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HRDG 4610 - Tours of Duty - Section I - Subsection C

Last Modified:

Subchapter 4610 - Tours of Duty

Section I - Nonstandard Tours of Duty

Subsection c - Overtime Within 40-Hour Tour of Duty

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MRP Agencies may establish a 40-hour basic workweek that includes over-time hours as part of the basic 40-hour workweek (5 CFR 610.111[a][1] & [2]).

Example: The employee's basic workweek is 12 hours on Sunday, 8 hours on Monday and Friday, and 12 hours on Saturday.

In this example, the employee is paid 8 hours of regular time for Sunday, Monday, Friday, and Saturday. In addition, the employee receives 4 hours of overtime on Sunday and Saturday for the hours that exceed 8 in a day. The employee is also entitled to a 25% Sunday differential, which may not exceed 8 hours.

**Overtime as
Part of the 40-
Hour
Workweek**

In this example, if an employee is granted annual on Saturday/Sunday, then he/she would be charged 12 hours annual leave for each day. Eight hours would be paid at the base rate of pay and 4 hours at the overtime rate of pay for both Saturday and Sunday.

Use of such a tour requires that Programs advise employees, in writing, of the specific days and hours of the regularly scheduled administrative workweek that are not a part of the basic workweek (5 CFR 610.111[b]). This means that in advance of the administrative workweek, Programs must identify, in writing, the 40 hours that will make-up the employee's basic work schedule. It is these hours that are creditable for leave accrual purposes.

Under this work schedule, all forms of paid leave taken on any day which has overtime as part of the regularly scheduled tour of duty, will be paid at the appropriate corresponding rate of pay. This means that leave taken during hours of overtime will be paid at the overtime rate. Leave taken during base pay hours will be paid at the base pay rate.

Paid Leave **Example:** The employee's basic workweek is 12 hours on Sunday, 8 hours on Monday and Friday, and 12 hours on Saturday. The employee wants to take annual leave on Saturday and sick leave on Sunday. The employee will be charged 12 hours of leave on both days. Sixteen hours will be paid at the regularly hourly rate of pay; 8 hours will be paid at the overtime rate of pay; and the Sunday rate will include up to 8 hours of Sunday differential.

	If the hours worked are:	Then the time is payable as:
Premium Pay Entitlements	Scheduled between 6 pm and 6 am, including basic hours, regularly scheduled overtime, and any other overtime that is habitual and recurring due to the nature of the industry	Night Differential
	Non-overtime and performed on a Sunday during a regularly scheduled daily tour of duty	Sunday Differential (not to exceed 8 hours)
	Non-overtime and performed on a holiday during a regularly scheduled tour of duty	Holiday Pay (not to exceed 8 hours)
	Overtime	Overtime for over 8 hours in a day or 40 in a week