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SUBJECT: HRM - Compensatory Time

Purpose: To communicate changes in policy regarding use of compensatory time.

Expiration Date: When noted

The Office of Personnel Management has issued final rules changing the time limits for using earned compensatory time off (comp time) in lieu of overtime pay. **Please note these changes or you may lose some of your leave entitlements.**

Previously, employees were required to use earned 'regular comp time' by the end of the year following the year in which it was earned, and use earned 'comp time for travel' within 26 pay periods after it was earned. The new regulations standardize the treatment of both types of comp time as follows:

- 'Regular compensatory time' earned in Pay Period 10, 2007 or later will expire 26 pay periods after the pay period in which it was earned (i.e. if earned in pay period 10 of the current year, the leave will expire at the end of pay period 10 in the following year. In the event that there are 27 pay periods in a leave year, the leave would expire at the end of the previous pay period - i.e. pay period 9 of the following year).
- 'Regular compensatory time' earned prior to pay period 10, 2007 will be 'grandfathered' in, and employees will have 3 years to use that compensatory time.
- FLSA covered employees will continue to be paid for any (regular) compensatory time that expires, and agencies will continue to retain the discretion to pay/forfeit expired compensatory time for non-FLSA covered employees in accordance with agency policy. When paid via a lump sum payout, compensatory time will be paid at the rate at which it was earned.
- 'Comp time for travel' rules will continue without change, i.e. comp time for travel will continue to be forfeited 26 pay periods after the pay period in which it was earned, and will NOT be paid out if expired, if the employee transfers to another agency, or if the employee separates from Federal service.

The Natural Resources Conservation Service provides leadership in a partnership effort to help people conserve, maintain, and improve our natural resources and environment.

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Compensatory time should always be used before an employee is granted annual leave, unless it will result in the employee forfeiting accrued (use-or-lose) annual leave. Employees are reminded that all overtime work must be pre-approved in writing using form WA-PERS-269. If the employee will receive premium (overtime) pay for the extra hours worked, the State Conservationist must approve the overtime work. Comp time or comp time for travel may be approved by the supervisor.

It is important to note that any compensatory time being *used* in pay period 10 or later will be subtracted from the oldest balance recorded on the database. Due to the reduction in the amount of time in which compensatory time must be used, **careful monitoring by the employee and supervisor of both old and new balances is extremely important to avoid the forfeiture of comp time.**

For further clarification on these changes refer to <http://dab.nrc.usda.gov/pubs/docs/tnainst/tnainst071/tnainst071.html>. For information on other types of leave/leave policy see the NRCS General Manual at http://policy.nrcs.usda.gov/scripts/lpsiis.dii/GM/GM_360_415.htm

/s/ ASF

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