PREMIUM PAY

1. PURPOSE

This Directive establishes the Marketing and Regulatory Programs (MRP) policy on premium pay for all employees, except those performing overtime work under the Import/Export Act, Title 7, United States Code (U.S.C.), 2260.

2. REPLACEMENT HIGHLIGHTS

This Directive replaces the following Agency-specific directives and instructions:


3. AUTHORITIES

a. Title 5, U.S.C., Chapter 55.


4. **POLICY**

It is MRP policy that employees be paid premium pay in accordance with regulatory and policy entitlements and that:

a. The authority to order and approve overtime pay may be delegated to the lowest level of supervision with the authority to approve time and attendance sheets.

b. Employees whose rate of basic pay exceeds the GS-10, step 10, and are exempt from FLSA, may be ordered to take compensatory time in lieu of overtime pay for irregular or occasional overtime work.

c. Employees whose rate of basic pay is GS-10, step 10 or less, and those covered by FLSA who want compensatory time in lieu of overtime pay, must request it. They may not be ordered to take it.

d. Employees receiving overtime pay under the Import/Export Act (7 U.S.C. 2260) will not earn compensatory time.

e. Employees may not transfer compensatory time to or from other agencies (including USDA agencies and within MRP, e.g., Internal Revenue Service to USDA, or AMS to GIPSA).

f. Compensatory time is earned and used in 15 minute increments. Compensatory time must be used within 26 pay periods after the pay period it was earned or be paid out. Use or lose annual leave must be used before compensatory time.

**AMS: Compensatory time must be used before annual leave, except in cases of use or lose leave.**

5. **OPERATING GUIDELINES**

6. INQUIRIES

General inquiries on procedural matters should be directed to the servicing personnel office. Requests for policy interpretations for complex issues should be referred to the Pay, Leave and Tours of Duty Specialist, Human Resources Policy Branch, MRP Human Resources Division.

/s/
Joanne Munno
Acting Deputy Administrator
MRP Business Services