



United States Department of the Interior

OFFICE OF THE SECRETARY
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PERSONNEL BULLETIN No: 98-3 (550)

SUBJECT: Administratively Uncontrollable Work

The purpose of this issuance is to implement recommendations of the Inspector General concerning administratively uncontrollable overtime. The following cancels and replaces the outdated policy contained in 370 DM 550, 1.11, "Pay for Administratively Uncontrollable Work."


5 U.S.C. 5545(c)(2) contains the legal authority for setting premium pay on an annual basis when an employee's hours of duty cannot be administratively controlled and the employee him/herself must determine when overtime duty is required. The Office of Personnel Management's corresponding regulations are set forth at 5 CFR 550, sections.151, 153, 154, 161, 162, and 163.

Bureau Directors are authorized to apply the provisions of 5 CFR 550 to determine which employees may receive this kind of premium pay and at what rate. A record of these determinations must be kept which includes:

1. Data on the frequency and amount of overtime usage covering at least 6 months of actual work in the employee's position (or one identical to it). The data may be no more than 6 months old when a determination is made. The data must come from official time-and-attendance records or from formal, documented overtime studies. See 5 CFR 550.161(d). Undocumented estimates of unrecorded overtime or unprecedented projections of overtime usage cannot be used.
2. The covered position description, clearly reflecting that the employee is generally "responsible for recognizing, without supervision, circumstances which require him to remain on duty" beyond regular work hours. See 5 CFR 550.153(c) and (d).
3. An analysis of the overtime usage data and the position which addresses all of the criteria set forth in 5 CFR 550.153, to determine position coverage.
4. An analysis of the same data using the criteria in 5 CFR 550.154(a) to determine the premium rate. NOTE: Any premium rate other than that indicated in the CFR must be approved by the Office of Personnel Management. Requests for such approval must be submitted through the Office of Personnel Policy and address all of the criteria in 5 CFR 550.154(b).

All coverage and rate determinations must be reviewed at least annually, using current overtime usage data and applying the same criteria used in the initial determinations. Associated documentation must be updated. If a change in coverage or rate is indicated during the annual review or at any other time, adjustments must be made in accordance with 5 CFR 550.162.

The provisions of this Personnel Bulletin will be made part of the Departmental Manual chapter on Pay Administration, 370 DM 550, when it is revised in the near future.


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