



United States Department of the Interior

OFFICE OF THE SECRETARY
WASHINGTON, D.C. 20240

June 15, 1993

PERSONNEL MANAGEMENT LETTER NO. 93-10 (550)

SUBJECT: Departmental Policy on Maximum Earnings Limitations

Attached is the Department's policy regarding exceptions from the biweekly limitation on premium pay authorized by section 204 of the Federal Employees Pay Comparability Act of 1990 (FEPCA). This policy incorporates comments made by bureau personnel offices in response to Personnel Management Bulletin No. 92-123, dated September 30, 1992.

This policy will be incorporated in an appropriate chapter of the Departmental Manual in the future.

Morris A. Simms
Director of Personnel

Attachment

INQUIRIES:

Alan Coulter, Division of Employee Relations,
Room 5219, Telephone 208-5284, Mail Stop 5203

Maximum Earnings Limitations

I. Authority.

5 CFR Part 550

II. Policy.

The Department of the Interior hereby establishes a policy granting exceptions from the biweekly limitation on premium pay in accordance with the regulations established by the Office of Personnel Management (OPM) in 5 CFR Part 550. Heads of bureaus and offices will be responsible for administering this policy. This authority may be further delegated at the discretion of the bureau or office head.

III. Definition.

Emergency means a temporary condition posing a direct threat to human life or property. Examples include a forest or wildland fire, a search and rescue operation, civil disturbances and natural disasters.

IV. Departmental Procedures

A. For any pay period in which the Secretary, the head of a bureau or office (or his or her designee), the Office of Personnel Management, or the Federal Emergency Management Agency (FEMA) determines that an emergency exists, an employee shall be paid premium pay under the annual limitation described in 5 CFR 550.106(c) instead of under the biweekly limitation described in 5 CFR 105(a). This annual limitation holds only if the employee is performing work which is directly related to resolving or coping with the emergency or its immediate aftermath.

B. The Secretary, bureau or office head, or their designee shall make the determination of an emergency as soon as possible after the emergency begins. Entitlement to premium pay under the annual limitation shall be effective on the first day of the pay period in which the emergency begins.

C. During any calendar year in which an employee has been determined to be performing work in connection with an emergency, he or she shall be paid premium pay to the extent that the payment does not cause the total of his or her basic pay and premium pay for the calendar year to exceed the maximum rate for GS-15 in effect on the last day of the calendar year. (Basic pay includes any locality - based comparability payment, an interim geographic adjustment or a special salary rate.)

D. The headquarters personnel office of each bureau will keep a record of each determination made under paragraph A including a description of the emergency, the date the emergency began, an estimate of the number of employees affected and the type of premium pay involved. These records will be made available on request from the Department or OPM

E. This policy does not apply to law enforcement officers within the meaning of 5 U.S.C. 8331 (20) or 8401 (17).