



**HEADQUARTERS, UNITED STATES FORCES, KOREA**

UNIT #15237  
APO AP, 96271-5237

JUL 18 2022

FKCS

**MEMORANDUM FOR SEE DISTRIBUTION**

**SUBJECT: United States Forces Korea (USFK) Overtime Policy**

**1. References:**

- a. Title 5 United States Code (USC), Subchapter V, Section 5543 (a) (1) and (2)
- b. Title 5 USC, Subchapter II, Sections 6122-6128
- c. 5 Code of Federal Regulation (CFR), Subpart A, Section 550. 112-114
- d. Title 5 CFR, Subpart E, Section 551.531
- e. Title 5 CFR, Subpart A, Section 610.111(a)(2), (d) and 121
- f. Title 5 CFR, 550.113, Computation of Overtime Pay
- g. 29 USC, Chapter 8, Fair Labor Standards Act
- h. United States Forces Korea (USFK) Regulation 690-1, Regulations and Procedures - Korean Nationals, Chapter 6, 1 July 2017
- i. Interim Change to USFK Regulation 690-1, Pertaining to Leave and Pay Administration of USFK Korean Employees, Memorandum, 11 June 2018
- j. U.S. Army Pacific (USARPAC) Hours of Duty, Work Schedules, and Compensation Policy Memorandum #20-22, 4 November 2020

2. Purpose. To provide guidance for the authorization, recording, and use of overtime and compensatory time for civilian salaries paid by USFK. This memorandum supersedes USFK Overtime Policy Memorandum dated 5 February 2016.

3. Policy. Civilian pay is one of the largest expenses we incur. Directorates should ensure every effort is taken to minimize overtime pay and compensatory time.

Supervisors will plan work schedules to minimize overtime requirements. Overtime work is prohibited except as necessary to protect the health, safety, and security of personnel or property, or to perform mission critical functions only after all other measures or alternatives to accomplish the work have been exhausted.

4. Definitions.

a. Overtime Pay. Pay for hours of work officially ordered or approved in excess of eight hours in a day or 40 hours in an administrative workweek. Overtime pay is computed IAW 5 CFR 550.113, Computation of Overtime Pay. An administrative workweek begins at 0001 on Sundays and ends at 2400 on the following Saturdays.

b. Regularly Scheduled Overtime. Excess hours scheduled "in advance" of an employee's regularly scheduled administrative workweek. Supervisors having advance knowledge of a requirement for excess hours cannot elect to treat the requirement as "irregular/occasional," thereby avoiding overtime pay.

c. Irregular or Occasional Overtime (unplanned overtime). Excess hours worked that are not part of an employee's administrative workweek and not scheduled in advance of the workweek.

d. Compensatory Time Off. Time off with pay in lieu of overtime pay for irregular or occasional overtime work. Compensatory time off may only be granted for irregular or occasional overtime and may not be granted for regular and/or recurring overtime.

e. Compensatory Time Off for Travel. 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 not used after 26 pay periods (3 pay periods for Korean National (KN) employees) will be forfeited.

f. Night Pay Differential. Night pay differential is payable to employees for regularly scheduled work performed between 1800 and 0600 (2200 – 0600 for KN employees).

5. Approval Authority. Directorates and Special Staff Offices may approve up to 20 hours of overtime per person per pay period. The approval authority will be an O6 or above or their civilian equivalents. Overtime accrued in excess of 20 hours per pay period will be approved by the USFK CoS.

6. Compensatory Time-off. Time off with pay in lieu of overtime pay. Supervisors will encourage employees to use earned compensatory time within 13 pay periods (for KN employees, within 3 pay periods) and before use of annual leave. Unused compensatory time-off will be paid out at the overtime rate in effect when earned for employees who:

- a. Fail to take earned compensatory time-off within 26 pay periods
- b. Transfer to another federal agency; or
- c. Separate from federal service before the expiration of the 26-pay period time limit
- d. For KN employees, Compensatory time is forfeited if not used within 3 pay periods.

7. Special considerations for overtime compensation.

a. The employees listed below have a choice to receive either compensatory time-off or overtime pay for irregular/occasional excess hours worked:

(1) Nonexempt employees covered by the Fair Labor Standards Act (FLSA)

(2) FLSA exempt employees paid at the rate of GS-10/Step 10 and below or equivalent

(3) Federal Wage System employees (WG)

b. FLSA exempt employees paid at rates exceeding a GS-10/Step 10 or equivalent are subject to management's decision to receive either overtime pay or compensatory time-off for irregular/occasional excess hours worked.

c. Both exempt and nonexempt employees who are not under a flexible work schedule, must be compensated with overtime pay for all regularly scheduled excess hours worked. Employees working under a flexible work schedule may be approved to earn compensatory time-off in lieu of overtime pay for regularly scheduled excess hours worked.

d. KN employees are paid overtime pay for time worked in excess of 8 hours for any workday or 40 non-overtime hours in any workweek except for employees working on a special tour of duty and those on a compressed work schedule. KN employees may request compensatory time off in lieu of overtime premium pay (Ref 1(h) and 1(i) regarding KN overtime guidance).

e. For KN employees who are required to work more than 40 hours per administrative workweek, overtime will be restricted to the extent that the total number of work hours do not exceed 52 hours. Regarding special circumstances, exceptions will be submitted through the servicing Civilian Personnel Advisory Center to USFK Civilian Personnel Division for approval after obtaining a written consent from employees.


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8. US civilians will utilize the Automated Time Attendance and Production System for requesting approval of overtime and compensatory time. KN employees will utilize USFK Form 690-E, March 2016, for requesting approval of overtime and compensatory time.

9. Commanders, managers, and supervisors are responsible and accountable for ensuring overtime is only approved, when necessary, in strict accordance with this policy. Questions on individual pay limitations may be directed to the J1 and J8. All overtime records for US civilians and KN employees will be kept for a minimum of three years from the date of approval for audit purposes.

10. The point of contact for this memorandum is 1<sup>st</sup> Lt Stephen Nails at 315-757-1082 or email: [stephen.g.nails.mil@army.mil](mailto:stephen.g.nails.mil@army.mil)



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