maintain civilian payroll expenditures within budget constraints. This authority includes the responsibility to ensure overtime/compensatory time is approved in advance, where practical, and properly documented on DA Form 5172-R to ensure sufficient funds are available and that overtime/compensatory time is kept to the absolute minimum necessary to meet mission requirements. Functional proponents (i.e., supervisors, program managers, division chiefs) will ensure internal controls are being used to monitor overtime/compensatory time requests, approval, and usage. Further, that budgetary constraints and operating results support such overtime requirements.

4. PROCEDURES.

a. Employees covered (FLSA-nonexempt employee) by the Fair Labor Standards Act (FLSA) will be paid in accordance with the following rules:

(1) Employees who are non-exempt under the FLSA must receive overtime pay unless they request compensatory time off in lieu of payment.

(2) If a FLSA-nonexempt employee request compensatory time off in lieu of overtime pay, the accrued compensatory time off must be used by the end of the 26th pay period after the pay period during which it was earned. If accrued compensatory time off is not used by an FLSA-nonexempt employee within 26 pay periods or if the FLSA-nonexempt employee transfers to another agency or separates from Federal service before the expiration of the 26th pay period time limit, the employee will be paid for the earned compensatory time off at the overtime rate in effect when earned.

b. Employees who are exempt under the FLSA the Fair Labor Standards Act (FLSA) will be paid in accordance with the following rules:

(1) Employees who are exempt under the FLSA that are paid at the rate of GS-10/Step 10, and below, may either elect to receive overtime compensation or compensatory time off. Those paid a rate that exceeds the rate of GS-10/Step 10 may receive overtime compensation or compensatory time off; however, management makes that determination. NAF Employees overtime pay is capped at one and a half time the GS-10/Step 1 rate, or the employee's regular rate of pay, whichever is greater. Directors are authorized to encourage employees whose rate of basic pay is in excess of the maximum rate for GS-10 to take compensatory time off in lieu of overtime pay.

(2) FLSA-exempt employees must use accrued compensatory time off by the end of the 26th pay period after the pay period during which it was earned. FLSA-exempt employees who (1) fails to take earned compensatory time off within 26 pay periods or (2) transfers to another agency or separates from Federal service before the expiration of the 26th pay period time limit will forfeit the unused compensatory time off, unless failure to use the compensatory time off is due to an exigency of the service beyond the employee's control. Exceptions must be submitted to and be approved by the Deputy to the Commander 30 days prior to the expiration of the 26th pay period.

5. This policy memorandum supersedes all previous versions and remains in effect until superseded or rescinded.

6. Point of Contact for this policy is the Director, Human Resources, 718-630-4436.

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COL, AR
Commanding