



U.S. Chemical Safety and Hazard Investigation Board

SUBJECT: Overtime Pay, Premium Pay, and Compensatory Time Off

CONTENTS

1.	Purpose	2
2.	Effective Date.....	2
3.	Scope	2
4.	References	2
5.	Policy	2
6.	Definitions.....	2
7.	Responsibilities	3
8.	Administrative Workweek	3
9.	Fair Labor Standards Act	4
10.	Overtime Rate	4
11.	Biweekly Statutory Pay Limitation.....	4
12.	Alternative Pay Limitation for Mission-Critical Work.....	5
13.	Aggregate Pay Limitation	5
14.	CSB Annual Overtime Cap.....	6
15.	Review and Approval.....	6
16.	Regularly Scheduled Overtime	6
17.	Irregular or Occasional Overtime.....	9
18.	Call-Back Overtime	12
19.	Compensatory Time Off	16
20.	Overtime for Official Travel	18
21.	Compensatory Time Off for Travel	20
22.	On-Call Time and Standby Duty	24
23.	Holiday Premium Pay	24
24.	Training.....	25
25.	Timekeeping.....	25
26.	Falsification.....	25
27.	Review and Update	25
	Appendix A: Form OT-1 (Overtime/Holiday Work Authorization)	
	Appendix B: Form OT-2 (Authorization for Deployment-Related Overtime/Premium Pay)	
	Appendix C: Form OT-3 (Request for Compensatory Time Off for Travel)	

1. **PURPOSE.** This Order establishes policies and procedures for the authorization, request, and use of overtime pay, other premium pay, and compensatory time off by employees of the Chemical Safety and Hazard Investigation Board (CSB).
2. **EFFECTIVE DATE.** This Order is effective upon passage by the Board.
3. **SCOPE.** The provisions of this Order apply to all CSB employees in the General Schedule, except where otherwise noted. This Order does not apply to members of the Senior Executive Service (SES) or Executive Schedule personnel.
4. **REFERENCES.** This Order is based upon relevant provisions of subchapter V of chapter 55 of Title 5 and chapter 8 of Title 29 of the United States Code and parts 550 and 551 of Title 5 of the Code of Federal Regulations. In the event of a conflict between this Order and the underlying statutes and regulations, the statutes and regulations shall prevail.
5. **POLICY.** It is the policy of the Board that employees should complete their assigned work within the hours of their basic workweek. When unusual circumstances require work outside of the basic workweek to ensure CSB mission accomplishment, the Board supports the prudent and judicious use of overtime pay, other premium pay, and compensatory time off, consistent with the business needs of the CSB and budgetary limitations, to compensate employees who are ordered or authorized to work outside of their regularly scheduled hours. No overtime pay, other premium pay, or compensatory time off will be paid unless the work for which it was earned was ordered or approved in advance, in accordance with the provisions of this Order, and actually performed.
6. **DEFINITIONS.**
 - a. **Actually traveling** – being in transit by some mode of transportation between an official duty station and a temporary duty location, or vice versa.
 - b. **Administrative workweek** – any period of seven consecutive days designated in advance by the Board (see section 8 of this Order).
 - c. **Basic workweek** – for full-time employees, the 40-hour workweek established under Board Order 015.
 - d. **Chairperson** – the Chairperson of the CSB, or in the absence of a Chairperson, the Board Member Delegated Interim Executive and Administrative Authority pursuant to Board Order 003.
 - e. **Official duty station** – for the purposes of this Order, the geographic area within a 50-mile radius of an employee’s regular work site. Unless a change in duty station has been authorized in writing in accordance with applicable CSB

procedures, an employee's regular work site is the CSB office located at 2175 K Street, NW, Washington, DC.

- f. **Regularly scheduled administrative workweek** – for full-time employees, the period within an administrative workweek within which an employee is regularly scheduled to work (synonymous with basic workweek); for part-time employees, the officially prescribed days and hours within an administrative workweek during which the employee is regularly scheduled to work.

7. **RESPONSIBILITIES.**

- a. **The Board** – approves a budget line item for overtime for each CSB budgetary unit in the annual operating budget.

- b. **Human Resources (HR) Director** – has overall responsibility for managing the implementation of this Order and ensuring compliance with its provisions.

The HR Director is also responsible for tracking usage of overtime, compensatory time off, and premium pay, in the manner directed by the Chairperson. The HR Director shall report monthly to the Chairperson on usage of overtime, compensatory time off, and premium pay. The Chairperson may adjust this reporting interval, as long as it is no less than quarterly.

- c. **Director of Financial Operations** – as requested, provides Office Directors and supervisors with salary data for their direct reports, for those managers' use in planning and monitoring overtime budgets and compliance with pay limitations/caps.

- d. **Office Directors** – prepare and monitor the overtime budget within their respective offices; ensure that overtime budgets and pay limitations/caps are not exceeded; approve or review overtime requests, where indicated by and in accordance with this Order.

- e. **Supervisors** – authorize overtime where indicated by and in accordance with this Order; ensure that pay limitations/caps are not exceeded; ensure that their Fair Labor Standards Act-covered employees do not perform overtime work unless it has been approved in advance.

- f. **Employees** – responsible for familiarizing themselves with and following the provisions of this Order; also responsible for seeking advance supervisory approval for any and all overtime work.

8. **ADMINISTRATIVE WORKWEEK.** For the purpose of overtime pay administration, the administrative workweek for CSB employees is designated as the seven consecutive days from 12:00 a.m. on Sunday through 11:59 p.m. on Saturday, inclusive.

9. **FAIR LABOR STANDARDS ACT.** Employees are divided into two categories under the Fair Labor Standards Act of 1938 (FLSA) – those who are covered by the overtime provisions of the Act (“FLSA-covered”) and those who are exempt from the overtime provisions of the Act (“FLSA-exempt”). Employees’ status under the FLSA affects certain aspects of their entitlement to overtime, as noted throughout this Order. Employees who are unsure of their FLSA status should review their most recent SF-50 or consult with the HR Director.

10. **OVERTIME RATE.**

a. **FLSA-exempt employees.**

(1) For employees whose rate of basic pay is equal to or less than the rate of basic pay for GS-10, step 1, the overtime hourly rate is 1.5 times the employee’s hourly rate of basic pay.

(2) For employees whose rate of basic pay is more than the rate of basic pay for GS-10, step 1, the overtime hourly rate is the greater of 1.5 times the hourly rate of basic pay for GS-10, step 1, or the employee’s hourly rate of basic pay.

b. **FLSA-covered employees** – 1.5 times the employee’s hourly regular rate of pay.

11. **BIWEEKLY STATUTORY PAY LIMITATION.** Unless the exception for mission-critical work (described in Section 12 of this Order) has been invoked, employees can earn premium pay in any biweekly pay period only to the extent that the premium pay will not cause their total pay (basic pay + premium pay) for the pay period to exceed the greater of the biweekly rate of pay for Level V of the Executive Schedule, or the biweekly rate of basic pay for GS-15, step 10 (including any applicable locality-based comparability payment). For the purposes of this limitation and the alternative limitation described in Section 12 of this Order, premium pay includes, among others, overtime pay, holiday pay, and the dollar value of compensatory time off earned in lieu of overtime pay. The dollar value of compensatory time off is the amount of overtime pay an employee would have received for the hours of overtime work during which the comp time was earned. However, the special category of compensatory time off for travel (see Section 21 of this Order) does not count toward this limitation or the alternative limitation described in Section 12 of this Order. Supervisors must ensure, before approving work for which premium pay will be earned, that the pay for such work will not cause an employee’s total pay for the pay period to exceed the biweekly limit. Supervisors must certify compliance with this limit by checking the appropriate box in Part C on Form OT-1 (Appendix A) or on Form OT-2 (Appendix B). The biweekly pay limitation does not apply to overtime pay earned by employees covered by the FLSA.

Example: For 2008 in the Washington, DC, locality pay area, the biweekly pay limit is based upon the biweekly rate of basic pay for GS-15, step 10. Thus, the biweekly pay limit is \$5,711.20. A CSB employee paid at GS-14, step 5 earns \$4,259.20 in biweekly basic pay. Therefore, in addition to his or her

biweekly basic pay, such an employee can earn up to, but not more than, \$1,452.00 (\$5,711.20 – \$4,259.20) in premium pay in any one pay period. That amount is equivalent to 27.25 hours of overtime work per pay period.

12. **ALTERNATIVE PAY LIMITATION FOR MISSION-CRITICAL WORK.** In order to provide more flexibility than is available under the biweekly pay limitation, the Chairperson (or another agency official designated by the Chairperson), may invoke an annual pay limitation for employees who are performing mission-critical work in a given pay period. To invoke the annual pay limit, the Chairperson or designee must determine in writing that the employees to whom the annual limit will apply are needed to perform work that is critical to the mission of the CSB. This determination must be made on a pay period-by-pay period basis. During pay periods in which the annual limit has not been invoked, all employees remain subject to the biweekly pay limit. In any event, an employee's total pay (basic pay + premium pay) for the calendar year must not exceed the annual limit.

Pursuant to this annual pay limitation, employees can earn premium pay in any calendar year only to the extent that the premium pay will not cause their total pay (basic pay + premium pay) for the year to exceed the greater of the annual rate of pay for Level V of the Executive Schedule in effect on the last day of the calendar year, or the annual rate of basic pay for GS-15, step 10 (including any applicable locality-based comparability payment) in effect on the last day of the calendar year.

Example: For 2008 in the Washington, DC, locality pay area, the annual pay limit is based upon the annual rate of basic pay for GS-15, step 10. Thus, the annual pay limit is \$148,491.20. A CSB employee paid at GS-14, step 5 earns \$111,104.00 in annual basic pay. Therefore, in addition to his or her annual basic pay, such an employee can earn up to, but not more than, \$37,387.20 (\$148,491.20 – \$111,104.00) in premium pay for the year. That amount is equivalent to 702 hours of overtime work per year. When the annual limit is substituted for the biweekly limit, an employee can perform, in any one pay period, as much overtime work as is necessary to carry out the mission-critical functions, *provided that*, the limit for the year is not exceeded.

When the alternative annual limit is in effect for a given pay period, supervisors must ensure, before approving work for which premium pay will be earned during that pay period, that the pay for such work will not cause an employee's total annual pay to exceed the limit. Supervisors must certify compliance with this limit by checking the appropriate box in Part C on Form OT-1 (Appendix A) or on Form OT-2 (Appendix B). The alternative annual pay limitation for mission-critical work does not apply to overtime pay earned by employees covered by the FLSA.

13. **AGGREGATE PAY LIMITATION.** In addition to the biweekly and alternative annual pay limits (discussed in sections 11 and 12 of this Order), overtime, other premium pay, and the dollar value of compensatory time off (but not compensatory time off for travel) are also subject to the statutory aggregate pay limitation. An employee may not earn overtime pay, other premium pay, or compensatory time off if

the amount earned would cause his/her aggregate compensation (which includes basic pay, locality-based comparability payments, overtime pay, other premium pay, incentive awards and performance-based cash awards, recruitment and relocation bonuses, and retention allowances) actually earned to exceed Level I of the executive schedule at the end of a calendar year. Supervisors must ensure, before approving work for which overtime, other premium pay, or comp time will be earned, that such pay or time off value will not cause an employee's total compensation to exceed the aggregate limit. Supervisors must certify compliance with this limit by checking the appropriate box in Part C on Form OT-1 (Appendix A) or on Form OT-2 (Appendix B). If an employee earns overtime or other premium pay for work which was erroneously approved and which will cause the employee's aggregate compensation for the year to exceed the limit, the employee will receive the amount of overtime or other premium pay which exceeds the limit as a lump sum at the beginning of the next calendar year. Any such lump sum will count toward the aggregate pay limitation in the calendar year it is received. The aggregate pay limitation does not apply to overtime pay earned by employees covered by the FLSA.

14. **CSB ANNUAL OVERTIME CAP.** No CSB employee may receive, in any one calendar year, a combination of overtime pay, other premium pay, and the dollar value of compensatory time off (but not compensatory time off for travel), the total amount of which is greater than 15% of that employee's basic pay. Supervisors must ensure, before approving work for which overtime, other premium pay, or comp time will be earned, that the pay or compensatory time for that work will not cause an employee's total compensation to exceed this cap. Supervisors must certify compliance with this limit by checking the appropriate box in Part C on Form OT-1 (Appendix A) or on Form OT-2 (Appendix B). This cap may be waived for individual employees or groups of employees by a vote of the Board.
15. **REVIEW AND APPROVAL.** In certain sections of this Order describing the various types of overtime and other premium pay, the authorization procedures call for an employee's supervisor to make the initial overtime or other premium pay request and for that employee's second line supervisor to review and approve the request. These procedures do not apply to irregular or occasional overtime (section 17 of this Order), overtime for official travel (section 20 of this Order), or compensatory time off for travel (section 21 of this Order). In addition, if an employee does not have a second level supervisor, i.e., where the employee is performing a collateral duty with only one level of supervision for that duty, then the collateral duty supervisor may approve all forms of overtime for that employee for that collateral duty, subject to all of the other provisions of this Order.
16. **REGULARLY SCHEDULED OVERTIME.**
 - a. **Definition** – work in excess of eight hours in a day or 40 hours in an administrative workweek that is regularly scheduled in advance of the workweek, for two or more successive days, as part of an employee's regularly scheduled administrative workweek. Regularly scheduled overtime hours are generally

contiguous to the hours of employees' non-overtime workday (i.e., the overtime hours are worked immediately before the normal start time or immediately after the normal finishing time). Regularly scheduled overtime work must be performed in the CSB office. Hours in a paid leave status (e.g., annual leave, sick leave) count toward the eight hour day and 40 hour week limits. Employees in a non-paid leave status (e.g., leave without pay) must have eight paid hours in a day or 40 paid hours in a week to be eligible for overtime.

- b. **Policy.** Regularly scheduled overtime should be used rarely, if at all. This type of overtime is only appropriate when the *normal* duties of a position cannot reasonably be fulfilled, on a regular basis, within an eight hour day or a 40 hour workweek. Occasional surges of work, such as those occurring during the field phase of an investigation, should be addressed with irregular or occasional overtime (see section 17 of this Order), not regularly scheduled overtime. In addition to following all procedures set forth in this Order, supervisors considering approving regularly scheduled overtime must determine that the inability to complete assignments within a non-overtime workday or workweek is not the result of an employee performance problem.
- c. **Procedure.** Regularly scheduled overtime can only be authorized upon the request of a supervisor. The following procedures must be followed for the authorization of regularly scheduled overtime. Supervisors may not schedule regularly scheduled overtime work, and employees may not perform such work, unless the overtime has been approved in advance in accordance with these procedures.
 - (1) The supervisor requesting regularly scheduled overtime for an employee must formally determine that such overtime is necessary. The supervisor should set forth in a written memorandum the following details:
 - (a) The normal duties of the employee's position;
 - (b) The extent to which those duties are not being accomplished within an eight hour workday or 40 hour workweek, the reasons why the duties are not being accomplished in that time frame, and the impact on mission accomplishment;
 - (c) A statement that the excess work is not the result of an employee performance problem and that the employee is performing at the Fully Successful level or better (unless waived) (see subsection c.(2), below);
 - (d) The number of hours of overtime required and the expected duration of the need for regularly scheduled overtime (i.e., will the employee need to work overtime for two weeks or for two months) (this information should also be recorded in Part B of Form OT-1 (Appendix A)); and

- (e) A statement that the office's overtime budget is sufficient to fund the expected amount of overtime pay (see subsection c.(3), below).
- (2) Before requesting regularly scheduled overtime for an employee, the supervisor must determine that the excess work is not the result of a performance problem. The supervisor should review the employee's performance standards and determine the employee's current performance level (see Board Order 010), then check the performance certification box on Form OT-1 (Appendix A). Regularly scheduled overtime will not be approved for employees performing below the Fully Successful level, unless this requirement is waived by the reviewing official.
- (3) Before requesting regularly scheduled overtime for an employee, the supervisor must determine that the office's overtime budget is sufficient to fund the expected amount of overtime pay. This determination should be based on the supervisor's review of his/her budget and, if necessary, consultation with the Office of Financial Operations. After making this determination, the supervisor should check the budget certification box on Form OT-1 (Appendix A).
- (4) The supervisor should forward the overtime authorization form and supporting memorandum to the appropriate reviewing official (see section 15 of this Order). A reviewing official must approve all requests for regularly scheduled overtime. That official's decisions on such requests are final. The reviewing official may, in his/her discretion, approve or disapprove requests for regularly scheduled overtime based on the adequacy of the reasons for the request, the impact the unfinished or delayed work is having on mission accomplishment, the employee's performance level, and budgetary constraints. The reviewing official may waive the Fully Successful performance requirement when doing so would be in the best interests of agency mission accomplishment. The reviewing official should record the approval or disapproval of the overtime request in Part D of Form OT-1 (Appendix A), and return the form to the supervisor who initiated the request.
- d. **Scheduling.** Regularly scheduled overtime must, by definition, be scheduled in advance of the administrative workweek in which it is to be performed (see subsection a., above). After receiving approval for the overtime, the supervisor should retain the original completed authorization form and justification memo. The supervisor should provide one copy of the authorization form (but not the memo) to the employee who will be working the overtime, and another copy of the form (but not the memo) to the CSB timekeeper. Employees who are performing approved regularly scheduled overtime work should record the overtime hours in the CSB time and attendance tracking system (see Board Order 015). The CSB timekeeper will not process time reports showing overtime hours unless he or she has received an approved overtime form.

- e. **Payment.** Employees must be compensated for every minute of approved regularly scheduled overtime they actually work. Employees on fixed work schedules may receive only overtime pay for regularly scheduled overtime work. Employees on flexible work schedules may receive either overtime pay or, at their request, compensatory time off equal to the amount of overtime worked. No employee, regardless of grade level, FLSA status, or schedule type, can be *required* to accept compensatory time off instead of overtime pay for regularly scheduled overtime work. Supervisors should indicate what type of compensation is being used by checking the appropriate box on Form OT-1 (Appendix A). Compensatory time off earned in lieu of pay for regularly scheduled overtime work is subject to the “use-or-lose” time limits described in section 19.g. of this Order.

17. **IRREGULAR OR OCCASIONAL OVERTIME.**

- a. **Definition** – work in excess of eight hours in a day or 40 hours in an administrative workweek that cannot be regularly scheduled in advance of the workweek and is not part of an employee’s regularly scheduled administrative workweek. Irregular or occasional overtime hours may or may not be contiguous to the hours of employees’ non-overtime workday. Irregular or occasional overtime must be performed in the CSB office or at an official temporary duty location, but may be performed at an employee’s home if the employee is authorized to telework from that location under the CSB Telework Program. Hours in a paid leave status (e.g., annual leave, sick leave) count toward the eight hour day and 40 hour week limits. Employees in a non-paid leave status (e.g., leave without pay) must have eight paid hours in a day or 40 paid hours in a week to be eligible for overtime.

Under the CSB Flexible Work Schedule Program (Board Order 015), employees may choose, at their option, to lengthen their workday by working more than eight hours. When employees exercise this option, the extra hours worked are not considered overtime for any purpose. Overtime hours are only those hours in excess of eight in a day or 40 in a workweek, *which have been ordered and approved in advance by an employee’s supervisor*. Supervisors must monitor their subordinates’ use of the workday lengthening option to avoid inadvertent or unauthorized accrual of overtime hours when an employee may complete 40 hours of work before the end of the regularly scheduled administrative workweek. For example, if an employee opts to work two extra hours on both Monday and Tuesday, then works a regular schedule on Wednesday and Thursday, the employee will complete 40 hours of work after only four hours of duty on Friday. In such cases, if an employee is required to work until the end of the regularly scheduled administrative workweek (e.g., an eight-hour day on Friday) and thus exceed 40 total hours of work for the week, the hours in excess of 40 would be compensable as overtime.

When employees perform authorized but unscheduled overtime work on a day they are not scheduled to work, or are required to return to their duty station to work extra hours after completing a tour of duty, a special category of irregular or

occasional overtime, known as call-back overtime, applies (see section 18 of this Order). Call-back overtime is different from general irregular or occasional overtime in that it (1) is not scheduled with any advance notice and (2) only occurs on days an employee was not scheduled to work or during hours that are not contiguous with an employee's usual tour of duty.

- b. **Policy.** Irregular or occasional overtime should be used judiciously as a tool to compensate employees who, with prior supervisory approval, work beyond the normal eight hour day or 40 hour workweek when unusual circumstances require overtime work to ensure the completion of assignments critical to the CSB's mission. This type of overtime is appropriate for excess work that cannot be planned in advance or that arises unexpectedly or infrequently, such as during the field phase of an investigation.

- c. **Standard procedure.** Irregular or occasional overtime work may only be authorized based upon a supervisor's identification of a need for overtime work. The following procedures must be followed for the authorization of irregular or occasional overtime work. (EXCEPTION: Irregular or occasional overtime for deployed field investigation team members should be authorized in accordance with the procedures found in subsection d., below.) Employees will not be paid for irregular or occasional overtime work unless the work has been ordered and approved by a supervisor in advance, in accordance with these procedures.
 - (1) When supervisors identify the need for an employee to work irregular or occasional overtime, the supervisor should document the justification on Form OT-1 (Appendix A). The supervisor should also note the approved hours and days of overtime work on the form. Generally, supervisors should seek employees who are willing to voluntarily work the necessary overtime. However, supervisors have the authority to order employees to work irregular or occasional overtime.

 - (2) Before authorizing irregular or occasional overtime work, the supervisor must certify that the employee who will be doing the work is performing at the Fully Successful level or better (see Board Order 010). Irregular or occasional overtime work generally should not be authorized for employees performing below the Fully Successful level. Supervisors may either review employees' performance each time a request is made, or maintain a periodically updated list of eligible employees. Supervisors may waive this requirement when doing so would be in the best interests of agency mission accomplishment. The performance certification or waiver should be recorded in the appropriate box in Part C on Form OT-1 (Appendix A).

 - (3) Before authorizing irregular or occasional overtime work, the supervisor must certify that the office's overtime budget is sufficient to fund the requested amount of overtime pay. This certification should be based on the supervisor's review of his/her budget and, if necessary, consultation with the

Office of Financial Operations. This certification is not necessary if compensatory time off is being requested or required in lieu of overtime pay (see section 19 of this Order). The budget certification should be recorded in the appropriate box in Part C on Form OT-1 (Appendix A).

- (4) After approving overtime work and completing Form OT-1 (Appendix A), the supervisor should retain one copy, give one copy to the employee working the overtime, and forward the original to the CSB timekeeper.
- d. **Deployment procedure.** The following procedures must be followed for the authorization of irregular or occasional overtime work to be performed by deployed field investigation team members. Deployed employees will not be paid for irregular or occasional overtime work unless the work has been ordered and approved in advance by their supervisor, in accordance with these procedures.
- (1) When a deployment to an incident scene is ordered by the appropriate CSB authority, supervisors may authorize members of the field investigation team (FIT) to incur necessary overtime pay and other premium pay (if applicable) for the administrative workweek in which the deployment occurs. If the field deployment continues into subsequent administrative workweeks, supervisors may, if necessary, authorize additional overtime or other premium pay on a weekly (administrative workweek) basis. Supervisors must evaluate the need for overtime/holiday work at the beginning of each administrative workweek during which the FIT is deployed. The decision to authorize overtime/holiday work for a particular week, and the number of hours to authorize, is within a supervisor's discretion. Deployed employees will not be compensated for overtime/holiday work unless a supervisor has issued an authorization for the current administrative workweek.
 - (2) Supervisors may issue the initial and any subsequent field deployment overtime authorizations via telephone or e-mail, then document the authorization on Form OT-2 (Appendix B) no later than the end of the next business day after its issuance. Supervisors need to complete only one Form OT-2 for all members of the FIT. Supervisors should retain a copy of the Form OT-2 and forward the original to the CSB timekeeper in accordance with section 25 of this Order. Deployed employees must keep track of their hours of regular and overtime work and arrange to have those hours entered into the CSB time and attendance tracking system.

When preparing field deployment overtime authorizations, supervisors must be sure to complete the following steps and document them in the appropriate places on Form OT-2:

- (a) Determine that the FIT members are eligible for irregular or occasional overtime based on the performance requirement (see section 17.c.(2), above), or waive this requirement for the duration of the deployment.

- (b) Determine that the office overtime budget is sufficient to fund the pay for the authorized amount of overtime work (not applicable if overtime work is being compensated with compensatory time-off).
 - (c) Determine the maximum number of overtime hours that each FIT member will be authorized to work during the administrative workweek. If a holiday falls during the administrative workweek, supervisors must also determine whether deployed employees will be authorized and/or required to work on that day.
- (3) Upon authorizing field deployment overtime/holiday work for an administrative workweek, supervisors should advise the Investigator-in-Charge of the amount of overtime/holiday work authorized for that week. FIT members, in consultation with the IIC, may then work overtime hours up to the maximum number authorized, as required by the needs of the field investigation. FIT members should keep in mind that the authorized number of overtime hours is a maximum available pool, not a scheduled or required minimum. FIT members should work overtime hours only when the needs of the field investigation justify their use.
- e. **Scheduling.** By definition, irregular or occasional overtime work cannot be scheduled in advance of the administrative workweek in which it is to be performed. Supervisors should initiate the approval process as soon as they identify the need for irregular or occasional overtime work. Employees who are performing approved irregular or occasional overtime work should record the overtime hours in the CSB time and attendance tracking system (see Board Order 015). The CSB timekeeper will not process time reports showing overtime hours unless he or she has received an approved overtime form.
 - f. **Payment.** Irregular or occasional overtime accrues in 15-minute increments. Odd minutes are rounded up or down to the nearest full quarter fraction of an hour (e.g., 26 minutes would be rounded up to 30 minutes of work / 20 minutes would be rounded down to 15 minutes of work).

18. CALL-BACK OVERTIME.

- a. **Definition.** Call-back overtime is a special category of irregular or occasional overtime work. Employees are entitled to earn call-back overtime compensation when they perform authorized but unscheduled overtime work on a day they are not scheduled to work, or are required by a supervisor to return to their duty station to work extra hours after completing a tour of duty. For example, an investigator who is called back to the office on a Saturday or on a weekday night would be entitled to call-back overtime compensation. Call-back overtime is also used to compensate employees who, without returning to the office, respond to official notifications of urgent CSB business during off-duty hours (see subsection e., below). As distinguished from the general category of irregular or occasional

overtime, call-back hours are not scheduled in advance and are never contiguous with the hours of employees' non-overtime workday (i.e., the overtime hours are not worked immediately before the normal start time or immediately after the normal finishing time). Call back overtime is not applicable to employees deployed during the on-scene phase of accident investigations. Overtime work performed by those employees is treated under the general rules for irregular or occasional overtime.

- b. **Policy.** Call-back overtime is generally appropriate only when personnel are needed immediately to respond to an emergent situation. The needs of CSB mission accomplishment should be the primary factor in deciding when to authorize and order call-back overtime, and how many employees to call back. For example, if a situation can be adequately handled by one or two people, a supervisor would be fully justified in ordering back to work only the two employees best qualified to handle the situation. At the same time, if a situation requires a team of employees to report to work, the supervisor would be equally justified in calling back all team members.
- c. **Eligibility.** Any CSB employee is eligible to receive and accept a call-back to the office assignment, the eligibility requirements for other types of overtime notwithstanding.
- d. **Procedure for call-back to the office.**
 - (1) Employees must be officially ordered by a supervisor to return to work at the CSB office in order to receive call back overtime compensation.
 - (2) A call back to work must be ordered by a CSB official at the level of supervisor or higher. When such an official identifies the need for employees to return to work, he/she must request approval for the call back from the next higher level official (see section 15 of this Order). **EXCEPTION:** the Chairperson and the General Counsel are authorized to order a call back without obtaining higher-level approval. The second-level official has discretion to approve or disapprove a call back order, and his/her decision is final. The supervisor and second-level official should agree on the number of employees to be called back and the approximate number of hours they will need to remain at work. This approval process may be conducted via telephone or e-mail, with written documentation completed as early as possible on the next business day.
 - (3) If the call back order is approved, the requesting official should notify the appropriate employees and give them any necessary instructions for reporting to work. Employees should keep track of the number of hours they work in a call back assignment and report that number to their supervisor, who will document and certify the number of hours worked by all employees on that particular call back assignment.

- (4) As early as possible on the next business day after the call back assignment, the official who ordered the call back work should complete Form OT-1 (Appendix A) to document the assignment. The official should retain one copy of the form and forward the original to the CSB timekeeper.
- e. **Procedure for off-duty notifications/incident screening duty.** Call-back compensation is generally only available to employees who must physically report back to the CSB office to do work. However, under the circumstances described below, designated employees are eligible to receive call-back compensation for responding, without returning to the CSB office, to official notifications of urgent CSB business received while off-duty.
- (1) For the purpose of determining entitlement to call-back compensation for work performed at home, “responding to official notifications” means performing the complete set of tasks necessary to appropriately respond to a phone call, e-mail, or other notification (e.g., incident notification from the National Response Center or call/e-mail from a supervisor) pertaining to urgent CSB business.
- (2) Any CSB employee designated as eligible by the head of his or her office may receive call-back compensation for responding to official notifications while otherwise off-duty. Employees other than those designated should not be contacted after duty hours with work assignments.
- (3) Call-back overtime for responding to official notifications while otherwise off-duty accrues in 15-minute increments, in the same manner as described in section 17.f. of this Order. Within any pay period, individual instances of responding to official notifications that are, by themselves, too short to qualify for overtime (e.g., less than 8 minutes) may be aggregated into compensable increments. For example, if the investigator assigned to incident screening duty spends five minutes responding to a call or e-mail on six separate occasions during a pay period, he or she may claim 30 minutes of call-back overtime.

For the purpose of calculating call-back overtime, the “clock” begins running when an employee receives the initiating notification, and runs continuously until the employee has finished the last task necessary for a complete response to the notification, provided that there is no break in the performance of actual work of one hour or more. If there is a break in the performance of actual work for one hour or more, the “clock” must be stopped and re-started when the employee again begins performing actual work.

Example: The investigator on incident screening duty receives an incident notification by e-mail at 8:00 p.m. on a Saturday night. She initially spends 30 minutes making phone calls and performing other tasks in response to the notification, finishing at 8:30 p.m. After performing no work for the next half-hour, she receives a follow-up phone call at 9:00 p.m. The investigator then spends the next hour performing work in response to that call, finishing

at 10:00 p.m. For the next hour-and-a-half, she performs no work. At 11:30 p.m., she receives a final follow-up phone call during which it is decided that no further action is required. By 11:45 p.m., the investigator has completed the last task necessary for a complete response to this incident notification. The investigator is entitled to 2 hours and 15 minutes of overtime compensation for her work. The entire two hours from 8:00 p.m. to 10:00 p.m. are compensable, because the break in the performance of actual work (from 8:30 to 9:00) was less than one hour. The period from 10:00 p.m. to 11:30 p.m. is not compensable because this break in the work was greater than one hour. The actual work performed for 15 minutes from 11:30 p.m. to 11:45 p.m. is also compensable.

- (4) Authorized employees and their supervisors should document call-back overtime earned for responding to official notifications outside normal duty hours by the close of business on the next business day after handling the notifications. Employees who respond to official notifications while otherwise off duty must keep a log listing the dates and times at which work was performed and briefly describing the nature of the work performed. Based on the employee logs, supervisors will complete a Form OT-1 (Appendix A), retain one copy, give one copy to the employee, and forward the original to the CSB timekeeper.

f. Payment.

- (1) Call-back overtime is compensated with either the applicable standard overtime rate of pay listed in section 10 of this Order, or with comp time as described in section 19 of this Order. When employees must return to the office, call-back overtime does not begin to accrue until the employee arrives at the office.
- (2) Employees who must return to the CSB office will be compensated for a minimum of two hours of call-back overtime. Employees who are called back to the office more than once during the same 24-hour period are entitled to receive the two hour minimum each time they are called back. After the two hour minimum, overtime compensation for call back work accrues in 15-minute increments, as described in section 17.f. of this Order. The two-hour minimum entitlement for call-back compensation does not apply when the call-back work is performed at home.
- (3) If an employee performs call back work on a holiday which falls on one of his/her regularly scheduled work days, and the call back work occurs at a time of day which is within the hours of the employee's regularly scheduled tour of duty (from 7:00 a.m. to 7:30 p.m. for flexible work schedule employees), the employee will receive holiday premium pay (see section 23 of this Order) instead of overtime compensation. In such cases the employee is entitled to a minimum of two hours of premium pay for call back work performed at the CSB office. The employee will receive holiday premium pay for that portion

of the call back assignment that falls within the hours of his/her regularly scheduled tour of duty, up to a maximum of eight hours of holiday pay. If the assignment continues beyond those hours, or for more than eight hours, the remaining work time will be compensated as overtime.

Example: An employee with a flexible work schedule returns to the CSB office in response to a call back at 6:30 p.m. on Labor Day. The employee remains at work until 9:30 p.m. The employee will receive two hours of holiday premium pay because the hour from 6:30 to 7:30 is within the hours designated as the flexible work schedule tour of duty and there is a two hour minimum for work performed in the office. The employee will also receive two hours of overtime compensation for the hours of work between 7:30 and 9:30.

- (4) If an employee performs call back work on a holiday on a day or at a time of day which falls outside of his/her regularly scheduled tour of duty (from 7:00 a.m. to 7:30 p.m. for flexible work schedule employees), the employee will receive overtime compensation for the hours of work, not holiday premium pay. The employee is entitled to a minimum of two hours of overtime compensation for call back work performed at the CSB office.

Example: An employee with a flexible work schedule returns to the CSB office in response to a call back at 8:30 p.m. on Labor Day. The employee remains at work until 10:30 p.m. The employee will receive two hours of overtime compensation because all the hours of call back work fall outside the hours designated as the flexible work schedule tour of duty. Alternatively, if the employee remained at work only until 9:30 p.m., he/she would still receive two hours of overtime compensation because that is the minimum entitlement for call back work performed in the office.

19. COMPENSATORY TIME OFF.

- a. The provisions of this section, except for paragraphs f. and g., apply only to compensatory time off in lieu of pay for irregular or occasional overtime, including call-back overtime. Provisions governing compensatory time off for regularly scheduled overtime work are located in section 16 of this Order. Compensatory time off for travel is discussed in section 21 of this Order.
- b. **Definition** – compensatory time off (“comp time”) is paid time off from duty given instead of overtime pay to compensate employees for irregular or occasional overtime work on an hour-for-hour basis (i.e., one hour (or fraction thereof) of overtime work earns one hour (or fraction thereof) of comp time).
- c. **Policy.** Subject to the two conditions listed below, CSB employees may request comp time instead of overtime pay as compensation for irregular or occasional overtime work. Immediate supervisors have the discretion to either approve the

comp time request or require the employee to accept overtime pay, and their decisions are final.

- (1) For all General Schedule employees covered by the overtime provisions of the FLSA and those not covered by the FLSA whose rate of pay is equal to or less than the rate of pay for GS-10, Step 10 – Employees in this category cannot be required to accept comp time in lieu of overtime pay and must be compensated for all overtime hours with either overtime pay or comp time.
 - (2) For General Schedule employees not covered by the overtime provisions of the FLSA whose rate of pay is greater than the rate of pay for GS-10, Step 10 – Supervisors may require employees in this category to accept comp time in lieu of overtime pay. The decision to require comp time in lieu of overtime pay is within the supervisor’s discretion and is final. Employees in this category must be compensated for all overtime hours with either overtime pay or comp time.
- d. The overtime work for which comp time is being requested must have been officially ordered and approved in advance in writing, in accordance with the provisions of this Order, and actually performed.
 - e. Employees who wish to receive comp time instead of overtime pay must affirmatively request the comp time from the supervisor who is authorizing or ordering overtime work for the employee. The supervisor should indicate the type of compensation approved in the appropriate box in Part B on Form OT-1 (Appendix A).
 - f. Employees who wish to use accrued comp time must follow the procedures for requesting and using annual leave set forth in Board Order 009, *Absence and Leave*.
 - g. **“Use-or-Lose” Time Limit.** Employees must use any comp time earned in lieu of overtime pay after May 14, 2007, no later than the last day of the 26th pay period following the pay period in which such comp time was earned.
 - (1) FLSA-exempt employees. If an FLSA-exempt employee does not use comp time within 26 pay periods after it is earned, or the employee transfers to another agency or separates from Federal service before the expiration of the 26 pay period time limit, the unused comp time will be forfeited, unless the failure to use the comp time was due to an exigency of the service beyond the employee’s control. In the case of such an exigency, employees will be paid the dollar value of the unused comp time, at the overtime rate they would have been paid at the time the comp time was earned. It is within the sole and exclusive discretion of the Chairperson of the CSB to determine what constitutes an exigency of the service beyond an employee’s control for the purposes of this provision. Any such determination shall be made in writing,

explain the circumstances of the exigency, and specifically identify the employee(s) affected by the exigency.

- (2) FLSA-covered employees. If an FLSA-covered employee does not use comp time within 26 pay periods after it is earned, or the employee transfers to another agency or separates from Federal service before the expiration of the 26 pay period time limit, the employee must be paid the dollar value of the unused comp time, at the overtime rate he/she would have been paid at the time the comp time was earned.
- (3) Special situations. An employee, regardless of FLSA status, must be paid for comp time that could not be used within 26 pay periods after it was earned because the employee was separated or placed in a leave without pay status to perform service in the uniformed services, or because of an on-the-job injury with entitlement to injury compensation under 5 U.S.C. chapter 81.
- (4) Comp time earned on or before May 14, 2007. Employees must use any comp time earned on or before May 14, 2007, by the close of the pay period that ends three years after May 14, 2007. For FLSA-exempt employees, any such comp time that remains unused after the expiration of this time limit will be treated as described in sub-paragraph g.(1) of this section. For FLSA-covered employees, any such comp time that remains unused after the expiration of this time limit will be treated as described in sub-paragraph g.(2) of this section.

20. OVERTIME FOR OFFICIAL TRAVEL.

- a. **General rule.** Employees who are FLSA-exempt are deemed by law not to be working and thus are not entitled to any compensation (regular pay, overtime pay, or other premium pay) for time they spend actually traveling away from their official duty station, when such time is outside the days and hours of their regularly scheduled administrative workweek. All employees who actually travel during the hours of the day they are normally scheduled to work (including all hours during which work may be performed by flexible work schedule employees) receive their regular rate of pay for those hours. After arriving at a temporary duty location (e.g., incident site and surrounding area) employees are not “actually traveling” for the purpose of entitlement to overtime.
- b. **Exceptions.** FLSA-exempt employees are entitled to receive overtime compensation or other premium pay (if applicable, see section 23 of this Order) for time spent actually traveling outside of their regular tour of duty (outside of the hours of 7:00 a.m. to 7:30 p.m. for flexible work schedule employees) if such travel:
 - (1) Involves the performance of actual work while traveling;
 - (2) Is incident to travel that involves the performance of work while traveling;

- (3) Is carried out under arduous conditions; or
- (4) Results from an event which could not be scheduled or controlled administratively (includes travel to and from such an event).

c. **Explanation of exceptions.**

- (1) **Performance of actual work.** To receive overtime compensation for time spent actually traveling on the basis of performing actual work while traveling, an employee must be doing more than just going to or from a duty location. The employee must be performing tasks required by his/her established duties. The work used as a basis for justifying overtime compensation for travel must be ordered and approved in advance by a supervisor.
- (2) **Arduous conditions.** To receive overtime compensation for time spent actually traveling on the basis of traveling under arduous conditions, the conditions must be extremely severe, unusual, or dangerous. Darkness, bad weather, and remote locations are generally not considered to be arduous conditions.
- (3) **Unscheduled/uncontrolled events.** To receive overtime compensation for time spent actually traveling on this basis, the travel must result from an event which could not be scheduled or controlled administratively and there must be an official mission-related need for employees to travel immediately, which could not be met if employees waited until their next regular workday to travel. Travel related to deployment to an incident scene is an example of travel that would usually qualify for overtime compensation because it results from an administratively uncontrollable event. Under certain circumstances, travel to/from meetings or training may also qualify for overtime compensation pursuant to this exception. For a meeting or training program to be considered administratively uncontrollable, it generally must (1) be sponsored by a private organization and (2) not be conducted solely for the benefit of the government or with any other element of government control.

d. **Policy.** Whenever possible, employee travel should be scheduled during regular working hours and work days. Travel outside of normal duty hours should only be authorized when clearly necessary.

e. **Eligibility.** Any CSB FLSA-exempt employee whose travel meets the requirements of this section is eligible to receive overtime compensation for time spent actually traveling, the eligibility requirements for other types of overtime notwithstanding.

f. **Procedure.** The procedure outlined below applies only to authorizing overtime compensation for time spent actually traveling. The travel itself must be planned and authorized in accordance with all applicable CSB procedures and the Federal

Travel Regulation. This procedure does not apply to employees traveling to an incident scene under an authorization as described in section 17.d. of this Order.

- (1) To authorize travel-related overtime, supervisors should complete the relevant sections of Form OT-1 (Appendix A). The supervisor should retain one copy, give another copy to the traveling employee, and forward the original to the CSB timekeeper.
 - (2) Employees should record their authorized travel-related overtime hours in the CSB time and attendance tracking system. The CSB timekeeper will not process time reports showing overtime hours unless he or she has received an approved overtime authorization form.
- g. Regardless of an employee's FLSA status, travel from home to work and vice versa is not hours of work, and therefore is not compensable. When an employee travels directly from home to a temporary duty location outside of his/her official duty station, the time the employee would have spent in normal home to work travel must be deducted from his/her hours of work. At a temporary duty location, time spent in transit back and forth between lodging and a work site is equivalent to commuting time and is not hours of work.
- h. Employees who are covered by the overtime provisions of the FLSA may also be eligible to receive overtime pay for time spent actually traveling outside of regular duty hours. The criteria for qualifying for travel overtime pay under the FLSA differ from those applicable to FLSA-exempt employees. FLSA-covered employees should consult with the HR Director for specific guidance.

21. COMPENSATORY TIME OFF FOR TRAVEL.

- a. **Definition.** Compensatory time off for travel is a special form of compensatory time off ("comp time") that an employee may earn for time spent in a travel status away from his/her official duty station, when no other form of compensation is available for that time. Comp time for travel may be earned by employees regardless of their FLSA status. This form of comp time is separate and distinct from comp time earned in lieu of overtime pay for regularly scheduled overtime work (section 16 of this Order), irregular or occasional overtime work (section 17 of this Order), or travel that qualifies for overtime (section 20 of this Order).
- b. **Eligibility.** To earn comp time for travel, the following two basic requirements must be satisfied:
- (1) The travel is for CSB business purposes and has been approved under the agency's travel authorization procedures; and
 - (2) No other form of compensation (e.g., regular pay, overtime pay) is available for the time spent traveling for which the comp time is sought. For example, if a period of travel begins during an employee's regular tour of duty, but

continues outside of the tour and does not meet the requirements for travel-related overtime pay, only the time outside the regular tour of duty would be eligible for comp time for travel. The travel time during the regular tour of duty would be compensated at the employee's regular rate of pay.

c. **Allowable time.** Comp time for travel can be earned for:

- (1) Time spent traveling between an employee's official duty station and a temporary duty station.
 - (a) Travel outside of regular working hours between an employee's home and a temporary duty station or transportation terminal outside the limits of his or her official duty station is allowable travel time. However, the employee's normal home-to-work/work-to-home commuting time must be deducted from the travel time.
 - (b) Travel outside of regular working hours between a worksite (e.g., CSB office, incident site) and a transportation terminal is allowable travel time. No deduction for normal commuting time is required.
 - (c) Exclusion. Travel outside of regular working hours to or from a transportation terminal within the limits of an employee's official duty station is considered equivalent to normal commuting time and is not allowable as a basis for earning comp time for travel.
 - (d) Alternative travel. If an employee is permitted to travel at a time, by a route, or on a mode of transportation other than the one selected by the CSB, the employee can earn comp time for travel only in an amount equal to the **lesser** of the estimated time in a travel status for the CSB selected mode/time/route or the actual time in a travel status for the alternative mode/time/route.
- (2) Time spent traveling between two temporary duty stations.
- (3) The usual waiting time preceding or interrupting the travel time (e.g., waiting at an airport or train station prior to departure). The CSB deems "usual waiting time" to be as follows:
 - (a) For domestic air travel – up to two hours of pre-departure waiting at the airport.
 - (b) For international air travel – up to three hours of pre-departure waiting at the airport.
 - (c) For all other modes of common carrier transportation – up to one hour of pre-departure waiting at the transportation terminal.

- (d) For connecting travel – up to two hours of waiting at the transportation terminal between arrival from one segment and departure on the next segment.

The times listed above are the maximum allowed, not minimum entitlements. Employees can earn comp time for travel only for the time they actually spend waiting, up to these maximums. Extended waiting periods in excess of these maximums are not compensable with comp time for travel.

- d. **Excluded time.** The following situations are not considered to be time in a travel status and cannot be the basis for earning comp time for travel:

- (1) Time spent at a temporary duty station between arrival and departure.
- (2) Travel time in connection with an employee's permanent change of station.
- (3) If an employee chooses, for personal reasons, to return home from a temporary duty station at night or on a weekend, instead of using temporary lodging, any travel time other than that for the initial trip to the temporary duty station and the final return trip from the temporary duty station.

- e. **Procedure.**

- (1) Employees are responsible for requesting comp time for travel, in accordance with the procedures described below. Comp time for travel will not be granted without a proper request.
- (2) Prior to departure. Before departing for travel that may provide the basis for earning comp time for travel, employees must obtain pre-travel authorization from their supervisor. To do this, employees need to complete Parts A and B-1 of Form OT-3 (Appendix C) and submit the form to their supervisor. If the supervisor grants authorization, he or she will sign and date the form in Part B-2, and return the original form to the employee. The pre-travel authorization is **not** an approval or grant of a specific amount of comp time for travel. This step only confirms that the supervisor is authorizing the employee to travel on a schedule that may provide the basis for earning comp time for travel and to submit, upon return, a request for comp time for travel based on any actual periods of allowable travel time (see paragraph c. of this section).
- (3) Upon return. After returning from travel that included actual periods of allowable travel time (see paragraph c. of this section), employees must complete their request for comp time for travel by filling-out Part C of the Form OT-3 (Appendix C) that was pre-authorized by their supervisor. Employees must submit the completed form to their supervisor within 10 business days of their return to the office from travel status, or their request will be denied. The supervisor will review the completed form and the details of the requested comp time for travel to determine whether they comply with

this Order. Based upon this review, the supervisor will indicate his or her final approval or denial of the request by completing Part D of the form. The supervisor should retain one copy of the form, give another copy to the employee, and forward the original to the CSB timekeeper. The CSB timekeeper will not process payroll submissions showing hours of comp time for travel unless he or she has received an approved Form OT-3 for those hours.

Upon approval, employees will enter the hours of comp time for travel in the CSB time and attendance tracking system, which will provide a separate category for this type of comp time.

- (4) Mixed travel. If an employee's travel will include some travel time that can be compensated with overtime for official travel, along with travel time that can only be compensated with comp time for travel, the employee must separately request both overtime for official travel, in accordance with the procedures of section 20.f. of this Order, and comp time for travel, in accordance with the procedures of section 21.e. of this Order.
- (5) Employees who wish to use accrued comp time for travel must follow the procedures for requesting and using annual leave set forth in Board Order 009, *Absence and Leave*. Comp time for travel is earned and must be used in one-quarter hour (15 minute) increments.

f. **Forfeiture.**

- (1) An employee's accrued comp time for travel will be forfeited under the following circumstances:
 - (a) If the accrued comp time for travel is not used by the end of the 26th pay period after the pay period during which it was earned.

Exception: If an employee is unable to use his or her accrued comp time for travel before the forfeiture date because of an exigency of the service beyond the employee's control, the Chairperson, at his or her sole and exclusive discretion, may issue a determination extending the time limit for up to an additional 26 pay periods. Any such determination shall be made in writing, explain the circumstances of the exigency, and specifically identify the employee(s) affected by the exigency.
 - (b) Upon voluntary transfer to another agency.
 - (c) Upon movement to a position not covered by the authorities permitting comp time for travel.
 - (d) Upon separation from the Federal government.
- (2) If an employee is unable to use accrued comp time for travel because he or she was separated or placed in a leave without pay status to perform service in

the uniformed services, or because of an on-the-job injury with entitlement to injury compensation under 5 U.S.C. chapter 81, the unused comp time for travel will be held in abeyance. In such cases, the employee must use all of the comp time for travel that was held in abeyance by the end of the 26th pay period following the pay period in which the employee returns to duty, or the comp time for travel will be forfeited.

- (3) Federal law prohibits payment for unused comp time for travel under any circumstances.

22. ON-CALL TIME AND STANDBY DUTY.

- a. It is the policy of the CSB that employees who are in an “on-call” status will not be required to remain physically within their homes during the “on-call” period. “On-call” employees may be required to carry a pager or other electronic communications device and to remain within a reasonable call-back radius. Under these conditions, employees are not entitled to compensation for the time they spend “on-call.”
- b. It is the policy of the CSB that employees will not be required or permitted to remain at their duty station outside of their regular duty hours, unless they are actually performing authorized and approved overtime work. Standby duty – time spent at the duty station in a state of immediate readiness to do work, but not actually performing work – is not authorized.

23. HOLIDAY PREMIUM PAY.

- a. **Eligibility.** Employees who are ordered to work all or a portion of their regular tour of duty (from 7:00 a.m. to 7:30 p.m. for flexible work schedule employees) on one of the holidays designated in section 15 of Board Order 015 are entitled to premium pay for up to eight hours of work on that day. Employees are only eligible for this premium pay if the day on which the holiday falls is one of their regularly scheduled workdays. Holiday work must be performed in the CSB office or at an official temporary duty location.
- b. **Amount.** The holiday premium pay rate is twice the employee’s regular hourly rate of basic pay. Employees receive holiday premium pay instead of, not in addition to, their regular pay (i.e., employees are paid double time, not triple time). Employees who work on a holiday are entitled to a minimum of two hours of premium pay, even if they work less than two hours.
- c. **Procedure.** (Holiday work for deployed field investigation team members should be approved using the procedures in section 17.d. of this Order, instead of these procedures.)

- (1) Employees may only work on a holiday if they are officially ordered in writing to do so by their supervisor. Supervisors should order holiday work

only when mission critical work must be completed and cannot wait until the next regular work day.

- (2) To order holiday work, supervisors should complete the appropriate portions of Form OT-1 (Appendix A) and forward it to the appropriate reviewing official (see section 15, above). A reviewing official must sign-off on orders for holiday work. The reviewing official may, in his/her discretion, approve or disapprove the order, noting the decision on the form OT-1. The form should then be returned to the supervisor.
 - (3) If the order for holiday work is approved, the supervisor should retain one copy of the form, give another copy to the employee who will be performing the work, and forward the original to the CSB timekeeper. The employee should record the hours of holiday work in the CSB time and attendance tracking system. The CSB timekeeper will not process time reports showing work on a holiday unless he or she has received an approved order form.
- d. Holiday premium pay is separate and distinct from overtime pay. If an employee is authorized to work more than eight hours on a holiday, the overtime hours are paid at the applicable overtime rate, not the holiday premium rate.
24. **TRAINING.** Employees exempt from the FLSA are generally not entitled to premium pay (including overtime compensation) for time spent in training. Employees covered by the FLSA may be entitled to overtime pay for time spent in training, and should consult the HR Director for specific guidance.
 25. **TIMEKEEPING.** All forms documenting overtime work must be submitted to the CSB timekeeper by the close of business on the last business day of the pay period in which the documented work was performed. Supervisors who approve overtime work are responsible for forwarding authorization documentation to the CSB timekeeper. Employees who will be deployed in the field on the last day of a pay period are responsible for making arrangements to ensure their hours of work are entered into the CSB time and attendance tracking system.
 26. **FALSIFICATION.** Falsification of information on an overtime authorization form, or in connection with an overtime request, is a serious offense. Falsification will be grounds for immediate disciplinary action, up to and including removal.
 27. **REVIEW AND UPDATE.** The HR Director will review this Order annually to determine if there are any required changes. Based upon the review, the HR Director will submit a brief report to the Chairperson no later than November 1 of each year recommending any proposed revisions.

CHEMICAL SAFETY AND HAZARD INVESTIGATION BOARD

February 12, 2001. Amended: February 6, 2003; November 4, 2003; October 2, 2006; April 14, 2008.

OVERTIME/HOLIDAY WORK AUTHORIZATION

PART A – Employee Information	
Name	Organization

PART B – Overtime/Holiday Work Information		
Category (check only one)		
<input type="checkbox"/> Regularly scheduled overtime (Order 018, §16)	<input type="checkbox"/> Irregular or occasional overtime (Order 018, §17)	
<input type="checkbox"/> Call-back overtime (Order 018, §18)	<input type="checkbox"/> Travel-related overtime (Order 018, §20)	<input type="checkbox"/> Holiday work (Order 018, §23)

Justification:

Overtime/Holiday Work Schedule
Indicate the days on which overtime and/or holiday work is authorized and the number of hours of overtime and/or holiday work authorized on each of those days.

Total authorized hours of overtime/holiday work:			
Compensate work with:	<input type="checkbox"/> Overtime Pay	<input type="checkbox"/> Holiday Premium Pay	<input type="checkbox"/> Compensatory time off

PART C – Supervisory Certifications and Approval			
The employee named above is performing at the Fully Successful level or better.	YES <input type="checkbox"/>	WAIVED <input type="checkbox"/>	N/A <input type="checkbox"/>
The office budget is sufficient to fund the pay for the amount of overtime/holiday work authorized on this form.		YES <input type="checkbox"/>	N/A <input type="checkbox"/>
The pay or dollar-value of compensatory time off earned for the overtime/holiday work authorized on this form will not cause the employee named above to exceed the statutory biweekly pay limitation or the alternative annual pay limitation (if applicable), the statutory aggregate pay limitation, or the CSB annual overtime cap (see Order 018, sections 11, 12, 13, & 14).	YES <input type="checkbox"/>		
The information on this form is true and correct to the best of my knowledge. The employee named above is hereby authorized to perform and be paid for the overtime/holiday work described above.	Supervisor's signature and date		

PART D – Reviewing Official Approval (not required for irregular or occasional overtime or travel-related overtime)	
<input type="checkbox"/> This authorization is approved. The overtime/holiday work described is justified and complies with Order 018.	<input type="checkbox"/> This authorization is disapproved. The overtime/holiday work described MAY NOT be performed.
Reviewing Official's signature and date	

PRIVACY ACT STATEMENT: This information is subject to the provisions of the Privacy Act and will not be disclosed without consent, except as required or permitted by law, including in the manner described in this statement. This information is used primarily by CSB management and payroll officials, and the CSB's personnel and payroll processors to approve, record, process, and track overtime compensation. Additional disclosures of this information may be made for the routines uses permitted by the Privacy Act system CSB-2, *Payroll and Pay Administration Records* and for the general routine uses permitted for all CSB Privacy Act systems, as described in the CSB Privacy Act Systems of Records Notice. The authority to collect this information is 5 U.S.C. 5541 et seq. and 31 U.S.C. 3512.

AUTHORIZATION FOR DEPLOYMENT-RELATED OVERTIME/PREMIUM PAY

Weekly Authorization			
Incident Location	Week for which authorization is effective		
Authorized employees	Fully Successful or Better		No. of OT/holiday hours auth
	<input type="checkbox"/> YES	<input type="checkbox"/> WAIVED	
	<input type="checkbox"/> YES	<input type="checkbox"/> WAIVED	
	<input type="checkbox"/> YES	<input type="checkbox"/> WAIVED	
	<input type="checkbox"/> YES	<input type="checkbox"/> WAIVED	
	<input type="checkbox"/> YES	<input type="checkbox"/> WAIVED	
	<input type="checkbox"/> YES	<input type="checkbox"/> WAIVED	
	<input type="checkbox"/> YES	<input type="checkbox"/> WAIVED	
	<input type="checkbox"/> YES	<input type="checkbox"/> WAIVED	
	<input type="checkbox"/> YES	<input type="checkbox"/> WAIVED	
Holiday work is authorized.	YES <input type="checkbox"/>	NO <input type="checkbox"/>	N/A <input type="checkbox"/>
The office budget is sufficient to fund the pay for the amount of overtime/holiday work authorized on this form.	YES <input type="checkbox"/>		N/A <input type="checkbox"/>
The pay or dollar-value of compensatory time off earned for the overtime/holiday work authorized on this form will not cause the employees listed above to exceed the statutory biweekly pay limitation or the alternative annual pay limitation (if applicable), the statutory aggregate pay limitation, or the CSB annual overtime cap (see Order 018, sections 11, 12, 13, & 14).	YES <input type="checkbox"/>		
Authorizing Official's Signature and Date			

PRIVACY ACT STATEMENT: This information is subject to the provisions of the Privacy Act and will not be disclosed without consent, except as required or permitted by law, including in the manner described in this statement. This information is used primarily by CSB management and payroll officials, and the CSB's personnel and payroll processors to approve, record, process, and track overtime compensation. Additional disclosures of this information may be made for the routines uses permitted by the Privacy Act system CSB-2, *Payroll and Pay Administration Records* and for the general routine uses permitted for all CSB Privacy Act systems, as described in the CSB Privacy Act Systems of Records Notice. The authority to collect this information is 5 U.S.C. 5541 et seq. and 31 U.S.C. 3512.

REQUEST FOR COMPENSATORY TIME OFF FOR TRAVEL

Please review Order 018, section 21 for additional guidance and instructions related to this form.

PART A – Employee Information	
Name	Organization

PART B – Pre-Travel Authorization
--

PART B-1:
List the dates and approximate times during which travel is planned, and describe the purpose of the travel.

PART B-2:	Supervisor’s signature and date
The travel described above has been authorized for official CSB business purposes. Because the necessary travel schedule may require the employee named above to travel during hours for which no other form of compensation is available, the employee is authorized to submit a request for compensatory time off for travel upon his or her return.	

PART C – Post-Travel Itemization of Allowable Time

Itemize below the actual periods of allowable travel time (see Order 018, section 21.c.) for which no other compensation is available and for which compensatory time off for travel is being requested.	
Description of Allowable Travel Time	Amount of Time
Total hours of compensatory time off for travel requested	
I hereby certify that the information I have provided in Part C is true and correct to the best of my knowledge.	Employee’s signature and date

PART D – Final Supervisory Approval
--

<input type="checkbox"/> This request for compensatory time off for travel is APPROVED , in compliance with Order 018, section 21. The total number of hours of compensatory time off for travel shown in Part C should be credited to the employee.	<input type="checkbox"/> This request for compensatory time off for travel is DISAPPROVED .
Supervisor’s signature and date	

PRIVACY ACT STATEMENT: This information is subject to the provisions of the Privacy Act and will not be disclosed without consent, except as required or permitted by law, including in the manner described in this statement. This information is used primarily by CSB management and payroll officials, and the CSB’s personnel and payroll processors to approve, record, process, and track overtime compensation. Additional disclosures of this information may be made for the routines uses permitted by the Privacy Act system CSB-2, *Payroll and Pay Administration Records* and for the general routine uses permitted for all CSB Privacy Act systems, as described in the CSB Privacy Act Systems of Records Notice. The authority to collect this information is 5 U.S.C. 5541 et seq. and 31 U.S.C. 3512.