

(CORRECTED)

## PAY ADMINISTRATION

**1. REASON FOR ISSUE:** To revise Department of Veterans Affairs (VA) policy regarding pay administration.

**2. SUMMARY OF CONTENTS/MAJOR CHANGES:** This handbook contains mandatory VA procedures on pay administration. The pages in this issuance replace the corresponding page numbers in VA Handbook 5007. Revised text is contained in [brackets]. These changes will be incorporated into the electronic version of VA Handbook 5007 that is maintained on the [Office of Human Resources Management Web site](#). Significant changes include:

a. Extension of Sunday pay to part-time General Schedule and Federal Wage System employees retroactive to May 26, 2009, as a result of the Fathauer vs. United States court decision.

b. Removal of information technology specialists from the occupations eligible for weekend premium pay as contained in Part V, Appendix A. This provision will be effective December 31, 2011. Thereafter, information technology specialists will continue to be entitled to Sunday pay in accordance with Part V, Chapter 6, paragraph 3b.

**3. RESPONSIBLE OFFICE:** The Compensation and Classification Service (055), Office of the Deputy Assistant Secretary for Human Resources Management.

**4. RELATED DIRECTIVE:** VA Directive 5007, Pay Administration.

**5. RESCISSIONS:** None

**CERTIFIED BY:**

**BY DIRECTION OF THE SECRETARY  
OF VETERANS AFFAIRS:**

/s/

Roger W. Baker  
Assistant Secretary for  
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/s/

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Assistant Secretary for  
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### 3. OTHER FORMS OF PREMIUM PAY FOR GENERAL SCHEDULE EMPLOYEES

a. **Shift Differential.** Employees who perform work during regularly scheduled hours between the hours of 6:00 p.m. and 6:00 a.m. shall receive 10 percent of basic pay for those hours.

b. **Sunday Premium.** Full-time [and part-time (see note below)] employees who perform work during a regularly scheduled non-overtime tour, any part of which falls between midnight Saturday and midnight Sunday, shall receive 25 percent of basic pay for that tour. [In accordance with Section 624 of Treasury and General Government Appropriations Act, 1999, as contained in section 101(h) of Public Law 105-277, Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999, the payment of Sunday pay is prohibited for periods of leave. Sunday pay is therefore only payable for periods when work is performed. Sunday pay is not payable for periods of paid leave or excused absence including annual leave, sick leave, compensatory time off, credit hours, military leave, court leave, excused absence on a holiday, or time off as an incentive or performance award.]

**NOTE:** *As a result of the Fathauer vs. United States court decision dated May 26, 2009, part-time employees are eligible for Sunday premium pay. (See Office of Personnel Management (OPM) Compensation Policy Memorandum 2009-21 dated December 8, 2009.) Human Resources Management Letter (HRML) 05-11-02, Administrative Claims for Sunday Premium Pay as a Result of Fathauer vs. United States dated February 15, 2011, provides instructions for identifying affected employees and processing claims for unpaid Sunday premium pay for a period up to six years prior to May 26, 2009, upon receipt of a written claim.]*

#### c. Weekend Premium

(1) **Hybrid Employees.** A full-time, part-time or intermittent employee in an occupation listed in 38 U.S.C. 7401(3) who performs service on a tour, any part of which is between midnight Friday and midnight Sunday, will receive premium pay for each hour of service on such tour. Premium pay for service under this paragraph is equal to 25 percent of the employee's basic hourly rate of pay unless a higher rate is approved under chapter 4 of this part.

(2) **Other VHA Health Care Employees.** A full-time, part-time or intermittent VHA employee in an occupation listed in appendix V-A who performs service on a tour, any part of which is between midnight Friday and midnight Sunday, will receive premium pay for each hour of service on such tour. Premium pay for service under this paragraph is equal to 25 percent of the employee's basic hourly rate of pay. Such employees are not eligible for premium pay under chapter 3 or chapter 4 of this part.

d. **Holiday Pay.** Employees who are required to perform regularly scheduled non-overtime work on a designated holiday shall receive pay at the rate of two times their hourly rate for actual hours worked on their tour, but not less than at least two hours. Employees who perform overtime work on a holiday will be compensated at their regular overtime rate.

e. **Standby Duty Pay.** Employees who are required to remain at their official duty station in a state of readiness may receive up to 25 percent of their rate of pay, paid on an annual basis. This payment is in lieu of all other premium pay, except pay for irregular and occasional overtime. Employees in health care-related occupations who need to remain available for duty shall be authorized on-call pay under the provisions of chapter 5 of this part, unless an exception to on-call is authorized.

## PART V

## CHAPTER 6

f. **Administratively Uncontrollable Overtime (AUO).** Employees required to independently determine the need to perform substantial amounts of irregular and occasional overtime work which cannot be controlled administratively may receive from 10 to 25 percent of their rate of pay on an annual basis. This payment is in lieu of all other premium pay, except for regularly scheduled overtime. AUO may be appropriate for positions like Detective or Criminal Investigator, in which the employees generally are responsible for recognizing, without supervision, circumstances which require the employees to remain on duty.

g. **Availability Pay.** Law enforcement officers (LEOs), as defined in 5 CFR 550.103, shall receive, if otherwise qualifying, 25 percent of their rate of pay to ensure availability for unscheduled duty in excess of the 40-hour workweek. See 5 CFR 550.181 for additional requirements.

#### 4. OTHER PREMIUM PAY FOR FWS POSITIONS

a. **Night Shift Differential.** Night shift differential is to be computed in accordance with FWS Operating Manual, section S8-4c and 5 U.S.C. 5343; to assist in determining entitlement to night shift differential, the appropriate supervisor is responsible for ensuring that the employee's regularly scheduled tours of duty and changes thereto are properly documented. Normally, Purchase and Hire (P&H) employees are not entitled to be paid shift differentials because they do not have regularly scheduled tours.

b. **Holiday Pay.** Holiday pay is to be computed in accordance with the instructions contained in FWS Operating Manual, section S8-4. Normally, P&H employees are not entitled to holiday pay when no work is performed on a holiday because they do not have regularly scheduled tours. However, when authorized to perform work on a legal holiday (Federal, State, or local), P&H employees shall receive a holiday rate of pay as outlined for wage employees in 5 CFR 532.507.

c. **Sunday Pay.** Sunday pay [for full-time and part-time employees] is to be computed in accordance with the instructions contained in FWS Operating Manual, section S8-4. [In accordance with Section 624 of Treasury and General Government Appropriations Act, 1999, as contained in section 101(h) of Public Law 105-277, Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999, the payment of Sunday pay is prohibited for periods of leave. Sunday pay is therefore only payable for periods when work is performed. Sunday pay is not payable for periods of paid leave or excused absence including annual leave, sick leave, compensatory time off, credit hours, military leave, court leave, excused absence on a holiday, or time off as an incentive or performance award.] Normally, P&H employees are not entitled to Sunday pay because they do not have regularly scheduled tours.

[**NOTE:** *As a result of the Fathauer vs. United States court decision dated May 26, 2009, part-time employees are eligible for Sunday premium pay. (See Office of Personnel Management (OPM) Compensation Policy Memorandum 2009-21 dated December 8, 2009.) Human Resources Management Letter (HRML) 05-11-02, Administrative Claims for Sunday Premium Pay as a Result of Fathauer vs. United States dated February 15, 2011, provides instructions for identifying affected employees and processing claims for unpaid Sunday premium pay for a period up to six years prior to May 26, 2009, upon receipt of a written claim.*]

**APPENDIX A.**  
**VHA HEALTH CARE OCCUPATIONS ELIGIBLE FOR WEEKEND PREMIUM PAY**

<b>Series</b>	<b>Title</b>	<b>Series</b>	<b>Title</b>
0060	Chaplain	0647	Diagnostic Radiologic Technologist
0101	Social Science	0648	Therapeutic Radiologic Technologist
0102	Social Science Aid and Technician	0649	Medical Instrument Technician
0180	Psychology	0651	Respiratory Therapist (Title 5)
0181	Psychology Aid and Technician	0660	Pharmacist
0184	Sociology	0661	Pharmacy Technician
0185	Social Work	0664	Restoration Technician
0186	Social Services Aid and Assistant	0665	Speech Pathologist and Audiologist
0187	Social Services	0667	Orthotist and Prosthotist
0188	Recreation Specialist	0669	Medical Records Administration
0189	Recreation Aid and Assistant	0670	Health System Administration
[ ]		0671	Health System Specialist
[ ]		0672	Prosthetic Representative
0401	General Biological Science	0673	Hospital Housekeeping Management
0403	Microbiology	0675	Medical Records Technician
0404	Biological Science Technician	0679	Medical Support Assistant
0405	Pharmacology	0681	Dental Assistant
0413	Physiology	0682	Dental Hygienist
0415	Toxicology	0683	Dental Laboratory Aid and Technician
0601	General Health Science	0690	Industrial Hygienist
0620	Licensed Practical/Vocational Nurse	0698	Environmental Health Aid and Technician
0621	Nursing Assistant	0699	Student Nurse Technician
0622	Medical Supply Aid and Technician		(Title code 63 only)
0625	Autopsy Assistant	0701	Veterinary Medical Science
0630	Dietitian and Nutrition	0704	Animal Health Technician
0631	Occupational Therapist	0802	Biomedical Engineering Technician
0633	Physical Therapist	0858	Biomedical Engineering
0635	Corrective Therapist	1020	Medical Illustrator
0636	Rehabilitation Therapy Assistant	1060	Photographer (Medical)
0637	Manual Arts Therapist	1301	General Physical Science
0638	Recreation/Creative Arts Therapist	1306	Health Physics
0639	Education Therapist	1310	Physics
0640	Health Aid and Technician	1311	Physical Science Technician
0642	Nuclear Medicine Technician	1320	Chemistry
0644	Medical Technologist	1725	Public Health Educator
0645	Medical Technician	1910	Quality Assurance
0646	Pathology Technician	[ ]	

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