



UNITED STATES MARINE CORPS  
MARINE CORPS BASE  
QUANTICO, VIRGINIA 22134-5001

MCBO 12610.1  
B 181  
**02 APR 2001**

MARINE CORPS BASE ORDER 12610.1

From: Commanding General  
To: Distribution List

Subj: CRITERIA FOR USE OF CIVILIAN OVERTIME, HOLIDAY PAY AND  
COMPENSATORY TIME

Ref: (a) Title 5 U.S. Code (1996) (NOTAL)  
(b) 5 C.F.R., Part 551 (NOTAL)  
(c) DoD 7000.14-R, Vol. 8, Chapter 3, (NOTAL)  
(d) SECNAVINST 7000.11C (NOTAL)  
(e) Office of Personnel Management, 5 CFR Ch 1, 5500.114,  
pg. 427.

Encl: (1) NAVCOMPT Form 2282 (EF), Overtime/Compensatory Time  
Request and Authorization (7410)

1. Purpose. To provide policy and procedures for the control of overtime, holiday pay, and compensatory time per the references. The provisions of this Order may not be implemented for employees represented by the American Federation of Government Employees, Local 1786, until bargaining obligations are met.

2. Cancellation. MCBO 5330.1B.

3. Summary of Revision. This Revision contains important changes and should be reviewed in its entirety.

4. Information

a. Reference (a) establishes general laws/definitions pertaining to government organizations/employees. References (b) through (e) explain the rules/regulations for use of compensatory time and computation of overtime and holiday pay.

b. This Command does not receive any funding specifically for overtime. All costs for overtime must be absorbed from within budgeted civilian labor resources. Therefore, all requests for approval of overtime must be critically reviewed by division directors/CO's or their designees. As a rule, only emergency overtime will be approved.

5. Definitions

a. Overtime. Overtime is work performed in excess of 8 hours in 1 day or 40 hours in an administrative workweek that is officially directed or approved by an Officer or supervisor to whom this specific authority has been delegated in writing.

(1) Employees must obtain proper authorization prior to the performance of any work that will result in the payment of overtime or the awarding of compensatory time.

(2) For employees on an approved alternate work schedule (AWS): Any hours worked in excess of the normal hours during a given work day in that schedule are considered overtime hours.

(3) For employees on an AWS, overtime and compensatory time can only be accrued on days that are worked as part of the employee's normal work schedule, not on their normal days off, unless fully and completely justified.

(4) Employees on AWS who are on TAD cannot claim overtime or compensatory time on their normal day off unless they revert to a standard 8-hour day, 5-day workweek.

(5) Overtime pay is one and one-half times the employee's rate of basic pay not to exceed the equivalent basic rate of pay for a GS-10, Step 1, regardless of an employee's GS grade.

b. Holiday Work. Work performed on holidays established by federal statute or executive order.

(1) When work is performed on a holiday, employees are entitled to their basic rate of pay plus premium pay at a rate equal to their basic rate of pay, not to exceed 8 hours or the number of hours in an employee's AWS work schedule for that day.

(2) Work performed in excess of 8 hours on a holiday will be considered overtime and, therefore, paid as such.

(3) Holiday work is not to be confused with premium pay, which is a special pay rate for individuals in high risk jobs such as Firefighter.

c. Compensatory Time. Time off with regular pay granted in lieu of overtime pay for irregular or occasional overtime work.

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d. Fair Labor Standards Act (FLSA). All employees are classified as either "exempt" or "nonexempt" from the provisions of the FLSA.

(1) Position descriptions classified by the Head, Civilian Human Resources Office-Quantico, display the "exempt" or "nonexempt" status on the cover sheet. The SF-50, Notification of Personnel Action Form also shows the employee's FLSA status.

(2) Supervisors must be aware of an employee's FLSA status as this affects the usage of overtime and compensatory time. Generally, supervisory positions will usually be classified "exempt" and non-supervisory positions will be classified "nonexempt."

(3) For exceptions and clarifications, refer to reference (b), which can also be found at the following website address: <[www.opm.gov/flsa/main.htm](http://www.opm.gov/flsa/main.htm)>.

e. NAVCOMPT Form 2282 (EF), Overtime/Compensatory Time Request and Authorization 7410. The enclosure serves as the official request for overtime/compensatory time.

6. Policy. Overtime and/or compensatory time will be worked only when directed by an employee's supervisor and approved by a duly designated official (designated in writing by the respective division director or CO) prior to the performance of the work.

a. The Command is not liable to pay for overtime or provide compensatory time off in cases where work is performed without specific authorization and proper justification.

b. Employees are expected to perform work during their normal scheduled workday. They will not be assigned overtime work or be permitted to work outside their normal scheduled workday without the prior permission of their supervisor and the approval of a duly-designated official.

c. Supervisors should ensure that their employees understand the Command may not be liable to pay for overtime or provide for compensatory time off in cases where unauthorized work is performed.

d. Division directors/CO's will ensure adequate internal controls are in place to minimize the use of overtime and compensatory time.

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e. Eligible employees may not accrue more than 10 hours of overtime in one pay period without advance approval, in writing, from the respective division directors/CO's or their designees. Such exceptions will be handled on a case-by-case basis.

f. Eligible employees may not accrue more than 10 hours of compensatory time in one pay period nor an annual balance of more than 80 hours of compensatory time without advance approval, in writing, from the respective division directors/CO's or their designees.

g. Only the following situations warrant the approval of overtime or compensatory time:

(1) Urgent command readiness-related situations.

(2) Safeguarding of health and property, or safety-related situations.

(3) A substantial savings is realized by its use. Savings must be documented, and clearly justified, by indicating what the cost savings will be on the enclosure. For example, it may be less expensive to perform a special task using occasional overtime rather than contracting it out. \*Overtime should not be allowed for employees or sections to get caught up on regular, daily work routines.

## 7. General Rules

a. Payment of overtime or crediting of compensatory time for one employee may not exceed the maximum single pay period rate for a GS-10.

b. "Exempt" employees whose basic pay is less than the maximum rate for a GS-10 and who are properly authorized overtime work will be paid overtime unless they elect compensatory time off in lieu of overtime.

c. "Exempt" employees whose basic pay exceeds the maximum rate for a GS-10 are not eligible for overtime but are eligible for compensatory time off.

d. All "nonexempt" employees will be paid overtime when properly authorized. However, they may voluntarily elect compensatory time off in lieu of overtime. Supervisors cannot, under any circumstances, mandate that "nonexempt" employees elect compensatory time off in lieu of paid overtime.

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e. Where round-the-clock or continuous coverage at the work site is required, supervisors will ensure that proper controls are maintained to document attendance and justify associated payment claims for overtime.

f. A "nonexempt" employee becomes entitled to payment for all overtime work which management suffers or permits to be performed.

(1) For example, any work performed prior to or after the established shift hours or during the prescribed lunch period, whether specifically directed or not, is working time if the supervisor knows or has reason to believe work is being performed. Managers and Supervisors will discourage this practice.

(2) Under the FLSA, management cannot accept the benefits of a "nonexempt" employee's work without compensating the employee for that work.

g. An employee will be paid a minimum of 2 hours of overtime when he/she is "called back" to the place of employment to perform unscheduled work of less than 2 hours duration.

(1) This applies to each "callback" at a time outside of and not connected with the scheduled hours of work within the basic workweek.

(2) The timekeeper, with supervisor verification, must specify "CALLBACK" on the enclosure even if the overtime worked spans more than 1 work day or pay period.

(3) The separate days or pay periods must be clearly noted.

h. Travel between residence and official duty station is not considered "hours of work." This includes all callback emergencies.

i. Overtime and compensatory time are compensated in increments of 6 minutes (one tenth of an hour).

j. After 4 consecutive hours of overtime, an employee will automatically be considered in a non-pay 30-minute meal status, unless the supervisor annotates on the enclosure that emergency conditions prevented the 30-minute break. Employees may choose not to take a meal break when the overtime is less than 4 hours. Meal breaks, where taken, must be reflected on the employee's time sheet.

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k. All compensatory time must be taken promptly, usually within 30 days of the date it is earned. Further, it must be taken prior to the use of remaining annual leave balances. The only exception is when an employee is in an immediate "use or lose" annual leave status. Regardless, no more than 80 hours of compensatory time will be carried over into the next leave year.

l. The limit for the use of compensatory time is the end of the 26<sup>th</sup> pay period following that in which it is earned. As any remaining unused compensatory time worked is paid at the overtime rate in effect when it was earned, the supervisor is responsible for monitoring the compensatory time balance and ensuring it is used prior to any payment being required.

m. "Exempt" employees will be compensated for travel time outside of normal working hours only in cases where the U.S. Government could not control the location and/or schedule of the event attended. This applies to travel both within and outside of the area of the employee's permanent duty station (PDS).

n. "Nonexempt" employees are authorized compensation for travel time outside of normal working hours. Compensation in connection with overnight travel away from the employee's PDS on non-workdays will be limited to those hours which correspond to the employee's regular workday hours.

o. Regulations prohibit paying overtime for an employee's regular day off under AWS when the employee is on TAD. Therefore, an employee must revert to a standard 8-hour day, 5 days per week schedule for any period that will involve TAD.

8. Submitting the NAVCOMPT Form 2282 (EF)

a. The enclosure will be used to approve each instance of paid overtime or compensatory time.

b. At a minimum, two levels of approval are required. For example, the immediate supervisor may sign as the requestor of overtime with the second line supervisor as the approving authority.

c. Division directors/CO's will determine the supervisory level to which they delegate approval authority. Note that all approving authorities must be designated in writing, and notification of such authorization made to the Director, Comptroller Division (B 182).

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d. Under no circumstances will employees sign their own requests or the same person sign as both the requestor and approving authority.

e. All NAVCOMPT Forms 2282 (EF) must be approved and authorized prior to the performance of any work, unless the urgency of the situation requires immediate action and prior written approval is not feasible. In such cases, verbal approval of applicable supervisors is still required before the performance of the work. Written approval must be accomplished no later than the first normal working day after the work was performed.

f. All requests for overtime/compensatory time, must be submitted in a timely fashion and must be delivered to the Civilian Payroll Section, Accounting Liaison Branch, Comptroller Division not later than 1200 on Monday following the end of the pay period (1200 Tuesday when Monday is a holiday). NAVCOMPT Forms 2282 (EF) received after these deadlines will be processed on the next bi-weekly payroll.

g. All NAVCOMPT Forms 2282 (EF) will clearly state the justification for the approval of overtime/compensatory time. The performance of "routine work" is not justification for overtime/compensatory time. The justification should be stated in such a fashion that will allow a supervisor (or auditor) the ability to verify the work being performed.

**9. Action.** Commands, divisions, branches, sections, and offices are responsible for the following as they pertain to their respective activity:

a. Division Directors and CO's

(1) Minimize the overtime/compensatory time through the efficient use of human resources as well as options other than overtime/compensatory time.

(2) Appoint employees who are authorized to approve overtime and compensatory time on the NAVCOMPT Forms 2282 (EF). All approving authorities must be designated in writing. Report notification of such designation, with sample signatures, to the Director, Comptroller Division (B 182).

(3) Closely monitor the results of all work performed on overtime/compensatory time to ensure that work accomplished is commensurate with resources expended. Verification of these results must be available upon request.

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(4) Ensuring the following undesirable actions are not practiced or condoned within the workplace:

(a) Authorizing overtime to replace regular employees on leave.

(b) Authorizing or calling back higher graded personnel on overtime to perform routine work or journeyman level work.

(c) Authorizing excessive or unnecessary overtime.

(d) Authorizing overtime for employees who were also on leave during the same pay period.

b. Supervisors

(1) Observe and follow the guidance in paragraph 9.a above, paying particular attention to monitoring and supervising the work done on overtime/compensatory time.

(2) Monitor the accumulation of overtime/compensatory time for his or her employees.

(3) Ensure the enclosure is properly completed and submitted to the Director, Comptroller Division (B 182) per this Order.

c. Director, Comptroller Division

(1) Monitor overtime and compensatory time activity to identify any unfavorable trends.

(2) Include overtime and compensatory time on the Financial Management Inspection checklist for each fund administrator.

(3) Include overtime forecasts as a budget item in all budget deliberations and plans.

(4) Assign overtime ceilings to each fund administrator, division, or commander at the onset of each fiscal year, based upon historical usage and forecasted need.

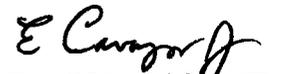
(5) Assure that excessive overtime costs are avoided through judicious approval of requests for overtime ceiling increases.

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(6) Conduct a comprehensive overtime/compensatory time review on an annual basis at the mid-year budget cycle to ensure adequate internal controls are adequate to assure compliance with this Order.

(7) On a monthly basis, advise each fund administrator issued an overtime ceiling, the overtime budget status within that account.

**10.** Civilian Applicability. The provisions of this Order may not be implemented for civilian employees covered by a negotiated labor agreement until bargaining obligations, if any, under the Federal Labor Management Relations Statute (Chapter 71 of the U.S.C.) are met.

  
E. CAVAZOS, JR.  
Chief of Staff

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