

TITLE: CIB 98-24 Use of Compensatory (Comp) Time by PSCs

MEMORANDUM FOR ALL CONTRACTING OFFICERS AND NEGOTIATORS

TO: Distribution List FAC
FROM: M/OP, Marcus L. Stevenson, Procurement Executive
SUBJECT: Use of Compensatory (Comp) Time by PSC's

CONTRACT INFORMATION BULLETIN 98 - 24

The purpose of this CIB is to provide additional guidance regarding the use of Compensatory (comp) time by USPSC's under AIDAR Appendix D, General Provision 5(g), "Leave & Holidays".

In accordance with 5 U.S.C. Sections 5541-5549 on Premium Pay, and ADS Chapter 472, Premium Compensation, comp time is a form of premium compensation for irregular or overtime work in excess of eight hours in a day or 40 hours in any regularly scheduled administrative workweek. Other forms of premium compensation may include overtime pay, pay for holiday work, Sunday premium pay, etc.

Comp time (or overtime pay when appropriate) should only be authorized as an emergency measure or to meet unusual circumstances which are of such urgency that the work can not be completed within a normal 40 hour scheduled work week. It should not be authorized on a recurring basis. It is the granting of time off instead of payment for an equal amount of time spent performing the irregular or occasional work described above and must be officially ordered or approved in writing (in advance) by an authorizing official (FAM 3139, 3133 and U.S.C.).

It should be noted that comp time is not an entitlement. Comp time is a means by which individuals are compensated for working, on rare occasions, beyond their regular work time(s). Comp time under USPSC contracts should be used only in very specific instances where prior determination has been made in writing, that it is essential and necessary. Such determination shall be made, in advance, by the cognizant Contracting Officer or the Mission Director who are the designated authorizing officials. Comp time shall not be authorized for a USPSC whose basic salary exceeds the GS equivalent of Grade 15, the maximum rate payable.

Lastly comp time will be forfeited without any other kind of compensation if not used during the sixteen (16) weeks following the pay period in which it was earned or the expiration of the contract which ever comes first. An exception to this policy may be granted if the authorizing official has determined that due to unforeseen circumstances outside the control of the individual, comp time not taken during the 16 weeks period shall be compensated as overtime pay not to exceed GS 10, step 10.

Comp time or overtime for TCNs & CCNs is governed by the local compensation plans or prevailing practice of each respective Mission.

It should also be noted that it is not transferable from one contract to another.

Questions regarding this CIB may be directed to M/OP/P.