

**Forest Service Handbook
National Headquarters - Washington Office
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**Forest Service Handbook 6109.11 – Pay Administration, Attendance and Leave Handbook
Zero Code**

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Approved by: Jack Ward Thomas, Chief

Date approved:

Responsible Staff:

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Digest: Following is an explanation of the changes throughout the directive by section.

01: Adds descriptions of authorities, formerly coded incorrectly in section 05, Definitions.

05: Adds definitions for Administrative Workweek, Basic Workweek, Emergency, Premium Pay, Rate of Basic Pay, Regularly Scheduled Administrative Workweek, and Tour of Duty. Expands the definition of Overtime to include Administratively Uncontrollable Overtime (para. a), Compensatory Time (para. b), Irregular and Occasional Overtime (para. c), and Regularly Scheduled Overtime (para. d).

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This Handbook provides operating instructions to assist supervisors, employees, timekeepers, and personnel specialists in carrying out their responsibilities in administering pay, attendance, and leave rules. The Handbook provides guidance for administering the pay, leave, and attendance provisions of Title 5, Code of Federal Regulations, as well as the additional overtime entitlements provided by the Fair Labor Standards Act.

01 - Authority

1. Title 5, United States Code. Title 5 of the United States Code contains laws relating to Government organizations and employees, including, but not limited to, the laws concerning pay rates and administration for Federal employees referred to in this Handbook. Title 5 does not include the Fair Labor Standards Act (FLSA) which applies to both Federal and non-Federal employees (para. 3).

2. Title 5, Code of Federal Regulations. Title 5 of the Code of Federal Regulations contains implementing regulations for Title 5 of the United States Code.

3. The Fair Labor Standards Act. (Title 29, United States Code, 201; 29 U.S.C. 201). The Fair Labor Standards Act (FLSA), which requires a minimum wage rate and compensation for overtime work, was amended in 1974 to include Federal employees. Not all employees are covered by the FLSA; those employees covered by FLSA are termed "non-exempt" and those not covered are "exempt." This law introduced the "suffer and permit" concept to Federal employment (sec. 13.3). Implementing regulations in Title 5, Code of Federal Regulations, part 551 (5 CFR 551).

03 - Policy

In addition to complying with policy contained in FSM 6150 and 6160, supervisors shall monitor work assignments to ensure that employees covered (non-exempt) by the Fair Labor Standards Act do not perform work outside normal work hours unless the supervisor orders or wants such work performed. Supervisors shall clearly and positively tell employees when work is to be performed outside of regular work hours and when it is not.

05 - Definitions

Administratively Uncontrollable Overtime. (See "Overtime.")

Administrative Workweek. Is a period of 7 consecutive calendar days designated in advance by the Secretary of Agriculture under section 6101(a) of Title 5, United States Code (5 U.S.C. 6101(a)). The administrative workweek designated for the Department of Agriculture is Sunday through Saturday.

Basic workweek. For full-time employees, the 40-hour workweek established in accordance with 5 CFR 610.111.

Compensatory Time. (See "Overtime.")

Corresponding Hours. Hours on a nonworkday which correspond to an employee's regular working hours on regular workdays. The concept of corresponding hours is used when determining whether travel time is compensable under FLSA (5 CFR 551.422(4); FSH 6109.11, sec. 13.72b).

Credit Hours. Hours worked within a flexible schedule tour of duty, which are in excess of an employee's basic work requirement and which the employee elects to work, with supervisory approval, so as to vary the length of a workweek or workday.

Emergency. A natural disaster or other temporary condition posing a direct threat to human life or property (5 CFR 5550.103(r)).

Exempt Employees. Those employees not covered by FLSA provisions (sec. 01).

Federal Wage System. The pay system used to set pay rates for employees in a recognized trade, craft, or other skilled mechanical craft, or in an unskilled, semiskilled, or skilled manual labor occupation. The Federal Wage System, including wage leaders and wage supervisors, covers positions having trade, craft, or labor experience and knowledge as the paramount requirement. The symbol for wage supervisor positions is WS. The symbol for wage leader positions is WL. The symbol for all other Federal Wage System positions is WG.

FLSA. Acronym for Fair Labor Standards Act (29 U.S.C. 201).

General Schedule. The basic pay schedule for all employees in Federal civilian positions except those positions specifically exempted by law. The most common exceptions within the Forest Service are Federal Wage System employees, Senior Executive Service employees, and Emergency Firefighters. The symbol for the General Schedule is GS.

Irregular and Occasional Overtime. (See "Overtime.")

Nonexempt Employees. Those employees covered by FLSA provisions (sec. 01).

Overtime.

a. **Administratively Uncontrollable Overtime.** (Sec. 19). Premium pay, paid as a percentage of base pay, that is paid to an employee who is required to work substantial amounts of irregular occasional overtime when the employee is generally responsible for recognizing, without supervision, circumstances requiring them to remain or return to duty outside their normal duty hours. AUO does not preclude the payment of other premium pay, such as Night, Sunday, Holiday, and Hazard Pay.

b. **Compensatory Time.** Time off from an employee's tour of duty granted instead of payment for an equal amount of irregular and occasional overtime work earned under 5 U.S.C. 5542.

c. **Irregular and Occasional Overtime.** Overtime work that is not part of the employee's regularly scheduled administrative workweek. Thus, irregular overtime work is work found to be necessary and assigned to the employee during the same administrative workweek in which it is actually performed. For example, overtime that is determined to be necessary on Monday and performed on Wednesday is irregular overtime because it is assigned and performed in the same workweek.

d. **Regularly Scheduled Overtime.** Overtime work that is scheduled before and is part of the employee's regularly scheduled administrative workweek. The standard administrative workweek is from 0001 Sunday to 2400 Saturday. Thus, to be regularly scheduled, overtime must have been identified and scheduled before 0001 Sunday. For example, overtime that is scheduled Thursday for the following Tuesday, is regularly scheduled because it is scheduled in advance of the workweek.

Premium Pay. The additional pay authorized by subchapter of chapter 55 of the Title 5, United States Code, and including overtime, night, holiday, or Sunday work, and standby duty or administratively uncontrollable work.

Rate of Basic Pay. The rate of pay fixed by law or administrative action for the position held by an employee, including any applicable interim geographic adjustment under section 302 of the Federal Employees Pay Comparability Act of 1990 (Pub. L. 101-509) or locality-based comparability payment under 5 U.S.C. 5304, before any deductions and exclusive of additional pay of any other kind.

Regularly Scheduled Administrative Workweek. For a full-time employee, the period within an administrative workweek, established under 5 CFR 610.111, within which the employee is regularly scheduled to work. For a part-time employee, the officially prescribed days and hours within an administrative workweek during which the employee is regularly scheduled to work.

Regularly Scheduled Overtime. (See "Overtime.")

Tour of Duty. The hours of a day (a daily tour of duty) and the days of an administrative workweek (a weekly tour of duty) that constitute an employee's regularly scheduled administrative workweek.