

**BY ORDER OF THE COMMANDER,
UNITED STATES AIR FORCES IN
EUROPE (USAFE)**

**UNITED STATES AIR FORCES IN EUROPE
INSTRUCTION 36-801**



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Personnel

**OVERTIME, COMPENSATORY TIME, AND
COMPENSATORY TIME FOR TRAVEL
REQUEST AND APPROVAL**

COMPLIANCE WITH THIS PUBLICATION IS MANDATORY

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This United States Air Forces in Europe (USAFE) Instruction implements Air Force Policy Directive (AFPD) 36-8, *Employee Benefits and Entitlements and Work/Life Programs*. It establishes policies and procedures for requesting approval of overtime and compensatory time for all civilian employees within the directorates and headquarters-level agencies and organizations, Third Air Force (3 AF), and Seventeenth Air Force (17 AF) only. The purpose of this instruction is to provide guidance regarding the manner in which the overtime, compensatory time, and compensatory time for travel are requested and approved. It does not apply to Air National Guard (ANG) and Air Force Reserve Command (AFRC) units. This instruction requires collecting and maintaining information protected by the Privacy Act of 1974 authorized by 5 USC 552 (a). System of records notice F065 AF A, *Time and Attendance Feeder Records* (October 14, 2003, 68 FR 59167) applies. Ensure that all records created as a result of processes prescribed in this publication are maintained in accordance with Air Force Manual (AFMAN) 33-363, *Management of Records*, and disposed of in accordance with the Air Force Records Disposition Schedule (RDS) located in Air Force Records Information Management System (AFRIMS): <https://www.my.af.mil/gcss-af61a/afirms/afirms/rims.cfm>.

SUMMARY OF CHANGES

This document is revised to include coverage for 17 AF, add reference to Department of Defense Manual (DODM) 1400.25_AFMAN 36-115, *National Security Personnel System (NSPS)*, SC1930.13 through SC1930.25, for NSPS employees, and addresses the use of compensatory time off for travel.

1. General: Overtime and compensatory time should be approved in writing and in advance, whenever possible. Overtime should be utilized for urgent and unexpected workload surges, such as when unusual, occasional, or seasonal workload must be accomplished within a given time period and additional personnel are not available, or when performance of overtime work is more economical than hiring temporary employees or paying for charges or damages that would otherwise be incurred. Compensatory time is time off in lieu of overtime pay for irregular or occasional overtime work. Compensatory time off for travel is a separate form of compensatory time off that may be earned by an employee for time spent in a travel status away from the employee's official duty station (see section 6.). Credit hours, compensatory time, and compensatory time for travel are not the same.

2. Responsibilities: Authorizing officials should be aware that they are committing government funds for overtime. Compensatory time, unused after 1 year, converts to an overtime payment; thus, incurring additional expenditure of funds. Compensatory time off for travel not used by the end of the 26th pay period after the pay period during which it was earned is not paid out and is forfeited.

3. Requesting Official Responsibilities:

3.1. Plans work effectively and requests overtime only when mission requires this work for efficient operations. Considers the alternatives to overtime and compensatory hours as outlined in Air Force Instruction (AFI) 36-802, *Pay Setting*, Chapter 3.1.2. and AFMAN 36-115, *NSPS*, Chapters SC1930.13 through SC1930.25 for NSPS employees prior to requesting the additional hours.

3.2. Requests overtime and compensatory time on AF Form 428, *Request for Overtime, Holiday Premium Pay, and Compensatory Time*. Fully describes the nature of the duties and providing detailed justification for the required overtime (see **Attachment 2** for specific details on completion of form).

3.3. Uses one AF Form 428 per pay period. Does not use blanket request extending over multiple pay periods. This ensures authorizing officials reassess the need for overtime or compensatory hours and reduces misuse and lack of management oversight.

3.4. Requests approval from authorizing official before directing overtime or compensatory hours. **Note:** In an emergency situation, requestor may obtain verbal approval before commencement; however, a written request must be submitted the following workday.

3.5. Obtains fund verification from the Resource Advisor (RA) after coordinating through appropriate authorizing official (two-digit or delegated to three-digit).

3.6. Provides copy of approved AF Form 428 to the time and attendance certifiers and timekeepers for audit purposes.

3.7. Briefs employees on the number of hours authorized to work overtime and other rules and procedures governing compensatory time and overtime.

3.8. For Non-United States (U.S.) employees, obtains approval in accordance with host country policies. Managers should consult with their servicing Civilian Personnel Office for advice and guidance.

4. Authorizing Official Responsibilities:

4.1. For paid overtime or compensatory time, only two-digit officials and their deputies, or three-digit-delegates with a formal appointment letter (**Attachment 3**) outlining the scope of the authority, are authorized to approve requests. *Note:* In an emergency situation, a three-digit official, not otherwise delegated such authority, can verbally approve request.

However, written request must follow the next workday. The delegated authority letter is to be kept on file with the appointing official and the timekeeper for the organization.

4.2. Serves as Accountable Officials as defined in Department of Defense Regulation (DoD) 7000.14-R, Volume 5, *Disbursing Policy and Procedures*, Chapter 33, *Accountable Officials and Certifying Officers*, Section 3308, Glossary of Terms, Section 330812, Departmental Accountable Officials: "For the purposes of this chapter, individuals who are responsible in the performance of their duties for providing to a certifying officer information, data, or services that the certifying officer directly relies upon in the certification of vouchers for payment. They are pecuniarily liable for erroneous payments resulting from their negligent actions in accordance with Title 10, *United States Code*, Section 2773a, *Departmental Accountable Officials*.

4.3. After being appointed by their director in writing, authorized officials are required to sign a statement that they acknowledge their responsibility and personal liability with regard to approving Civilian Pay compensation (see **Attachment 3** for sample appointment letter).

5. Resource Advisor Responsibilities:

5.1. Provides line-of-accounting data and verifies funds availability on approved requests.

5.2. Ensures correct Responsibility Code/Cost Code (RCCC) is on AF Form 428.

5.3. Ensures Emergency and Special Programs (ESP) codes are provided for possible tracking of expenses or funding reimbursement (Joint Chief of Staff (JCS) exercises or contingencies).

5.4. Provides any other Reimbursable Program Code where an ESP may not be in use. (e.g.; Palace Compass, Funding Code (FC) 2S/T, or Military Family Housing (MFH) Operations and Maintenance (O&M)).

5.5. Completes the Journal Voucher should expenditures need to be realigned to capture costs to the appropriate Line of Accounting (LOA) or ESP.

5.6. For Non-U.S. employees, RA will obtain coordination from Financial Management (HQ USAFE/FM) on paragraphs **5.1.** through **5.5.**

6. Compensatory Time for Travel:

6.1. Time in a travel status includes the time an employee spends traveling between the official duty station and a temporary duty station, or between two temporary duty stations, and the usual waiting time that precedes or interrupts such travel. Travel time in connection with an employee's permanent change of station is not time in a travel status.

6.2. Waiting time: Airline travelers generally are required to arrive at the airport at a designated pre-departure time. Such waiting time at the airport is considered usual waiting time and is creditable time in a travel status. In addition, time spent at an intervening airport waiting for a connecting flight also is creditable time in a travel status. If an employee experiences an extended (i.e., not usual) waiting time between actual periods of travel during which the employee is free to rest, sleep, or use the time for his or her own purposes, the extended waiting time is not creditable as time in a travel status.

6.3. Travel involving two or more time zones: When an employee's travel involves two or more time zones, the time zone from the point of first departure must be used to determine how many hours the employee actually spent in a travel status for the purpose of accruing compensatory time off.

6.4. Employees should request compensatory time off for travel in advance when possible. If an employee does not request credit for compensatory time off for travel in advance he/she must do so by the end of the pay period following the time in travel status. An employee's request for credit of compensatory time off for travel may be denied if the request is not filed within this time period. Travel Compensatory Hours will be identified on the employee's time card under "Travel Comp Earned" or "Travel Comp Taken" and the employee must provide a copy of their flight itinerary to the time and attendance certifiers and timekeepers for audit purposes. Travel Compensatory Hours will be earned and used in 30 minute increments.

6.5. Payment for unused compensatory time off for travel is not authorized under any circumstances.

6.6. Forms Adopted: AF Form 428, *Request for Overtime, Holiday Premium Pay, and Compensatory Time*.

CARLA H. GAMMON, Colonel, USAF
Director, Manpower, Personnel, and Services

Attachment 1

GLOSSARY OF REFERENCES AND SUPPORTING INFORMATION

References

Title 10, United States Code, Section 2773a, *Departmental Accountable Officials*
 Title 5, Code of Federal Regulations, Part 550, Section 111, *Administration of Overtime Pay Privacy Act of 1974*
 Title 5, Code of Federal Regulations, Part 550, Subpart N, *Compensatory Time Off for Travel*
 DoD 1400.25 SC 1930.15, *Compensatory Time Off for Travel*, December 2008
 DoD 7000.14-R Volume 5, *Disbursing Policy and Procedures*, December 2001
 AFPD 36-8, *Employee Benefits and Entitlements and Work/Life Programs*, 10 February 2009
 AFI 36-802, *Pay Setting*, 1 September 1998
 AFMAN 33-363, *Management of Records*, 1 March 2008
 DoDM 1400.25_AFMAN36-115, *National Security Personnel System*, 7 August 2007
 GAO 03-673G, *Government Auditing Standards*, June 2003

Abbreviations and Acronyms

17 AF—Seventeenth Air Force
AO—Accountable Officer or Approving Official
CO—Certifying Official
DoD—Department of Defense
ESP—Emergency and Special Programs
NSPS—National Security Personnel System
PP—Pay Period
RA—Resource Advisor
RCCC—Responsibility Code/Cost Code
T&A—Time and Attendance
U.S.—United States
USAFE—United States Air Forces in Europe

Terms

Adequate Justification—Government Auditing Standards (2003 Revision), GAO-03-673G, *Government Auditing Standards*, for documentation in Chapter 7, Para 7.49., states “A large

part of auditors' work on an audit concerns obtaining and evaluating evidence that ultimately supports their judgments and conclusions pertaining to the audit objectives." Tests of Evidence, Para 7.52., states "Evidence should be sufficient, competent, and relevant to support a sound basis for audit findings, conclusions, and recommendations:

- a. Evidence should be sufficient to support the auditors' findings. In determining the sufficiency of evidence, auditors should ensure that enough evidence exists to persuade a knowledgeable person of the validity of the findings;
- b. Evidence is competent if it is valid, reliable, and consistent with fact. In assessing the competence of evidence, auditors should consider such factors as whether the evidence is accurate, authoritative, timely, and authentic;
- c. Evidence is relevant if it has a logical relationship with, and importance to, the issue being addressed."

Compensatory Hours—Compensatory Time is time off with pay in lieu of overtime pay for irregular or occasional overtime work. Compensatory time reference:

<http://www.opm.gov/oca/pay/HTML/COMP.HTM>

Compensatory Travel Hours—Public Law 108-411, Section 203 of the *Federal Workforce Flexibility Act of 2004* authorized compensatory travel time for time spent by an employee in a travel status away from the employee's official duty station when such time is not otherwise compensable. Title 5 United States Code 5541(2), *Pay and Allowances* defines who is deemed employed by an agency.

Overtime—Public law 5 CFR, Part 550, Section 111, *Administration of Overtime Pay* defines who is authorized overtime:

(a) Except as provided in paragraphs (d), (f), and (g) of this section, overtime work means work in excess of 8 hours in a day or in excess of 40 hours in an administrative workweek that is:

- (1) Officially ordered or approved and
- (2) Performed by an employee.

Hours of work in excess of 8 in a day are not included in computing hours of work in excess of 40 hours in an administrative workweek.

(b) Except as otherwise provided in this subpart, a department shall pay for overtime work at the rates.

Attachment 2**DETAILS FOR THE COMPLETION OF AF FORM 428**

A2.1. Completion Details. TO BE COMPLETED BY THE SUPERVISOR. Complete the form in accordance with the following guidance:

A2.1.1. To, Thru, From: Self Explanatory.

A2.1.2. Justification: Justification should provide detailed rationale for need. Encourage including specifics such as why, what, who directed, and how to be accomplished. Identification of exercise or contingency operation is essential for proper coding. If source of reimbursement is Military Interdepartmental Purchase Request (MIPR), please cite source.

A2.1.3. Pay Period (PP): Inclusive dates and current PP number.

A2.1.4. Responsibility Center/Cost Center (RCCC) Code: Self Explanatory.

A2.1.5. Request Number: As needed.

A2.1.6. Social Security Number (SSN) and Name, or Number of Employees by Grade and Office Symbol, Grade, Hours Requested, Date Overtime to be Worked, Estimated Overtime/Holiday Rate, Estimated Total Cost, Compensatory Time Hours, Compensatory Time Date, Totals: Self Explanatory.

A2.1.7. Date, Typed Name, Grade and Title of Requester, Signature: Supervisor is Requestor.

A2.1.8. Fund Certification:

A.2.1.8.1. Accounting Classification: Information and ESP provided by RA. E.g., 5763400 306 8002 A10600 01 391 667100 ESP: (ZA).

A.2.1.8.2. Funds Available/Funds Not Available: Self Explanatory.

A.2.1.8.3. Typed Name, Grade and Title, Date, Signature of Certifying Official: RA signs as certifying official and signature is required on all AF Forms 428.

A2.1.9. Approving Authority:

A2.1.9.1. Approved/Disapproved: Check applicable block.

A2.1.9.2. Date, Typed Name, Grade and Title: Self Explanatory.

A2.1.9.3. Signature of Approving Official: The AO is the Director unless delegated in writing to the three-digit level.

Attachment 3**SAMPLE APPOINTMENT LETTER**

A3.1. Sample Appointment Letter. Use appropriate letterhead.

MEMORANDUM FOR (insert name of individual being appointed)

FROM: (insert director's official address)

SUBJECT: Appointment as Civilian Pay Accountable/Certifying Official (AO/CO)

1. Effective _____ 200#, you are hereby appointed as a Civilian Pay AO/CO at Ramstein Air Base (AB), Germany. All Civilian Pay Time and Attendance (T&A) and the AF Form 428, *Request for Overtime, Holiday Premium Pay, and Compensatory Time* AO/CO providing source information, data, or service to a certifying or disbursing officer in support of the payment process acts on behalf of a certifying officer when he/she authorizes/certifies requests by approving and forwarding to Defense Finance & Accounting Service (DFAS) appointed timekeepers to enter into the system and make payment. As a Civilian Pay AO/CO, you are responsible for the documentation and justification submitted on the T&A and AF Form 428 for payment.

2. DoD 7000.14-R, Vol 5 (*Financial Management Regulation*), Chapter 33 provides a description of your responsibilities, accountability, and duties as an accountable/certifying officer. You should read and become thoroughly familiar with this information. In addition, you must acknowledge this appointment and that you have read and understand your responsibilities, accountability, and duties by signature in the space provided below on the acknowledgement.

(Signature of the appointing official)

ACKNOWLEDGEMENT

MEMORANDUM FOR (Insert title of appointing official)

FROM: (Insert name/address of individual being appointed)

SUBJECT: Appointment as Civilian Pay Accountable/Certifying Official (AO/CO)

In accordance with your memorandum of (insert date), I hereby execute the following statement: "By signature hereon, I acknowledge my appointment as a Civilian Pay AO/CO. I have read and understand my responsibilities, accountability, and duties as described in DoD 7000.14-R, Volume 5, Chapter 33, of the *DoD Financial Management Regulation*. I understand that I am pecuniarily liable for fiscal irregularities, as an incentive to guard against errors and thefts by others, and to protect the government against errors and dishonesty by the officials themselves. I understand that I have the right to request relief of liability for any payment I authorize that is determined to be an illegal, improper, or incorrect payment. I further understand that this appointment will remain in effect until revoked in writing by you (or your successor) or until I am transferred, separated for any reason, or retire from service."

(Signature of individual being appointed)