

Pay Code 113 – “Premium Pay for Work in Connection with an Emergency. Exempt Employees only”

- A. Public Law 106-558, Section 2, authorizes an overtime hourly rate of pay equal to one and one-half times the hourly rate of basic pay to wildland firefighters who are exempt from the overtime pay provisions of the Fair Labor Standards Act of 1938, as amended, and who are employees of the Department of the Interior or the United States Forest Service of the Department of Agriculture. The authority also is applicable to wildland firefighters only while they are engaged in wildland fire suppression.
- B. Section 2 became effective on the first applicable pay period beginning on or after 30 days after December 21, 2000 (January 20, 2001), and applies only to funds appropriated after December 21, 2000.
- C. Public Law 107-20, Supplemental Appropriations Act, 2001, amended Public Law 106-558 thereby changing the effective date of the wildland firefighter overtime provisions, contained in that law, to December 21, 2000.
- D. FPPS has established pay code 113 to record overtime worked by FLSA exempt firefighters engaged in emergency wildland fire suppression activities as a result of Public Law 106-558. Overtime hours coded as 113 will be paid at the true time and a half base rate, regardless of exempt or nonexempt status.
- E. When the employee is involved in a hazardous condition as described in Reference 5 U.S. Code 5545 (d) and 5 CFR 550.903, timekeepers must code hazard pay using pay code 090 separate even though the cost structure is the same. Do not code the E/H code in conjunction with pay code 113.
- F. Prescribed fire activities and overtime performed for purposes other than the emergency suppression of wildland fires is not included and should continue to be coded using pay code 110.

