

## Pay Flexibilities

**Annual Premium Pay Cap** – In certain emergency or mission critical situations, an agency may apply an annual premium pay cap instead of a biweekly premium pay cap, subject to the conditions provided in law and regulation. (See 5 U.S.C. 5547(b) and 5 CFR 550.106-550.107.) This has a financial benefit for employees whose premium pay earnings would cause them to exceed the biweekly limit during some pay periods. When the agency applies an annual premium pay cap, the affected employee's basic pay and premium pay in any calendar year is limited to the **greater of** (1) the annual rate of basic pay payable for GS-15, step 10 (including any applicable locality rate or special rate of pay), or (2) the annual rate payable for level V of the Executive Schedule.

[Link to guidance](#)

[Link to Overtime Guidance](#)

[Link to Night Pay Guidance](#)

[Link to Sunday Pay Guidance](#)

[Link to Holiday Premium Pay Guidance](#)

NOTE: Overtime pay under the Fair Labor Standards Act (FLSA) is not subject to the biweekly or annual premium pay cap.