



USAID
FROM THE AMERICAN PEOPLE

ADS Chapter 472

Premium Compensation

Full Revision Date: 03/29/2024
Responsible Office: HCTM/PPSM
File Name: 472_032924

Functional Series 400: Human Resources
 ADS 472 – Premium Compensation
 POC for ADS 472: See [ADS 501maa, ADS Chapters and Point of Contact List](#)

This chapter has been revised in its entirety.

Table of Contents

472.1	OVERVIEW	3
472.2	PRIMARY RESPONSIBILITIES	3
472.3	POLICY DIRECTIVES AND REQUIRED PROCEDURES	5
472.3.1	The Fair Labor Standards Act (FLSA) Employees	5
472.3.2	Overtime Pay and Compensatory Time Off	5
472.3.2.1	Forfeiture of Unused Compensatory Time Off	6
472.3.2.2	Premium Pay Cap.....	6
472.3.2.3	Premium Pay Cap Waivers.....	7
472.3.2.4	Other Premium Pay	7
472.3.3	Compensatory Time Off for Travel	9
472.3.3.1	Eligibility	9
472.3.3.2	Exclusions.....	10
472.3.3.3	Creditable Travel Time.....	10
472.3.3.4	Offsetting Normal Commuting Time for Compensatory Time Off for Travel.....	12
472.3.3.5	Travel Between Multiple Time Zone	12
472.3.3.6	Requesting Compensatory Time off for Travel	12
472.3.3.7	Using Accrued Compensatory Time Off for Travel	13
472.3.3.8	Forfeiture of Unused Compensatory time for Travel Hours.....	13
472.3.3.9	Exceptions to Forfeiture of Unused Hours	13
472.3.3.10	Limitations.....	14
472.3.3.11	Payment for Unused Compensatory Time Off	14
472.4	MANDATORY REFERENCES	14
472.4.1	External Mandatory References	14
472.4.2	Internal Mandatory References	15
472.5	ADDITIONAL HELP	15
472.6	DEFINITIONS	15

ADS Chapter 472 – Premium Compensation

472.1 OVERVIEW

Effective Date: 03/29/2024

This chapter and accompanying [5 CFR Part 550 Subpart A - Premium Pay](#), [5 CFR Part 550 Subpart N - Compensatory Time Off for Travel](#), and [3 FAM 3130, Premium Compensation](#), provide the policies, authorities, regulations, and procedures for premium compensation, including premium pay, overtime pay, and compensatory time off for eligible employees.

This chapter applies to, and outlines premium compensation eligibility criteria and procedures for, U.S. Direct Hire (USDH) Civil Service (CS) employees, Administratively Determined (AD) employees (AD15 and below [with exceptions]), and non-commissioned Foreign Service (FS) employees.

This chapter does not apply to commissioned Foreign Service Officers (FSOs), except for Special Compensatory Time Off (see section [472.3.2.4](#)) and Compensatory Time Off for Travel (see section [472.3.3](#)).

This chapter does not apply to members of the Senior Executive Service (SES), AD18 level employees, or members of the Senior Foreign Service (SFS). However, SES and SFS members are only eligible for compensatory time off for religious purposes, under 5 U.S.C. 5550a and [5 CFR part 550, subpart J](#), and special compensatory time off at isolated posts and certain other designated posts in foreign areas under [5 U.S.C. 5926](#). Additional guidance can be found in [3 FAM 3130](#).

Any premium compensation for a U.S. citizen Personal Service Contractor (USPSC) or Third Country National PSC (TCNPSC) not paid under the local compensation plan (LCP) is set forth in the terms and conditions of the contract. Premium compensation for a Cooperating Country National PSC (CCNPSC) and TCNPSC, paid under the LCP, is incorporated by the terms and conditions of the contract, as prescribed in the LCP.

472.2 PRIMARY RESPONSIBILITIES

Effective Date: 03/29/2024

- a. The **Deputy Administrator for Management and Resources (DA-MR)** is responsible for approving requests for waiving bi-weekly premium pay caps and any requests for approving premium pay on an annual basis (see section [472.3.2.3](#)).
- b. The **Office of Human Capital and Talent Management (HCTM), Chief Human Capital Officer (CHCO)**, is responsible for reviewing and clearing requests to waive the bi-weekly premium pay cap (see section [472.3.2.3](#)).
- c. The **Director, Office of Human Capital and Talent Management, Human Capital Services Center (HCTM/HCSC)** is responsible for advising Bureau and Independent Office (B/IO) administrative staff of employees' Fair Labor Standards Act

(FLSA) status (exempt or nonexempt) (see section **472.3.1**).

d. The **Bureau for Management, Office of Management Policy, Budget, and Performance, Budget Division (M/MPBP/BUD)** is responsible for reviewing the authorization and use of the Special Recognition Package (SRP).

e. The **Bureau for Management, Office of the Chief Financial Officer, Payroll (M/CFO/P)** is responsible for:

1. Processing approved requests for payment of compensatory time off, and
2. Coding approved bi-weekly pay cap waivers in the Agency's time and attendance (T&A) system.

f. **Bureau Assistant Administrators (AAs) and Independent Office Directors (referred to as Authorizing Officers)** are responsible for:

1. Determining whether requested overtime is fully justified, is in compliance with Agency policy, and whether overtime costs are within the requesting office's or post's budget;
2. Requesting a premium pay cap waiver in accordance 3 FAM 3130;
3. Determining whether basic and administrative workweeks that differ from those specified in [ADS 479](#) may be authorized when there is a continuing need for overtime; and
4. Establishing and enforcing procedures to authorize, record, monitor, and control the use of overtime.

g. **Supervisors** are responsible for:

1. Ensuring work assignments are accomplished in a timely manner through the efficient management of assigned personnel, without the use of premium compensation, unless absolutely essential; and
2. Approving a request for premium pay in the T&A system, prior to an exempt or non-exempt employee working overtime.

h. **Employees** are responsible for:

1. Requesting premium pay/overtime in the T&A system, prior to working overtime hours;
2. Accurately recording, validating, and submitting their regular duty hours and overtime hours in the T&A system each pay period; and

3. Understanding that accrued compensatory time off earned for overtime or travel is forfeited if it is not used by the end of the 26th pay period after the pay period during which it was earned.

472.3 POLICY DIRECTIVES AND REQUIRED PROCEDURES

Effective Date: 03/29/2024

USAID's policy is to provide equal opportunity for all personnel (see [ADS 110, Equal Employment Opportunity Program](#) for the complete non-discrimination employment policies of USAID).

472.3.1 The Fair Labor Standards Act (FLSA) Employees

Effective Date: 03/29/2024

The Fair Labor Standards Act of 1938, as amended ([29 USC 201, et seq](#) 29 USC 201, et seq.) applies to overtime work performed in the United States and in certain non-foreign areas only. A nonexempt employee is covered by the FLSA while an exempt employee is not covered by the FLSA. Nonexempt employees are usually covered by Title 5 premium pay and if so, must be paid the greater of the two overtime benefits. Under FLSA, positions are designated on the SF-50, Notification of Personnel Action, as "exempt" or "nonexempt." All USDH employees can determine their position's FLSA exemption status by reviewing their SF-50, Block 35. For more information, see [5 CFR Part 551- Pay Administration Under the Fair Labor Standards Act](#).

472.3.2 Overtime Pay and Compensatory Time Off

Effective Date: 03/29/2024

Supervisors must authorize irregular or occasional overtime work only as an emergency measure to avoid an unusual backlog of regular work or to meet unforeseen circumstances. An employee may request compensatory time off, in lieu of overtime pay. For more information on overtime pay and compensatory time off, see [5 CFR Part 550 Subpart A - Premium Pay](#).

Employees must request authorization for overtime pay or compensatory time off in the T&A system, and the supervisor must approve the request before the employee can work the hours.

However, for emergency situations or remote locations where preauthorization in the T&A system is not feasible or practicable, other evidence, such as emails or a pre-approved overtime schedule, may suffice to show that overtime work was ordered, authorized, or known in advance by the supervisor or manager. In that case, supervisors and managers must be able to show documentation, upon request, that overtime work was ordered, authorized, or known in advance. In all cases, supervisors must certify in the T&A system that all hours entered are accurate, legitimate, and were worked.

For a full-time employee, under a regular, basic work schedule (5-8 hour days), who is exempt from the FLSA, overtime pay or compensatory time off is authorized for hours of work officially ordered or approved, in excess of eight hours in a day or 40 hours in any regularly scheduled administrative workweek.

For a full-time employee under an Alternative Work Schedule (AWS) schedule, who is exempt from the FLSA, overtime hours are ordered and approved hours of work in excess of their normal scheduled work week (see section **472.6** and OPM's [Alternative Work Schedule](#)). For a full-time non-exempt employee who is covered by the FLSA, overtime hours also include any hours worked outside the AWS. For a part-time employee, overtime hours are hours in excess of the AWS for a day, but must be more than eight hours, or for a week, but must be more than 40 hours.

Overtime pay or compensatory time off may be authorized in conjunction with approved, paid time off. Paid time off includes holidays, annual or sick leave, compensatory time, or other excused absence with pay.

An employee whose rate of pay exceeds the maximum rate for GS-10 must be compensated for irregular or occasional overtime work with an equivalent amount of compensatory time off, instead of overtime pay (for more information, see [5 CFR 550.113 - Computation of overtime pay](#) and [5 CFR 550.114 - Compensatory time off](#)).

472.3.2.1 Forfeiture of Unused Compensatory Time Off

Effective Date: 03/29/2024

Employees must use their compensatory time off by the 26th pay period after it was earned. For example, if you earned compensatory time off in PP24, the time should become effective PP25, if requested and approved in the T&A system in PP24. By the following year (26 pay periods), the time earned must be used by the end of PP24. Any unused hours are forfeited. The employee may receive payment for the unused hours of compensatory time off if the employee was unable to use the compensatory time off, due to an exigency beyond the employee's control. The supervisor must submit a signed memo explaining why the employee could not use the compensatory time to payroll@usaid.gov before the compensatory time expires. The memo must have an official electronic signature or wet signature, since the payout is processed as a manual payment.

472.3.2.2 Premium Pay Cap

Effective 03/29/2024

An eligible employee may receive premium pay to the extent that the payment does not cause the total of their basic pay, including locality pay, and premium pay to exceed the greater of the maximum biweekly rate of basic pay, payable for GS-15, step 10 or level V of the Executive Schedule. Premium pay earned, in excess of this premium pay cap, is forfeited; it does not carry forward.

472.3.2.3 Premium Pay Cap Waivers

Effective Date: 03/29/2024

A biweekly premium pay cap waiver may be approved, up to the annual limitation on premium pay for an employee performing emergency or mission critical work. The HCTM/CHCO must clear action memos requesting a biweekly premium pay cap waiver before sending the memo to DA-MR for approval. With a biweekly premium pay cap waiver, the employee may receive premium pay, only to the extent that the payment does not exceed the greater of the maximum annual rate of basic pay payable for the GS-15, step 10 level, including locality pay, or level V of the Executive Schedule.

The Authorizing Officers may request a waiver when an emergency is declared or mission critical work occurs which causes an employees' pay to exceed the biweekly pay limitation. A waiver may not be requested for an individual employee. If the Agency determines that the emergency or mission-critical work conditions are no longer in effect, application of the biweekly limitation must resume.

Waivers must be for a limited time period and must specify an expected end date. The Authorizing Officers must request an extension, in writing, if the emergency program or mission-critical work does not end when expected. The request must explain why an extension is needed and the expected duration.

Information regarding the biweekly limitation on premium pay, premium pay cap waivers, and annual maximum earnings limitation can be found in [3 FAM 3132 - PREMIUM PAY CAPS, 5 CFR Part 550 Subpart A - Maximum Earnings Limitations](#), and [OPM's Pay Administration](#).

472.3.2.4 Other Premium Pay

Effective Date: 03/29/2024

Special Compensatory Time Off (SCTO) for FSOs: Commissioned FSOs may receive SCTO under [3 FAM 3133.4-6](#), only to the extent that the aggregate of the employee's basic salary and the dollar value, equivalent of the SCTO hours earned in a pay period, does not exceed the greater of the biweekly rate of the FS-01, step 14, including any applicable locality rate or overseas comparability payment; or Level V of the Executive Schedule. For more information, see [3 FAM 3133.5](#).

Special Differential Pay: Is authorized under [Section 412 of the Foreign Service Act of 1980, as amended](#), for payment to commissioned FSOs in certain countries who are directed to perform additional work on a regular continuing basis in substantial excess of normal requirements, notwithstanding the fact that they are not authorized to receive premium pay under Title 5. Note that tenured employees should continue to receive premium pay under Title 5 until the commissioning process has been completed with attestation by the President as the final step (see [3 FAM 3139](#)),

Pay for Holiday work: An eligible employee who performs work on a holiday is entitled to pay at their rate of basic pay plus premium pay at a rate equal to their rate of basic

pay for that holiday work that is not in excess of eight hours. For more information, see [5 CFR 550.131 and 132 - Authorization of pay for holiday work](#) and [3 FAM 3134](#). See [3 FAM 3133.5](#) for provisions on SCTO for FSOs who perform holiday work.

Night Pay Differential: Night work is regularly scheduled work that is performed by an employee between the hours of 6:00 p.m. and 6:00 a.m. Subject to [§ 550.122](#), and except as otherwise provided in this subpart, an eligible employee who performs nightwork is entitled to pay for that work at their rate of basic pay, plus a night pay differential that amounts to ten percent of their rate of basic pay. For more information, see [5 CFR Part 550 Subpart A - Night Pay](#) and [3 FAM 3135](#).

Sunday Premium Pay: An eligible employee is entitled to pay at their rate of basic pay plus premium pay at a rate equal to 25 percent of their rate of basic pay for each hour of Sunday work. For more information, see [5 CFR Part 550 Subpart A - Pay for Sunday Work, Sunday Premium Pay - OPM, 5 CFR 550.171 - Authorization of pay for Sunday work](#), and [3 FAM 3136](#).

Compensatory Time Off for Religious Observances: This type of premium pay permits an employee whose personal religious beliefs require the abstention from work during certain periods of time to elect to engage in overtime work and earn a special form of compensatory time off to make up for the time lost in meeting those personal religious requirements. Religious compensatory time off differs from other forms of compensatory time off in that the sole purpose is to adjust an employee's work schedule to accommodate a religious observance. The employee earns religious compensatory time off by spending an equal amount of time in overtime work before and/or after taking time from the employee's scheduled tour of duty to meet personal religious requirements. Hours worked to earn religious compensatory time off provide a time off credit in lieu of any pay that would otherwise be payable for that work (see [5 CFR Part 550 Subpart J - Compensatory Time Off for Religious Observances, 5 U.S.C. 5550a](#), and [OPM.gov Fact Sheet: Adjustment of Work Schedules for Religious Observances](#)).

On-Call Status: An employee in an on-Call status must be available to return to duty on short notice during off-duty hours. Employees must be available by telephone or similar mobile device, and if so ordered, return to the office or duty station within one hour to perform urgent work. There is no entitlement to premium or other extra compensation for on-call status when no work is performed. Unscheduled overtime work performed by an employee on a day when work was not scheduled for them, is deemed at least two hours in duration for the purpose of premium pay, either in money or compensatory time off (see [5 CFR Part 550.112\(h\)](#)). Employees are not compensated for their normal commute time to and from the duty station, if required to return to the place of duty while in an on-Call status. See [3 FAM 3137](#) for more information on compensation for on-call status.

Premium Pay on Annual Basis: The Agency may pay premium pay on an annual basis, instead of the premium pay prescribed in this subpart for regularly scheduled

overtime, night, holiday, and Sunday work, to an employee in a position requiring them to regularly remain at, or within the confines of, their duty station during longer than ordinary periods of duty, a substantial part of which consists of remaining in a standby status, rather than performing work. Premium pay under this section is determined as an appropriate percentage, not in excess of 25 percent, of that part of the employee's rate of basic pay, which does not exceed the minimum rate of basic pay for the GS-10 level, including any applicable locality-based comparability payment under [5 U.S.C. 5304](#) or special rate of pay under [5 U.S.C. 5305](#) or similar provision of law. The DA-MR is responsible for approving any requests for premium pay on an annual basis. For more information, see [5 CFR 550.141- Authorization of premium pay on an annual basis and 3 FAM 3138](#).

Service Recognition Package For Special Incentive Posts: Each year, the State Department publishes, via ALDAC (cable), the Service Recognition Package for Special Incentive Posts (SIP SRP). The SIP SRP recognizes exceptional factors involved in service at SIPs and establishes fair compensation for that service and provides for periodic relief from the stressful conditions of life and work at those posts. Such benefits may include forms of premium compensation and the waiver of premium compensation pay caps. HCTM/CHCO, with clearance from M/MPBP, via an action memo, authorizes the adoption of the SRP for the Agency. Authorization of the additional benefits is dependent on continued extension of existing legislative authorization for those incentives and is subject to the availability of appropriated funds.

472.3.3 Compensatory Time Off for Travel

Effective Date: 03/29/2024

An employee earns compensatory time off for travel when they spend time in a travel status away from their official duty station, when such time is not otherwise compensable. To qualify, the travel must be officially authorized for USAID-related work purposes and the authorizing official must approve the travel (see [5 CFR Part 550 Subpart N - Compensatory Time Off for Travel](#)).

472.3.3.1 Eligibility

Effective Date: 03/29/2024

The following positions are eligible for compensatory time off for travel:

1. General Schedule, AD, and noncommissioned FSOs (pay plan FP) paid at GS-15/FS-01 and below or the equivalent;
2. Foreign Service Limited (FSL) non-career employees (pay plan FP);
3. Non-commissioned FS career candidates (pay plan FP) and commissioned FSOs (pay plan FO) paid at the FS-01 level, and below;
4. Employees in senior level (SL) and scientific or professional (ST) positions; and

5. Political Appointees - Schedule A appointment (pay plan AD).

While the premium pay statute in 5 U.S.C. Ch.55, subchapter V (see [5 USC 5550b: Compensatory time off for travel](#)) does not apply to USPSCs, it is USAID's policy that USPSCs may earn and use compensatory time off for travel on the same basis as USDH employees, based on the terms of their contracts.

For FSN direct hires, CCNPSCs, and TCNPSCs under the LCP, implementation may vary by Mission. Consideration must be given to local customs and labor laws. In addition, only benefits authorized in the LCP may be provided.

472.3.3.2 Exclusions

Effective Date: 03/29/2024

The following are excluded from earning compensatory time off for travel:

1. SES members (pay plan ES);
2. SFS Officers (pay plan FE);
3. Intermittent or when actually employed (WAE) employees (who do not have a scheduled tour of duty for leave purposes); and
4. Senior level AD employees who are paid above the rate for GS-15, Step 10.

472.3.3.3 Creditable Travel Time

Effective Date: 03/29/2024

In order to qualify for compensatory time off for travel, time spent traveling outside the normal work schedule includes:

1. Traveling between the official duty station and a temporary duty (TDY) station (i.e., TDY work site, training site, or hotel at the temporary duty station);
2. Traveling between two TDY stations;
3. Traveling in connection with an employee's required attendance at conferences and training sites located outside the limits of their official duty station.
4. The "usual waiting time" preceding or interrupting such travel, such as, waiting at an airport or train station, prior to departure. The Agency considers, "usual waiting time" to be up to two hours for domestic travel and up to three hours for international travel. Time spent at an intervening airport or other transportation terminal waiting for a connecting flight is also creditable time. An "extended" waiting period—an unusually long wait during which the employee is free to rest, sleep, or otherwise use the time for their own purposes (i.e., employee obtains a hotel) - is not considered time in a travel status;

5. Traveling on a holiday is compensable, so no compensatory time off for travel can be earned during normally scheduled tour of duty hours on the holiday. Compensatory time off for travel can be earned on the holiday if the travel is outside of the scheduled tour of duty hours. For example, if the tour of duty is 8:00 a.m. - 4:30 p.m., travel time before 8:00 a.m. and after 4:30 p.m. can be accrued as compensatory time off for travel; and
6. If an employee chooses to use leave, in conjunction with a TDY, compensatory time off for travel may be earned only by reconstructing the time, as if the employee had traveled on the original schedule. For example, if TDY ends on a Thursday with a duty of 8:00 a.m. - 4:30 p.m., the employee would have returned to their permanent duty station that day at 6:30 p.m., resulting in two hours of earned compensatory time off for travel (4:30 p.m. to 6:30 p.m.). When requesting compensatory travel time in the T&A system, enter the compensatory time for travel earned for the day actually traveled. For example, Sunday 4:30 p.m. - 6:30 p.m. = two hours. Add a submitter remark: Reconstructed travel hours from original TDY travel date mm/dd/yyyy.

In some cases, TDY may be authorized in conjunction with home leave or another kind of travel that does not qualify the employee for compensatory time off. For example, an employee on home leave/return to post orders travels from post to USAID/W for three days of consultations en route to their home leave point. After taking home leave, the employee returns to post. Because the employee was authorized to travel from post to USAID/W for three days of consultations at USAID/W, rather than going directly to their home leave point, the employee is eligible to earn compensatory time off for travel from their post of assignment to USAID/W, the temporary duty location (if the travel occurs outside of regular working hours and the time is not otherwise compensable).

There would be no entitlement to compensatory time off for the time spent traveling from the TDY location to the home leave point or from the home leave point to the post of assignment.

Excluded from creditable travel time:

1. Travel for the purpose of permanent change of station, temporary change of station, home leave, rest and recuperation travel, family visitation travel, regional rest breaks, medical evacuation, emergency visitation travel, and post evacuations are not considered time in official travel status for the purpose of earning compensatory time off for travel;
2. Regular duty hours of work; and
3. Hours of travel time that are otherwise compensable hours of work under the overtime pay provisions in [5 CFR 550.112\(g\)](#) or [5 CFR 551.422](#).

472.3.3.4 Offsetting Normal Commuting Time for Compensatory Time Off for Travel

Effective Date 03/29/2024

The employee must deduct their normal home-to-work or work-to-home commuting time from the travel time when computing compensatory time off for travel.

Travel time outside of regular duty hours:

1. Between an employee's home and a TDY station or a transportation terminal within the limits of the employee's official duty station, the travel time is considered equivalent to commuting time and is not creditable travel time.
2. Between an employee's home and a TDY station or a transportation terminal that is outside the limits of the employee's official duty station is considered creditable travel time, but the employee's normal home-to-work or work-to-home commuting time must be deducted from the creditable travel time.
3. Between a worksite and transportation terminal is creditable travel time.

472.3.3.5 Travel Between Multiple Time Zone

Effective Date 03/29/2024

When an employee's travel involves two or more time zones, the time zone from the first point of departure must be used to determine travel status for accruing compensatory time off for travel. The return trip is calculated, based on the time zone of the start of the return travel. For example, if an employee travels from their official duty station in Washington, DC, to a temporary duty station in San Francisco, CA, the Washington, DC, time zone must be used to determine how many hours the employee spent in a travel status. However, on the return trip to Washington, DC, the time zone from San Francisco, CA, must be used to calculate how many hours the employee spent in a travel status.

472.3.3.6 Requesting Compensatory Time off for Travel

Effective Date: 03/29/2024

Employees must officially request compensatory time for travel in the T&A system under "Premium Pay Request." Employees should estimate the amount of compensatory time off for travel, based on their travel itinerary. Once the employee has reached their destination, they must record the accurate hours on their timesheet in the T&A system.

Employees may use the [Compensatory Time Off for Travel Worksheet](#) to calculate the total number of creditable hours in a travel status for purposes of earning compensatory time off for travel. Compensatory time off for travel is credited and used in increments of 15 minutes.

472.3.3.7 Using Accrued Compensatory Time Off for Travel

Effective Date: 03/29/2024

An employee must use accrued compensatory time off for travel by the end of the 26th pay period after the pay period during which it was earned and reported in the T&A system. For example, if an employee earned compensatory time off for travel in PP24, the time should become effective PP25, if requested and approved in the T&A system in PP24. The following year, which is within 26 pay periods, employees must use compensatory time for travel earned by the end of PP24.

Compensatory time off for travel is tracked in a separate category than other compensatory time off. Compensatory time off for travel may be used in 15 minute increments with the oldest compensatory time off earned, being used first. Employees must request approval from their supervisor to schedule the use of accrued compensatory time off. Employees must submit their requests for use of earned compensatory time off in the T&A system, under "Premium Pay Request."

472.3.3.8 Forfeiture of Unused Compensatory time for Travel Hours

Effective Date: 03/29/2024

Compensatory time for travel, not used by the end of the 26th pay period after it was earned, must be forfeited. For example, if you earned compensatory time off for travel in PP24, the time should become effective PP25, if requested and approved in the T&A system in PP24. Within 26 pay periods, the employee must use the time earned by the end of PP24. Forfeited hours should not be paid out or restored. For additional information, please reference [5 CFR 550.1407 -- Forfeiture of unused compensatory time off](#).

An employee forfeits unused compensatory time for travel when the employee voluntarily transfers to another agency, moves to a position not covered by this provision (for example, SES or SFS), or separates from federal service. When an employee fails to use accumulated compensatory time for travel balances within the required timeframe, due to an exigency of the public service beyond the employee's control, the time limit for using the hours may be extended for up to an additional 26 pay periods. The supervisor, with concurrence of the second level supervisor, must justify and document in writing any exceptions from the forfeiture requirement, due to an exigency of the public service. Additional extensions are not authorized and forfeited hours may not be restored.

472.3.3.9 Exceptions to Forfeiture of Unused Hours

Effective Date: 03/29/2024

Unused compensatory time off for travel must be held in abeyance for an employee who separates from the federal service and later returns, or is placed in a leave without pay (LWOP) status:

1. To perform service in the uniformed services (see [38 USC 4303](#) and [5 CFR Part 353 -- Restoration to Duty from Uniformed Service or Compensable Injury](#)) with restoration rights; or
2. Due to an on-the-job injury with entitlement to injury compensation, under [5 USC Chapter 81](#).

The employee must use all of the compensatory time off for travel held in abeyance by the end of the 26th pay period, following the pay period in which they return to duty, or the compensatory time off is forfeited.

472.3.3.10 Limitations

Effective Date: 03/29/2024

Compensatory time off for travel is not considered in applying the biweekly or annual premium pay caps under [5 USC 5547](#) or the aggregate limitation on pay under [5 USC 5307](#). There is no limit on the amount of compensatory time for travel that may be earned.

472.3.3.11 Payment for Unused Compensatory Time Off

Effective Date: 03/29/2024

Under no circumstances may an employee receive payment for unused compensatory time off for travel.

472.4 MANDATORY REFERENCES

472.4.1 External Mandatory References

Effective Date: 03/29/2024

- a. [2 FAH-2 H-110 Chief of Mission Authority, Security Responsibility and Overseas Staffing](#)
- b. [3 FAM 3130 thru 3138 Compensation](#)
- c. [5 CFR Part 550 - Pay Administration \(General\)](#)
- d. [5 CFR Part 551 Pay Administration Under the Fair Labor Standards Act](#)
- e. [5 CFR Part 610 - Hours of Duty](#)
- f. [5 U.S.C. 5546](#)
- g. [5 U.S.C. 5550a](#)
- h. [5 U.S.C. Ch.61 SubCh 1 General Provisions](#)

- i. [5 U.S.C. Ch 81 Compensation For Work Injuries](#)
- j. [5 U.S.C Part 3 Subpart D Ch. 55 SubCh V - Premium Pay](#)
- k. [Compensatory Time Off for Travel - Pay & Leave - Fact Sheet - Q&A](#)
- l. [Fair Labor Standards Act \(FLSA\) of 1938, as amended](#)
- m. [Foreign Service Act of 1980 \[PL 96–465\] \[As Amended Through PL 117–81, Enacted December 27, 2022\]](#)
- n. [OPM.gov Fact Sheet: Adjustment of Work Schedules for Religious Observances](#)

472.4.2 Internal Mandatory References

Effective Date: 03/29/2024

There are no internal mandatory references for this chapter.

472.5 ADDITIONAL HELP

Effective Date: 03/29/2024

- a. [Compensatory Time Off for Travel Worksheet](#)
- b. [Frequently Asked Questions \(FAQs\) for Special Compensatory Time Off for Commissioned Foreign Service Officers](#)
- c. [Maximum Premium Pay Hours Estimator Tool](#)
- d. [OPM Fact Sheet Compensatory Time Off for Travel - Examples](#)

472.6 DEFINITIONS

Effective Date: 03/29/2024

See the [ADS Glossary](#) for all ADS terms and definitions.

Alternative Work Schedule (AWS)

Both flexible work schedules and compressed work schedules. For more information see OPM's AWS site. (Chapter 472)

Annual Premium Pay Limitation

In certain emergency or mission critical situations, USAID may apply an annual premium pay cap, instead of a biweekly premium pay cap, subject to the conditions provided in law and regulation (see [5 U.S.C. § 5547, Limitation on premium pay](#) and [5 CFR 550.106-107](#)). The annual premium pay cap is equal to the greater of the annual rate payable for: (1) GS-15, step 10, including any applicable locality payment or special rate supplement, or (2) level V of the Executive Schedule, using the rates in effect at the

end of the given calendar year ([5 CFR 550.106\(c\)](#)). Neither OPM, nor agencies have general authority to waive the biweekly or annual premium pay caps established under [5 U.S.C. § 5547, Limitation on premium pay](#). Exceptions to those caps require specific legislation. (**Chapter 472**)

Authorizing Officer

The Executive Management Staff, Administrative Office Representative, or Executive Officer responsible for approving overtime work and for overseeing other technical aspects of overtime compensation. (**Chapter 472**)

Biweekly Premium Pay Limitation

Under [5 U.S.C. § 5547\(a\), Limitation on premium pay](#) and [5 CFR 550.105](#), General Schedule (GS) employees and other covered employees may receive certain types of premium pay for a biweekly pay period, only to the extent that the sum of basic pay and premium pay for the pay period does not exceed the greater of the biweekly rate payable for (1) GS-15, step 10 (including any applicable locality payment or special rate supplement), or (2) the rate payable for level V of the Executive Schedule. (**Chapter 472**)

Compensatory Time Off

Time off with pay in lieu of overtime pay for irregular or occasional overtime work, or when permitted under Agency alternative work schedule programs, time off with pay, in lieu of overtime pay for regularly scheduled or irregular or occasional overtime work. (**Chapter 472**)

Compensatory Time Off For Travel

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 when such time is not otherwise compensable. (**Chapter 472**)

Overtime Pay

Provided under [5 CFR 550.111](#), is pay for hours of work officially ordered or approved, in excess of eight hours in a day or 40 hours in an administrative workweek. (**Chapter 472**)

Premium Pay

Additional pay provided to employees for working certain types of hours or under certain types of conditions, as provided under [5 U.S.C. § 5547, Limitation on premium pay](#) and [5 CFR Part 550 Subpart A](#). Premium pay paid under title 5 is subject to certain biweekly or annual pay limitations. (**Chapter 472**)

472_082824