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HRDG 4550 - Premium Pay - Section L

Last Modified:

Subchapter 4550

Premium Pay

Section L - Pay for Night, Holiday, and Sunday Work (Prevailing Rate Employees)

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**Does This
Section Apply
to Me?**

This section outlines employee entitlements to night shift differential and premium pay for holiday and Sunday work. This section applies to you if you are a prevailing rate employee, regardless of your Fair Labor Standards Act (FLSA) status.

* See [Section C](#), Basic Overtime Policy, of this Guide for information on basic overtime entitlements.

This section does not apply to you if you are a GS, GM, or AD employee, regardless of your FLSA status.

Coverage: All prevailing rate employees.

Exclusions: None.

Basis: The shift into which the majority of regularly scheduled nonovertime hours falls.*

Amount: 7.5% of scheduled rate (3 p.m. - midnight shift)
10% of scheduled rate (11p.m. - 8 a.m. shift)

T&A codes: All prevailing rate employees must have their shift suffix coded on the T&A report, even 1st shift employees.

**Night Shift
Differential At
a Glance**

* Night shift differential is paid for the entire shift when the majority of hours falls within the specified period. Majority of hours means a number of whole hours greater than $\frac{1}{2}$ of a scheduled shift.

Employees are entitled to the highest applicable night shift differential for:

- A period while temporarily assigned to a day shift,
- A period while temporarily assigned from a day shift to a night shift, or
- A period while temporarily assigned to a night shift having a lower differential.

If your absence is due to: are you entitled to night differential?

Annual leave (TC 61)
 Sick leave (TC 62)
 Military leave (TC 65)
 Court leave (TC 66)
 Funeral leave (TC 66)
 Excused absence (TC 66) YES
 Holidays (TC 66)
 Injury leave (TC 67)
 Emergency military leave (TC 68)
 Home leave (TC 69)
 Leave without pay (TC 71)
 Absence without leave (TC 72) NO

Do I get Night Differential for Paid Absences?

Example: As a prevailing rate employee, you have a regularly scheduled tour of duty of Monday through Friday, 2 p.m. to 10:30 p.m., with a 30-minute meal period between 6 and 6:30. You work the following schedule:

Day	Monday	Tuesday	Wednesday	Thursday	Friday
Week 1	8 hours	8 hours	8 hours	8 hours	8 hours
Status	work	work	work	work	sick leave
Week 2	8 hours	8 hours	8 hours	8 hours	8 hours
Status	work	work	work	annual leave	work

You will be paid as follows:

80 hours regular pay, with night differential of 7.5%, as follows:

64 hours, Regular work (TC 01 suffix 2)
 8 hours, Annual leave (TC 61, suffix 2)
 8 hours, Sick leave (TC 62, suffix 2)

Coverage: Employees who work a regular tour of duty and:

- Are serving under an appointment of 90 days or more, or
- Are currently employed for a continuous period of at least 90 days under one or more appointments without a break in service.

Exclusions:

- All other employees 1/
- Amount is twice the hourly rate of pay 1/
- Basis is nonovertime work on legal holidays
- Paid absences are not applicable 2/

1/ All other employees are paid at the regular rate for work on a holiday. They receive no pay if they do not work on a holiday.

2/ Employees may only account for absences on holidays with administrative leave (TC 66).

Holiday Pay at a Glance

Employees are entitled to holiday premium pay for nonovertime work performed on the holidays listed in [Section F](#), Night, Holiday, and Sunday Premium Pay for General Schedule Employees, "What is the Rate of Pay for Holidays?" Employees are paid the applicable overtime rate for overtime work on holidays.

Example: You have a regularly scheduled tour of duty of Monday through Friday, from 8 a.m. to 4:30 p.m., with a 30-minute meal break. You perform 8 hours of work on each day Monday through Friday of Week 1, and 8 hours of work on each day Monday through Thursday of Week 2. You are ordered to work on the second Friday of the pay period, a legal holiday, from 8 a.m. to 6:30 p.m. You are paid as follows:

72 hours, Regular time(TC 01)

2 hours, Overtime over 40 (TC 21)

8 hours, Holiday worked (TC 31)

8 hours, Holiday administrative leave (TC 66)

**Is
Inauguration
Day A Legal
Holiday for
Me?**

In every 4th year following the year of the Presidential election, January 20 is considered a legal holiday for premium pay purposes if you are scheduled to work in the Washington, D.C., area on that day, regardless of whether Washington is your official duty station. You are not entitled to holiday premium pay for nonovertime work on Inauguration Day if you work outside the Washington, D.C. area, regardless of whether or not Washington is your official duty station.

The Washington, D.C. area is defined as:

- The District of Columbia,
- Montgomery and Prince George's Counties (Maryland), and
- Fairfax and Arlington Counties and the Cities of Alexandria and Falls Church (Virginia).

**Am I Entitled
to Holiday
Premium Pay
if the Location
Where I Work
has a “Local
Holiday?”**

You are not entitled to holiday premium pay for work on local, State, territorial, or foreign holidays. Although you may be granted excused absences (administrative leave) for local holidays, if you are required to work on one of these days, or another nonworkday established by administrative order, you are paid the straight-time rate for nonovertime work.

Example: You and your co-workers in the Summerville office are given excused absence (administrative leave) for a day because of a local holiday which causes your office building to be closed. A co-worker from your Summerville office is required to work at the office in Autumnville on that day. Your co-worker is not entitled to holiday premium pay because the local holiday is not a legal holiday for premium pay purposes.

Coverage: Full-time and part-time employees.

Exclusions: Intermittent employees.

Amount: 25% of the basic hourly rate.

Sunday Pay at a Glance Basis: Nonovertime work that begins or ends on Sunday*.

* Employees are entitled to a maximum of 8 hours of Sunday pay for each nonovertime shift worked that begins or ends on Sunday. Employees working under compressed tours of duty will receive Sunday pay for the number of scheduled hours worked on Sunday (e.g., 8, 9).

You may be eligible for premium pay for Sunday work during periods of paid absences. The following table describes the types of absences covered:

	If your absence is due to:	are you entitled to Sunday premium pay?
Can I Receive Sunday Premium Pay for Paid Absences?	Annual leave (TC 61)	
	Sick leave (TC 62)	
	Military leave (TC 65)	
	Court leave (TC 66)	
	Excused absence (TC 66)	
	Funeral leave (TC 66)	
	Holidays (TC 66)	
	Injury leave (TC 67)	No
	Home leave (TC 69)	
	Emergency military leave (TC 68)	
	Leave without pay (TC 71)	
	Absence without leave (TC 72)	

Note: Intermittent employees are not eligible for Sunday premium pay.

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