Public Law 89-282

AN ACT

October 21, 1965
[S. 1719]

To authorize compensation for overtime work performed by officers and members of the Metropolitan Police force and the Fire Department of the District of Columbia, the United States Park Police force, and the White House Police force, and for other purposes.

D. C. Police and Firemen, U.S. Park Police, White House Police.
64 Stat. 447.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first section of the Act entitled "An Act to provide a five-day week for officers and members of the Metropolitan Police force, the United States Park Police force and the White House Police force", approved August 15, 1950, as amended (D.C. Code, sec. 4–904), is amended to read as follows:

Definitions.

"That (a) for purposes of this Act, the following definitions apply, unless the context requires otherwise:

"(1) 'Authorizing official' means the Board of Commissioners of the District of Columbia in the cases of the Metropolitan Police force and the Fire Department of the District of Columbia, the Secretary of the Interior in the case of the United States Park Police force, and the Secretary of the Treasury in the case of the White House Police force.

"(2) 'Administrative workweek' means a period of seven consecutive calendar days.

"(3) 'Basic workweek' means a forty-hour workweek, excluding rollcall time, in the case of officers and members of the police forces specified in this Act; a forty-hour workweek in the case of officers and members of the District of Columbia Fire Department other than those in the Firefighting Division; and an average workweek of forty-eight hours in the case of officers and members of the Firefighting Division of the District of Columbia Fire Department.

"(4) 'Basic workday' means an eight-hour day excluding rollcall time in the case of officers and members of the police forces specified in this Act; an eight-hour day in the case of officers and members of the District of Columbia Fire Department other than those in the Firefighting Division; and an average twelve-hour workday in the case of officers and members of the Firefighting Division.

"(5)(A) 'Off-duty days' means the nonwork days which, when combined with the basic workdays make up the administrative workweek.

"(B) 'Off-duty time' means the time in any basic workday outside the regular tour of an officer or member's duty.

"(6) 'Rollcall time' means that time, not exceeding one-half hour each workday which is in addition to each basic workday of the basic workweek for reading of rolls and other preparation for the daily tour of duty.

"(7) 'Rate of basic compensation' means the rate of compensation fixed by law for the position held by an officer or member exclusive of any deductions or additional compensation of any kind.

"(8) 'Premium pay' means compensation not considered as salary for the purpose of computing deductions for life insurance or for computing annuity payments under the Policemen and Firemen's Retirement and Disability Act.

71 Stat. 391.
D. C. Code 4-521 note.

"(9) 'Officer or member' means any employee in the Metropolitan Police force or the Fire Department of the District of Columbia, the United States Park Police force, or the White House Police force whose compensation is fixed and adjusted in accordance with the District of Columbia Police and Firemen's Salary Act of 1958, as amended.

D. C. Code 4-823 note.

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"(10) 'Court duty' means attendance by an officer or member in his official capacity, excluding his appearance as a defendant, at court or at a quasi-judicial hearing.

"(11) 'Special event' or 'special assignment' means any planned activity or function which the authorizing official designates in advance as such.

Forty hour workweek, determination.

"(b) The Board of Commissioners of the District of Columbia, the Secretary of the Interior, or the Secretary of the Treasury, as the case may be, is authorized and directed to establish a basic workweek of forty hours to be scheduled on five days for the respective police forces referred to in this Act: *Provided*, That rollcall time shall be without compensation or credit to the time of the basic workweek.

Overtime work.

"(c) All officially ordered or approved hours of work (except rollcall time) performed by officers and members in excess of the basic workweek in any administrative workweek, shall be considered as overtime work and shall be compensated for as provided by this Act.

Payment.

"(d) (1) Whenever the authorizing official designates in advance an activity or function as a special event, or special assignment, all overtime work in connection with such special event, or special assignment, shall be compensated for by payment as follows:

"(i) For each officer or member who receives compensation at a rate provided for in class 1 through class 4, in the District of Columbia Police and Firemen's Salary Act of 1958, as amended, the overtime work shall be compensated for by payment at one and one-half times the basic hourly rate of such officer or member and all such compensation shall be considered premium pay.

78 Stat. 880. D. C. Code 4-823.

"(ii) For each officer or member who receives compensation at a rate provided for classes 5 and above, in the District of Columbia Police and Firemen's Salary Act of 1958, as amended, the overtime work shall be compensated for by payment at the basic hourly rate of such officer or member's basic compensation (except as otherwise limited by subsection (h) (1) and (2) of this section) and all such compensation shall be considered premium pay.

Compensatory time, availability.

"(2) An officer or member may elect to receive compensatory time off as provided in subsection (f) of this section in lieu of payment for overtime work as provided in this subsection.

"(e) Each officer or member who on any off-duty time performs court duty (excluding the first appearance in court on each case), or who performs work, as ordered or approved, on any off-duty day shall be compensated in accordance with subsection (d) of this section.

"(f) Overtime work, other than that for which compensation by payment or time off is provided by subsections (d) and (e) of this section, shall be compensated for by compensatory time off at a rate of one hour of compensatory time for each hour of overtime work performed. Such compensatory time off shall be granted in accordance with the following provisions:

"(1) The authorizing official, or such person as he may designate to act in his place, may, at the request of any officer or member, grant such officer or member compensatory time off from his scheduled tour of duty in lieu of payment for an equal amount of time spent for overtime work, including the first appearance for court duty in each case, if to grant such leave would not unreasonably diminish the number of officers or members available to maintain law, order, and public safety.

"(2) Any officer or member who is eligible for compensatory time off and has made application for such compensatory time off, which application was denied, may within thirty days of such denial make application for compensatory pay at his basic hourly rate of basic

compensation and all such compensation shall be considered premium pay.

"(3) Such compensatory time off shall be used within such period of time as the authorizing official shall prescribe. If such officer or member fails to take such compensatory time off within the prescribed period, he shall thereby waive all right to such compensatory time off, unless his failure to take such compensatory time off is due to an official denial of his request for such compensatory time off. Such overtime work shall be credited for purposes of compensation in multiples of one hour, rounded to the nearest hour in case of fractions thereof. Thirty minutes or more of any such hour shall be credited as one hour.

"(g)(1) Whenever any officer or member is authorized or directed to return to overtime duty at a time which is not an immediate continuation of his regular tour of duty, such officer or member shall receive credit for not less than two hours of overtime work for purposes of compensation under this Act.

"(2) Overtime work resulting from the immediate continuation of an officer's or member's regular tour of duty which, excluding rollcall time, is thirty minutes or more in excess of the basic workday shall be credited for purposes of compensation under subsection (f) of this section.

"(h)(1) No premium pay provided by this Act shall be paid to, and no compensatory time off is authorized for, any officer or member whose rate of basic compensation equals or exceeds the minimum scheduled rate of basic compensation provided for service step 1 in class 10 of the District of Columbia Police and Firemen's Salary Act of 1958, as amended.

78 Stat. 881. D. C. Code 4-823.

"(2) In the case of any officer or member whose rate of basic compensation is less than the minimum scheduled rate of basic compensation provided for service step 1 in class 10 of the Police and Firemen's Salary Act of 1958, as amended, such premium pay may be paid only to the extent that such payment would not cause his aggregate rate of compensation to exceed such minimum scheduled rate with respect to any pay period.

"(3) Each authorizing official is authorized to promulgate such regulations and issue such orders as are necessary to carry out the intent and purpose of this Act, and to delegate to a designated agent or agents any of the functions vested in the authorizing official by this Act."

SEC. 2. Paragraph (6) of section 2(a) of the Act entitled "An Act to amend the Act entitled 'An Act to classify the officers and members of the Fire Department of the District of Columbia, and for other purposes', approved June 20, 1906, and for other purposes", approved June 19, 1948 (62 Stat. 498), as amended (sec. 4–404a, D.C. Code), is repealed.

Repeal.

SEC. 3. The first section of the Act entitled "An Act to provide for granting to officers and members of the Metropolitan Police force, the Fire Department of the District of Columbia, and the White House and United States Park Police forces additional compensation for working holidays", approved October 24, 1951 (65 Stat. 607), as amended (sec. 4–807, D.C. Code), is amended by striking the last two of the three provisos thereof, and by inserting, in lieu thereof, the following: "*Provided further*, That, when an officer or member is authorized or directed to work on a holiday and such officer or member is required to work longer than his regular tour of duty he shall be compensated for such overtime in accordance with the provisions of subsection (e) of the first section of the Act approved August 15, 1950 (64 Stat. 447), as amended (D.C. Code, sec. 4–904(e)).

72 Stat. 377.

Ante, p. 1014.

SEC. 4. There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

Effective date.

SEC. 5. This Act shall become effective on the first day of the first pay period which begins not less than thirty days after approval of this Act.

Approved October 21, 1965.

Public Law 89-283

October 21, 1965
[H. R. 9042]

AN ACT

To provide for the implementation of the Agreement Concerning Automotive Products Between the Government of the United States of America and the Government of Canada, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Automotive Products Trade Act of 1965.

TITLE I—SHORT TITLE AND PURPOSES

SHORT TITLE

SECTION 101. This Act may be cited as the "Automotive Products Trade Act of 1965".

PURPOSES

SEC. 102. The purposes of this Act are—

(1) to provide for the implementation of the Agreement Concerning Automotive Products Between the Government of the United States of America and the Government of Canada signed on January 16, 1965 (hereinafter referred to as the "Agreement"), in order to strengthen the economic relations and expand trade in automotive products between the United States and Canada; and

(2) to authorize the implementation of such other international agreements providing for the mutual reduction or elimination of duties applicable to automotive products as the Government of the United States may hereafter enter into.

TITLE II—BASIC AUTHORITIES

IMPLEMENTATION OF THE AGREEMENT

77A Stat. 3.
19 USC 1202.

SEC. 201. (a) The President is authorized to proclaim the modifications of the Tariff Schedules of the United States provided for in title IV of this Act.

(b) At any time after the issuance of the proclamation authorized by subsection (a), the President is authorized to proclaim further modifications of the Tariff Schedules of the United States to provide for the duty-free treatment of any Canadian article which is original motor-vehicle equipment (as defined by such Schedules as modified pursuant to subsection (a)) if he determines that the importation of such article is actually or potentially of commercial significance and that such duty-free treatment is required to carry out the Agreement.

IMPLEMENTATION OF OTHER AGREEMENTS

SEC. 202. (a) Whenever, after determining that such an agreement will afford mutual trade benefits, the President enters into an agree-