



REPLY TO  
ATTENTION OF:

**DEPARTMENT OF DEFENSE  
UNITED STATES SOUTHERN COMMAND  
9301 NW 33<sup>RD</sup> STREET  
DORAL, FL 33172-1202**

28 October 2016

SC Regulation 14-4

**PERSONNEL/PAYROLL  
TIME AND ATTENDANCE (T&A)**

**TABLE OF CONTENTS**

|   | Paragraph | Page |
|---|-----------|------|
| References.....                               | 1         | 1    |
| Purpose.....                                  | 2         | 1    |
| Applicability.....                            | 3         | 1    |
| Policy.....                                   | 4         | 2    |
| <br>Appendix A: Responsibilities              |           | A-1  |
| Appendix B: Procedures                        |           | B-1  |
| Appendix C: Overtime/Compensatory Time Form   |           | C-1  |
| Appendix D: Compensatory Time Off From Travel |           | D-1  |
| Appendix E: Employee Acknowledgement Form     |           | E-1  |

1. References.

- a. 5 USC. Chapters 55, 61 and 63.
- b. 5 CFR 550, Pay Administration (General).
- c. DoD 7000.14-R, Financial Management Regulation, Volume 8: Civilian Pay Policy, May 2013.
- d. DODI 1400.25, Civilian Personnel Management.
- e. Alternate Work Schedule (AWS) Program, SC Regulation 0239, May 2012.

2. Purpose. This regulation establishes HQ USSOUTHCOM policy and procedures for the processing of time and attendance (T&A) for civilian employees, to include procedures for overtime and compensatory time. Compliance with established procedures will ensure employee attendance is accurately reported and recorded in order to compute pay, allowances and leave, resulting in proper compensation.

3. Applicability. This regulation applies to General Schedule (GS) employees who are Fair Labor Standards Act (FLSA) exempt (not covered) and non-exempt (covered) assigned to HQ SOUTHCOM and the Security Cooperation Offices (SCOs).

4. Policy. Employees and supervisors are responsible for the administration, recording and authorization of timely and accurate attendance, certification, and submission of time cards through Automated Time Attendance Production System (ATAAPs). The input of time and attendance may be assigned and certification authority may be delegated. However, the assignment and delegation of these duties does not relieve the employees or the supervisor of the responsibility for the accuracy of the time and attendance.

a. Normal Tour of Duty (NTD) for employees is a basic 5-day, 40 hour workweek schedule. The Core hours for all civilian personnel are 0900-1500. Employees should not report to duty before 0600 nor work beyond 1800, unless the supervisor approves an alternate work schedule.


b. Lunch breaks are uncompensated time and should not exceed one hour. Lunch breaks will normally be taken between the hours of 1100 and 1300; unless the employee is approved for alternate lunch breaks (see more information in Appendix B).

5. Records Management. Records created through the implementation of this regulation will be maintained in accordance with CJCSM 5760.01A, Volume II, Disposition Schedule.

6. Point of contact for this regulation is SCJ14 at COMM 305-437-1278/3358/1129/0799 or DSN 567-1278/3558/1129/0799.

The proponent agency of this regulation is the US Southern Command. Users are invited to send comments and suggested improvements to: HQ USSOUTHCOM ATTN: J14, 9301 NW 33<sup>rd</sup> St., Doral, FL, 33172-1202

FOR THE COMMANDER

  
MICHAEL T. PLEHN  
Major General, U.S. Air Force  
Chief of Staff

DISTRIBUTION  
D

## APPENDIX A RESPONSIBILITIES

1. USSOUTHCOM Directorate/Special Staff . A directorate/special staff section must ensure compliance regarding the following T&A functions:
  - a. The recording and approval of T&A are performed timely and accurately by the responsible individuals.
  - b. Every effort is made to correct errors within the pay period to which the changes apply.
  - c. A supervisor or other equivalent official approves all corrections or adjustments and promptly reports the approved corrections to the J8 Customer Service Representative (CSR).
2. Civilian Personnel Office (J14) has overall responsibility for managing SOUTHCOM time and attendance policies.
  - a. Maintain accountability for accurate Time and Attendance reporting and establishment/maintenance of records within SOUTHCOM to support internal/external audits/inspections.
  - b. Establish and maintain records of all employees' work schedules.
3. Certifying Officials. The supervisor/manager is accountable for approval of employees' work time and absences and to ensure that T&A information is recorded and reported accurately and timely in the ATAAPs for computing pay and allowance. The supervisor/manager serves as the certifying official and is required to sign a Department of Defense (DD) 577 before approving timecards. The DD 577 is forwarded to the timekeeper and CSR.
  - a. Supervisors have the primary responsibility for administering the various pay and leave policies and regulations. Therefore, supervisors must become knowledgeable in matters concerning pay and leave policy and inform the timekeepers of any decisions made affecting the maintenance of pay and leave records.
  - b. When approving T&A, all supervisors, other equivalent officials, or higher level managers must certify that, to the best of their knowledge, the actual work schedules recorded are accurate. An employee's supervisor should be aware of an employee's work schedule, lunch break, leave taken, and any absences from duty and must review and approve the T&A to ensure accuracy. Supervisors must ensure that exceptions to the employee's normal tour of duty are recorded in a timely and accurate manner.
  - c. The supervisor is responsible to certify the T&A records for all of their employees at the end of the pay period. The supervisor's electronic signature certifies that the information posted to the T&A record is correct. In order to ensure employees are paid, all employees must be certified by Friday at the end of the pay period. Supervisors will ensure that employee's discrepancies are corrected, if time is de-certified, ensure time is re-certified as soon as possible to avoid pay issues.

#### 4. Timekeepers.

- a. Timekeepers recording and approving T&A must be properly trained and have completed the DA form 577.
- b. Assist supervisors, as required to verify the accuracy of employees' T&A in ATAAPs and in ensuring that T&A data is certified in a timely manner. This includes verifying that leave reported in ATAAPs matches approved leave recorded electronically on the Office of Personnel Management (OPM) Form 71, Request for Leave. Discrepancies should be immediately brought to the attention of the employee, and if necessary, to the supervisor for resolution.
- c. Maintain the required supporting documentation and current files for their designated certifying officials and their alternates.
- d. Retain medical documentation supporting T&A leave confidentially and for record, if required.
- e. Obtain approval, as appropriate, for employees require Overtime or Compensatory Time request (Appendix C). Ensure overtime/premium hours are scheduled and approved in advance for any work scheduled to be performed to the maximum extent possible. In case of emergencies or contingency operations premium hours are approved by the Chief of Staff.
- f. Maintain supervision of employees under alternative work schedules during all hours of extended workdays to ensure proper certification of employee's T&A data.
- g. Monitor employee leave balances and ensure that "Use or Lose" leave can be taken in the leave year. Supervisors should take appropriate action related to the employee's leave issues.

#### 5. Employees.

- a. Input the hours and type of hours (i.e., leave and premium) in ATAAPS, generally by 1200 noon on the second Friday of each pay period. Employees must also concur on their ATAAPS input, indicating that the reported data is accurate for leave and pay purposes, including any premium hours worked. In rare circumstances where employees must modify their T&A for a prior pay period, the employees must have the supervisor de-certify their time card. After the T&A is corrected, the employee concurs on their timecard and promptly notifies their supervisor of the changes made and the rationale for doing so. The supervisor must re-certify the time card.
- b. Support all requests for absences or premium duty by completing the automated leave/premium request. If the employee is unavailable to submit a request prior, he/she must promptly submit one upon returning to duty. See Appendix B paragraph (3) herein for unscheduled/emergency leave.
- c. Employees should request from the supervisor any work schedule changes and ensure that timekeepers have timely notification of work schedule changes and leave absences. All work schedule changes must be approved in advance by completing Work Schedule Request, SC Form 202.

## APPENDIX B PROCEDURES

1. Annual Leave. Employees earn and are entitled to use annual leave; however, leave must be properly requested in Automated Time Attendance and Production System (ATAAPS) in accordance with established leave requesting procedures, and the time is subject to supervisory approval based on mission needs. Annual leave may only be denied for mission-related reasons, and not based on the reason for the request.
2. Scheduling. Supervisors should prepare leave schedules in advance based on mission requirements. Scheduled leave may be changed or canceled due to emergency or workload situations; however, when a change or cancellation is necessary, the supervisor should schedule another mutually acceptable leave period to preclude loss of leave.
3. Unscheduled /Emergency Leave. Employees must notify their supervisor or designated alternate management official within 2 hours of the start of their tour of duty of the reasons for their absences and must secure approval. If circumstances prevent employees from personally calling, another person may call for that employee. However, it remains the responsibility of the employee to be aware of the supervisor's approval/disapproval of the requested absence. Supervisors will determine the validity of the employee's reason (s) and clearly advise the employee, or the person calling, of either approval or disapproval. Failure to request such approval, or absence after disapproval, may result in disciplinary or administrative action. The employee's supervisor or designated alternate management official may grant an exception to the 2 hour notification time limit if it is determined to be warranted due to extraordinary circumstances preventing such notification by the employee or another person acting on behalf of the employee.
4. Sick Leave. Employees accrue sick leave without regard to type of appointment or total allowable service. Full-time employees earn 4 hours of sick leave for each biweekly pay period. Part-time employees earn 1 hour of sick leave for each 20 hours in a pay status. Use of sick leave requires that the employee obtain approval/disapproval from the responsible supervisor. Sick leave is granted to an employee for use in certain circumstances. Under the Family and Medical Leave Act (FMLA) of 1993, employees are entitled to a total of 12 administrative workweeks using sick leave or in an unpaid status.
5. Advanced Sick/Annual Leave. Advanced annual leave to an employee in an amount not to exceed the amount the employee would accrue within the leave year. A supervisor should not grant advance leave to an employee when it is known (or reasonably expected ) that the employee will not return to duty, e.g., when the employee has applied for disability retirement. Advanced sick leave will be limited to warranted cases of serious disability/illness which are supported by medical evidence, subject to approval by an appropriate management official in the employee's organization. Advanced annual/sick leave is at the discretion of the supervisor. A copy of the written approval is sent to the command's CSR and J14.
6. Lunch or Other Meal Periods. A lunch or other meal period is an approved period of time in a nonpay and nonwork status that interrupts a basic workday or period of overtime work for the

purpose of permitting employees to eat and engage in permitted personal activities. Normally such periods may not exceed one hour.

7. Rest period. Supervisors may authorize a short rest period during the duty day that does not exceed 20 minutes (5 CFR 551.411(b)). Rest periods must not be combined with a lunch or other meal periods. Rest periods are not an employee entitlement.

8. Donated Leave. A leave donor may not donate more than one-half of the amounts of annual leave he or she would be entitled to accrue during the leave year. A request for a waiver of this limitation will be considered when it is submitted in writing and by a donor who is a family member of the recipient or by a donor who works directly with the recipient in the same organizational element. No more than the number of hours remaining in the leave year (as of the date of transfer) for which the leave donor is scheduled to work and receive pay, may be donated.

9. Leave without pay (LWOP) is an approved, temporary, non-pay status and absence from duty, which is charged in increments of 15 minutes and covers only those hours which employees would otherwise work or for which they would be paid. Extended LWOP is defined as a period of absence exceeding 30 calendar days in a non-pay status.

a. By law, the supervisor should grant LWOP to:

(1) Disabled veterans (EO5396) for medical treatment for a service-connected disability.

(2) Members of the Reserves or National Guard for military training duties.

(3) Employees who are eligible for and invoke the Family Medical Leave Act, unless the employee opts to use accrued leave.

b. By DA policy, supervisors should grant LWOP to: Career and career-conditional employees or excepted employees with competitive status who are relinquishing their positions because the family or the head of household is moving from one area to another and who intend to seek federal employment in the new area may be granted LWOP for a period of up to 90 calendar days and may be extended to a maximum of 1 year.

(1) LWOP and extensions, thereof, are at the supervisor's discretion and should be approved only when the interests of the government are best served; thereby based on mission requirements and workload. Positions should not be filled on a permanent basis until LWOP has ended.

(2) LWOP in other cases should be granted only when it is apparent that it will result in a benefit to the government and will result in increased job ability, protection or improvement of employee's health, or retention of a desirable employee.

(3) LWOP for any reason or any circumstance cannot go beyond a 2 year-period. Employees should be separated and re-employed when they become available for duty.

c. Leave without pay is not a matter of right for employees, except in certain cases required by statute or official policy (e.g., VA treatment of disabled veterans).

d. Requests for LWOP must be submitted in writing and must contain a full justification supported by appropriate documentation, the date LWOP is proposed to begin and its appropriate duration, and the address and telephone number where the employee can be reached during LWOP. In cases where the employee is requesting LWOP to seek federal employment in another area, requests should be accompanied by a separate SF 52, Request for Personnel Action for LWOP and Resignation that is effective at the end of the requested non-pay period. This will allow for the orderly transfer of the employee's pay and personnel records to the new servicing office. If requested LWOP to seek federal employment in another area is due to transfer of a spouse on official government orders, a copy of those orders will be attached to the request. Unless prohibited by organization policy, immediate supervisors may approve requests for LWOP of up to 30 calendar days. (Note: A record must be kept of all such leave granted.) Requests in excess of this amount must be submitted to the Civilian Personnel Advisory Center (CPAC), along with the employee's written request to the supervisor, the supervisor's recommendation and reason (s), and an SF 52. An SF 50, Notification of Personnel Action, will be issued to the employee upon completion of LWOP and returned to the J14.

10. Military Leave. It is the policy of this command to extend full cooperation to all reserve components of the Armed Forces by granting, consistent with mission requirements, leave of absence for active-duty military training purposes. Civilian employees who are members of the Armed Forces Reserves or National Guard, who perform active military duty as specified in 5 USC 6323(a), may request the use of paid military leave, annual leave, or LWOP as appropriate.

11. Court Leave. Court leave is an authorized absence without charge to leave or loss of pay for jury duty, or to serve when summoned as a witness, in a non-official capacity, on behalf of federal, state, or local government or when such government is a party to an action. Court leave is available to permanent and temporary, full-time and part-time employees. Intermittent employees are not eligible for court leave. Employees excused from court duty when 2 or more hours remain in the workday are expected to return to duty, unless extenuating circumstances (distance from home, duty station, court, etc.) make returning impractical. Upon completion of court duty, employees will obtain a Certificate of Service from the Court Clerk and deliver it to his or her supervisor upon return to duty.

12. Excused Absence. There are numerous instances when employees are absent from their normal assignments to perform acts or services officially sanctioned by management. In performing these acts or services, employees remain under management control or jurisdiction and are thus considered in a duty status. Examples of such absences include interviews with EEO Counselors and merit placement interviews. Supervisors must determine that the act or service is job-related and not chargeable to leave and should also place reasonable limits on the length of such absences. Common situations where excused absence may be granted include the following (voting, blood donation, permanent change of duty station, employment interview, counseling, certification, volunteer activities, emergency situations, physical examination for enlistment or

induction, medal of honor holders, and funerals. Please reference DoDI 1400.25-V0630, dated March 19, 2015.

13. Tardiness and Brief Absence. Infrequent brief periods of tardiness or unavoidable absence may be excused, at the discretion of the employee's supervisor. Such discretion is not to be used to avoid a charge to leave and does not apply to group dismissals.

14. Complaints, Grievances, and Appeals. Employees and their officially designated representatives, if otherwise in a duty status, may be authorized reasonable amounts of official time to obtain information or assistance from official sources, respond orally to a proposed disciplinary or adverse action, or present a grievance, appeal, or complaint. Employees are specifically prohibited from using official equipment, and/or supplies (e.g., computers, copiers, stationery, metered envelopes, DSN lines, etc.) in preparing such actions. In order to ensure equal treatment, supervisors are encouraged to coordinate use of official time with the J14.

15. Administrative Dismissal of Civilian Employees. Authority for group dismissal rests solely with the Commander of an activity and subordinate managers/supervisors will not make independent decisions in this regard. It should be noted that supervisors and managers have no authority to authorize their civilian employees to participate in training holidays, activity picnics, or similar outings, while in a duty status, even if the event is viewed as "morale enhancing" or is otherwise desirable. Directors/Deputy Directors have the authority to authorize their civilian employees to participate in command sponsored events on the installation. Questions which concern policies and authorities involving group dismissals and other unusual excused leave situations should be addressed to the J14. There are some instances when employees are authorized to attend meetings in connection with and as a part of their official duties and remain in duty status. No grant of excused absence is necessary.

a. From time to time, existing or imminent weather conditions, the breakdown of essential services or facilities, or other events beyond the control of management require the closing of all or part of an activity. Hazardous weather conditions are conditions such as heavy rain, hurricane, or severe fog which make travel unsafe or inadvisable.

b. Essential personnel are determined by directors and supervisors to be those employees who perform duties which are vital to the continuity of medical facilities, public safety, national defense, or similar crucial operations; and who are required, therefore, to be at work regardless of emergency situations or any general dismissal policy.

c. An emergency situation is general rather than personal in scope and impact, which makes habitation of the workplace a serious hazard to the health or well-being of those located therein, and which, either prevents employees from reporting to work, or necessitates the closing of all or part of the activity.

d. Unless otherwise notified, all employees are to presume that their office/activity will be operational each duty day regardless of any weather or emergency condition which may develop. Therefore, they are expected to adjust their personal schedules in order to cope with possible difficult driving conditions or disruptions of public transportation.



e. Employees whose presence is required in support of emergency operations or essential services may be directed to remain on duty or to make every reasonable effort to report for duty, even though all or part of the activity is closed. In designating such personnel, management should give due consideration to those factors bearing on the employees' relative ability to comply, such as distance from residence to work site, access to highways, means of transportation, general health, etc.

f. When a Commander determines that it may be necessary to close all or part of the activity, he/she will inform the directors/special staff, who will, if necessary, implement the following procedures:

(1) After receiving such notification will direct the identification and release of nonessential employees. Employees will be advised they are being placed on administrative leave for the remainder of the duty day and they are to return to duty the next duty day unless otherwise notified by the supervisor, director, or Joint Operation Center (JOC). Excused absence can be granted to employees who are prevented from returning to work due to unique circumstances, such as travel delays, surrounding the events of a severe weather condition or other emergency situation, however, this is discretionary. Employees already on preapproved leave should continue to be charged leave until the date they were scheduled to return to duty.

(2) Employees who have been determined to be "essential personnel" will be informed of the requirement to remain at their duty stations regardless of the general dismissal.

(3) A storm or emergency occurring during non-duty hours may make it necessary that employees not report for work. Such decision will be communicated by the supervisor, director, or Joint Operation Center (JOC). In the absence of any such announcement, all employees will be expected to report for duty regardless of conditions.

(4) When employees are prohibited from reporting for duty under these circumstances, they will be placed on administrative leave.

(5) Employees who have been determined to be "essential personnel" may be contacted and directed to make every reasonable and continuing effort to report for duty, even though all or part of the activity is closed.

(6) It should be noted that, while temperature extremes may result in employee discomfort, they are not a basis for closing all or part of an activity. Before considering group dismissal, liberal use of annual and sick leave will be authorized, in individual cases, for those employees whose chronic medical conditions could be aggravated by temperature extremes. Group dismissals due to temperature extremes will be authorized only upon a finding that conditions are "intolerable and endanger the health of the employees."

g. Overtime Pay for Standby Duty. In a severe weather condition or other emergency situation, employees may be restricted to their agency's premises for periods that extend beyond their normal tour of duty. Employees who are required to remain in a state of readiness to perform work during this extended period may be entitled to overtime pay for standby duty. The

rules on standby duty are found in 5 CFR 550.112(k) for employees who are exempt under the FLSA and in 5 CFR 551.431 for FLSA-nonexempt employees. The key issue in determining whether an employee is entitled to overtime pay for standby duty is the nature of the restrictions placed on the employee. An employee is in a standby duty status if, for work-related reasons—

(1) The employee is restricted to an agency's premises, or so close thereto that the employee's time may not be used effectively for his or her own purposes, and the employee is required to remain in a state of readiness to perform work.

(2) If an employee is actually on duty for a 24-hour shift and meets the requirements in OPM's regulations for standby duty pay, he or she is entitled to receive pay for at least 16 hours (8 hours of basic pay and 8 hours of overtime pay) of the 24-hour shift. Up to 8 to 12 hours of sleep and meal time may be excluded from a 24-hour shift as long as the employee has a reasonable opportunity to sleep. (See 5 CFR 550.112(m) and 5 CFR 551.432.)

(3) If an employee is relieved from duty with minimal restrictions on personal activities, although limited in where he or she may go, the employee may be placed off duty. If an employee is off duty, the off-duty hours are not compensable. Periods of time during which an employee is required to remain at a work location are not considered compensable hours of work if the employee is detained for reasons that are not under the control of the agency or are not related to work requirements.

16. The "59-minute Rule". This Rule is considered an approved absence that is at the discretion of a director or supervisor and is often granted on the day prior to major holidays. The 59 minute early release may not be combined with any other authorized leave or excused absence. As a supervisor, you must be given the delegated authority by the Director/Special Staff Chief or the Deputy.

a. Supervisors may not grant 59-minutes on a regular or recurring basis.

b. The 59- minutes may not be combined with breaks, lunch periods or any other type of leave.

17. Unexcused Absences. When employees are absent from duty without prior approval and fail to furnish an acceptable reason for the absence, they will be carried as absent without leave (AWOL). The minimum charge of AWOL is 15 minutes and pay is denied for the period covered by the absence. AWOL is distinguished from leave without pay (LWOP), which is an approved absence in a non-pay status. See Appendix B paragraph (7) (a) (b) herein for LWOP procedures. AWOL by an employee may result in disciplinary and/or administrative action.

18. Compensatory/Overtime. Regular overtime work is overtime that is part of an employee's regularly scheduled administrative work week. It is overtime that was planned (or should have been planned), and approved ahead of the work week. Employees who work regularly scheduled overtime must be compensated (see Appendix C). This form will be used until an automated approval workflow process is implemented in the ATAAPs system.

a. Irregular or occasional overtime work is overtime under Title 5 USC that is not part of an employee's regularly scheduled administrative workweek. Employees covered by FLSA must be compensated using overtime unless the employee requests compensatory time. FLSA-exempt employees may be compensated with either overtime or compensatory time at the discretion of the supervisor/Director.

b. Compensatory time must be used within 26 pay periods of it being earned. Failure to do so will result in the compensatory time being paid at the overtime rates in existence at the time the work was performed.

(1) FLSA non-exempt employees must use compensatory time off before they are granted annual leave unless this would result in the forfeiture of annual leave.

(2) Compensatory time must be requested and approved in writing in the same manner as overtime.

(3) Employees must request in writing that they receive compensatory time off in lieu of overtime pay. Employees who do not elect, or are not granted, compensatory time off shall receive payment for overtime.

(4) The amount of compensatory time that may be credited to an employee in any one pay period should not cause the employee's compensation to exceed the maximum scheduled rate of a GS-15 if the overtime were paid at the applicable rates.

(5) An employee granted compensatory time for overtime worked as a substitute during another employee's regularly scheduled night shift shall receive the night differential regardless of whether the compensatory time the employee takes off is during a day or night shift.

(6) Employees must use compensatory time by the end of the 26<sup>th</sup> pay period after it is earned or it will be paid as overtime rate at which it was earned. Employees should use compensatory time before annual leave unless it results in loss of leave.

(7) Employees, who have not taken their compensatory time prior to transfer or separation from the Department, transfer to another agency of the Department, or by the end of the leave year in which they earned it, may receive payment for the overtime work at the rate of pay that applied at the time they performed the work.

(8) Employees who are nonexempt under the FLSA are entitled to compensation for overtime work supervisors "Suffer or Permit" them to perform. "Suffer or permitted" work is any work performed by an employee (before or after duty hours, lunch, break, etc.) whether requested or not, provided the employee's supervisor knows or has reason to believe the work is being performed and has an opportunity to prevent the work from being performed. Accurately recording time and attendance is an essential part of the supervisor's responsibility.

c. Overtime While Assigned for Training. Title 5, U.S.C. does not provide for overtime payments to an employee for the period of time spent in actual training, unless the exceptions in the Federal Personnel Manual (FPM), Chapter 410, Subchapter 6, are met.

d. Command Exercises. During the command's exercises (e.g., Integrated Advance, Panamax, etc.), civilian employees are authorized to receive compensatory time or overtime. However, overtime/compensatory time must be approved in advance of the overtime hours and fully documented (see Appendix C) to include the purpose of the overtime work, the rationale for concluding that the work is mission critical, whether it is to be compensated with overtime pay or compensatory time, and the number of hours specifically requested. All civilian employees may be required/directed to work more than 8 hours during normal workdays and on normal days off. Along with the form at Appendix C, overtime and compensatory time must be submitted and approved in ATAAPs in terms of maintaining accuracy of approved time. These extra hours may be compensated via the following methods:

(1) Credit hours - If an employee is on an alternative work schedule, they may request the additional hours be recorded as credit hours earned. For those on a flexible schedule, credit hours may not exceed 24 hours to carry over from one pay period to the next. If an individual has accrued maximum amount credit hours or is not on an alternative work schedule, compensatory or overtime will be used to the maximum extent possible. Credit hours cannot be earned when the schedule is outside the employee's regular tour of duty.

(2) Overtime and Compensatory Time - Employees can submit his/her overtime or compensatory time by submitting a premium request in ATAAPs. Any non-exempt employees are entitled to overtime but have the option to request compensatory time instead. Overtime and compensatory time may be approved by the Director. The directorate should ensure employee's schedules are changed during exercises to avoid any pay issues. There is no limit on the number of compensatory time hours. Employees who are non-exempt under the FLSA must receive overtime pay unless they request compensatory time off in lieu of payment. Overtime payments for these employees are now computed based on FLSA only. However, work in excess of 8 hours per day will be considered overtime as provided for under title 5 U.S.C. FLSA Exempt employees may be compensated with either overtime pay or compensatory time.

19. Compensatory Time for Travel. Compensatory time off for travel is earned by an employee for time spent in a travel status away from the employee's official duty station when such time is not otherwise compensable. Compensatory time off for travel may only be earned for time in a travel status when such time is not otherwise "compensable." Compensable refers to periods of time creditable as hours of work for the purpose of determining a specific pay entitlement. For example, certain travel time may be creditable as hours of work under the overtime pay provisions in 5 CFR 550.112(g) or 551.422. (see Appendix D).

a. Creditable Travel. To be creditable under this provision, travel must be officially authorized. In other words, travel must be for work purposes and must be approved by an authorized agency official or otherwise authorized under established agency policies. For the purpose of compensatory time off for travel, time in a travel status includes:

- (1) Time spent traveling between the official duty station and a temporary duty station;
- (2) Time spent traveling between two temporary duty stations; and

(3) The "usual waiting time" preceding or interrupting such travel (e.g., waiting at an airport or train station prior to departure). The employing agency has the sole and exclusive discretion to determine what is creditable as "usual waiting time." An "extended" waiting period- i.e., an unusually long wait during which the employee is free to rest, sleep, or otherwise use the time for his or her own personal purposes is not considered time in a travel status.

b. Commuting Time.

(1) Travel outside of regular working hours between an employee's home and a temporary duty station or transportation terminal outside the limits of his or her official duty station is considered creditable travel time. However, the agency must deduct the employee's normal home-to-work/work-to-home commuting time from the creditable travel time.

(2) Travel outside of regular working hours between a worksite and a transportation terminal is creditable travel time, and no commuting time offset applies.

(3) Travel outside of regular working hours to or from a transportation terminal within the limits of the employee's official duty station is considered equivalent to commuting time and is not creditable travel time.

(4) Compensatory time off for travel is credited and used in increments of one-tenth of an hour (6 minutes) or one-quarter of an hour (15 minutes). Employees must comply with their agency's procedures for requesting credit within the time period required by the agency. Employees must also comply with their agency's policies and procedures for scheduling and using earned compensatory time off for travel (see examples at Appendix D)

c. Forfeiture. Compensatory time off for travel is forfeited:

(1) If not used by the end of the 26th pay period after the pay period during which it was earned;

(2) Upon voluntary transfer to another agency;

(3) Upon movement to a non-covered position; or

(4) Upon separation from the Federal Government.

d. Under no circumstances may an employee receive payment for unused compensatory time off for travel

e. Compensatory time off for travel may not be considered in applying the biweekly or annual premium pay caps or the aggregate limitation on pay. There is no limitation on the amount of compensatory time off for travel an employee may earn.

20. Holiday premium Pay. Employees generally are not entitled to holiday premium pay for the time they spend in work related travel during holiday hours of their tours of duty, unless it meets one of the travel conditions listed below. Holiday premium pay is paid only to employees who perform work on a holiday. The criteria state that time spent in a travel status away from the official duty station is not hours of employment unless the travel—

- a. Involves the performance of work while traveling (such as employment as a truck driver);
- b. Is incident to travel that involves the performance of work while traveling (such as “deadhead” travel performed by a truck driver to return an empty truck after unloading);
- c. Is carried out under arduous and unusual conditions (e.g., on unpaved roads); or
- d. Results from an event which could not be scheduled or controlled administratively by any individual or agency in the executive branch of the Government (such as training scheduled solely by a private firm or a job-related court appearance required by a court subpoena).



APPENDIX D

COMPENSATORY TIME OFF FROM TRAVEL – EXAMPLES

From home to business meeting

|                                      |                                   |                                  |                                  |                                    |
|--------------------------------------|-----------------------------------|----------------------------------|----------------------------------|------------------------------------|
| <b>6:00 - 7:00 a.m.</b>              | <b>7:00 - 8:00 a.m.</b>           | <b>8:00 - 8:30 a.m.</b>          | <b>8:30 - 11:30 a.m.</b>         | <b>11:30 a.m. -<br/>12:30 p.m.</b> |
| Drive to airport                     | Wait at airport                   | Wait at airport                  | Plane departs/lands              | Drive to worksite                  |
| <i>Noncreditable travel<br/>time</i> | <i>Creditable travel<br/>time</i> | <i>Regular working<br/>hours</i> | <i>Regular working<br/>hours</i> | <i>Regular working<br/>hours</i>   |

From business meeting to home

|                               |                               |                               |                                  |
|-------------------------------|-------------------------------|-------------------------------|----------------------------------|
| <b>4:30 - 5:30 p.m.</b>       | <b>5:30 - 7:00 p.m.</b>       | <b>7:00 - 10:00 p.m.</b>      | <b>10:00 - 11:00 p.m.</b>        |
| Drive to airport              | Wait at airport               | Plane departs/lands           | Drive home                       |
| <i>Creditable travel time</i> | <i>Creditable travel time</i> | <i>Creditable travel time</i> | <i>Noncreditable travel time</i> |

On a workday, an employee is required to travel from home to a temporary duty station for an afternoon meeting. The employee's regular working hours are 8:00 a.m. to 4:30 p.m. In total, the employee spends 13 hours (6:00 a.m. to 12:30 p.m. and 4:30 p.m. to 11:00 p.m.) traveling to and from the worksite. However, the time between 8:00 a.m. and 12:30 p.m. is compensable as part of the employee's regular working hours. Also, an employee's time spent traveling outside of regular working hours to or from a transportation terminal (e.g., an airport or train station) within the limits of his or her official duty station is considered to be equivalent to commuting time and is not creditable travel time. (See 5 CFR 550.1404(d).) In this case, the employee spends 2 hours traveling to and from an airport within the limits of his official duty station.

In this example, the employee's compensatory time off for travel entitlement is as follows:

Total travel time: 13 hours

*minus*

Travel time within regular working hours: 4.5 hours

Travel to/from airport within limits of official duty station: 2 hours

**Compensatory time off for travel: 6.5 hours**

APPENDIX D



**(cont) COMPENSATORY TIME OFF FROM TRAVEL – EXAMPLES**

**Example 2: Travel to a temporary duty station on a nonworkday**

| Travel from home to a hotel on a Sunday               |  |                               |                                  |
|---|--|-------------------------------|----------------------------------|
| <b>5:00 - 6:00 p.m.</b>                               | <b>6:00 - 7:30 p.m.</b>                  | <b>7:30 - 10:00 p.m.</b>      | <b>10:00 - 10:30 p.m.</b>        |
| Drive to airport                                      | Wait at airport                          | Plane departs/lands           | Drive to hotel                   |
| <i>Noncreditable travel time</i>                      | <i>Creditable travel time</i>            | <i>Creditable travel time</i> | <i>Creditable travel time</i>    |
| Travel from a hotel to home on the following Saturday |  |                               |                                  |
| <b>6:30 - 7:00 a.m.</b>                               | <b>7:00 - 10:30 a.m.</b>                 | <b>10:30 a.m. - 1:00 p.m.</b> | <b>1:00 - 2:00 p.m.</b>          |
| Drive to airport                                      | Wait at airport-2 hour delay             | Plane departs/lands           | Drive home                       |
| <i>Creditable travel time</i>                         | <i>Partially creditable travel time*</i> | <i>Creditable travel time</i> | <i>Noncreditable travel time</i> |

An employee is required to travel to a temporary duty station for a week-long conference. The employee's regular working hours are 8:00 a.m. to 4:30 p.m., Monday through Friday. Because the conference begins early Monday morning, the employee travels to a hotel at the temporary duty station the Sunday evening before the conference. The conference is scheduled to continue into the evening on Friday, so the employee returns home on Saturday morning.

In total, the employee spends 13 hours (5:00 p.m. to 10:30 p.m. on Sunday and 6:30 a.m. to 2:00 p.m. on the following Saturday) traveling to and from the conference. However, the hour the employee spends on Sunday traveling to the airport and the hour the employee spends on Saturday traveling from the airport within the limits of her official duty station is considered equivalent to commuting time and is not creditable time in a travel status.

1. \*The agency's compensatory time off for travel policy allows up to 90 minutes of creditable waiting time at a transportation terminal. Therefore, only the time from 7:00 to 8:30 a.m. is creditable as "usual waiting time." (See 5 CFR 550.1404(b)(1).) The time from 8:30 to 10:30 a.m. is considered "extended waiting time" and is not creditable. (See 5 CFR 550.1404(b)(2).)

In this example, the employee's compensatory time off for travel entitlement is as follows:

Total travel time: 13 hours

*minus*

Travel to/from airport within limits of official duty station: 2 hours

Extended waiting time: 2 hours

**Compensatory time off for travel: 9 hours**

APPENDIX D

(cont) COMPENSATORY TIME OFF FROM TRAVEL – EXAMPLES

**Example 4: Driving to and from a temporary duty station on a workday**

|                                       |                               |                              |                                  |                               |
|---------------------------------------|-------------------------------|------------------------------|----------------------------------|-------------------------------|
| Travel to and from a training session |                               |                              |                                  |                               |
| 6:00 - 7:00 a.m.                      | 7:00 - 8:00 a.m.              | 8:00 a.m. - 4:30<br>p.m.     | 4:30 - 5:30 p.m.                 | 5:30 - 6:30 p.m.              |
| Drive to training session             | Drive to training session     | Training                     | Drive home                       | Drive home                    |
| <i>Noncreditable travel time</i>      | <i>Creditable travel time</i> | <i>Regular working hours</i> | <i>Noncreditable travel time</i> | <i>Creditable travel time</i> |

An employee is required to travel to a temporary duty station on a workday for a 1-day training session. The training location is a 2-hour drive from the employee's home. The employee's regular working hours are 8:00 a.m. to 4:30 p.m. In total, the employee spends 4 hours (6:00 a.m. to 8:00 a.m. and 4:30 p.m. to 6:30 p.m.) driving to and from the training session.

If an employee travels directly between home and a temporary duty station outside the limits of his or her official duty station, the time spent traveling outside regular working hours is creditable travel time. However, the agency must deduct the time the employee would have spent in normal home-to-work/work-to-home commuting. (See 5 CFR 550.1404(c).) In this case, the employee's normal daily commuting time is 2 hours (1 hour each way). Therefore, 2 hours must be deducted from the employee's creditable travel time.

In this example, the employee's compensatory time off for travel entitlement is as follows:

Total travel time: 4 hours

*minus*

Normal commuting time: 2 hours

**Compensatory time off for travel: 2 hours**

APPENDIX E

## Acknowledgment of Receipt of Personnel/Payroll Time and Attendance (T&A)

The U.S. Southern Command T&A Regulation contains important information pertaining to the proper procedures for T&A. I understand that I should consult my supervisor if I have any questions about the information contained in this Regulation or applicable references.

Since the information in this regulation is necessarily subject to change, I acknowledge that revisions to the regulation may occur. All such changes will be communicated through official notices.

A copy of this regulation has been given to me to retain for future reference and is also available on the command's share point site, where I can obtain an electronic copy of the regulation.

I acknowledge receipt of this regulation and I understand that it is my responsibility to read and comply with the regulation and its references as well as revisions made in the future.

Employee's Name (printed): \_\_\_\_\_

Employee's Signature: \_\_\_\_\_

Date: \_\_\_\_\_