

106TH CONGRESS
1ST SESSION

H. R. 1770

To amend title 5, United States Code, to revise the overtime pay limitation for Federal employees, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 12, 1999

Mr. CUMMINGS (for himself, Mr. DAVIS of Virginia, and Mrs. MORELLA) introduced the following bill; which was referred to the Committee on Government Reform

A BILL

To amend title 5, United States Code, to revise the overtime pay limitation for Federal employees, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That this Act may be cited as the “Federal Employees’
4 Overtime Pay Limitation Amendments Act of 1999”.

5 SEC. 2. (a) Title 5, United States Code, is
6 amended—

7 (1) in section 5542(a)—

8 (A) by amending paragraph (2) to read as
9 follows:

1 “(2) For an employee whose basic pay is at a
2 rate which exceeds the minimum rate of basic pay
3 for GS–10 (including any applicable locality-based
4 comparability payment under section 5304 or similar
5 provision of law and any applicable special rate of
6 pay under section 5305 or similar provision of law),
7 the overtime hourly rate of pay is an amount equal
8 to the greater of—

9 “(A) one and one-half times the minimum
10 hourly rate of basic pay for GS–10 (including
11 any applicable locality-based comparability pay-
12 ment under section 5304 or similar provision of
13 law and any applicable special rate of pay under
14 section 5305 or similar provision of law); or

15 “(B) the hourly rate of basic pay of the
16 employee, and all that amount is premium
17 pay.”; and

18 (B) by repealing paragraph (4); and

19 (2) in section 5547—

20 (A) by amending subsection (a) to read as
21 follows:

22 “(a) An employee may be paid premium pay under
23 sections 5542, 5545(a), (b), and (c), 5545a, and 5546(a)
24 and (b) only to the extent that the payment does not cause

1 the aggregate rate of pay for any pay period for such em-
2 ployee to exceed the lesser of—

3 “(1) 150 percent of the minimum rate of basic
4 pay payable for GS–15 (including any applicable lo-
5 cality-based comparability payment under section
6 5304 or similar provision of law and any applicable
7 special rate of pay under section 5305 or similar
8 provision of law); or

9 “(2) the rate payable for level V of the Execu-
10 tive Schedule.”;

11 (B) by amending subsection (b)(2) to read
12 as follows:

13 “(2) Notwithstanding paragraph (1), no em-
14 ployee referred to in such paragraph may be paid
15 premium pay under the provisions of law cited in the
16 first sentence of subsection (a) if, or to the extent
17 that, the aggregate of the basic pay and premium
18 pay under those provisions for such employee would,
19 in any calendar year, exceed the lesser of—

20 “(A) 150 percent of the minimum rate of
21 basic pay payable for GS–15 in effect at the
22 end of such calendar year (including any appli-
23 cable locality-based comparability payment
24 under section 5304 or similar provision of law

1 and any applicable special rate of pay under
2 section 5305 or similar provision of law); or

3 “(B) the rate payable for level V of the
4 Executive Schedule in effect at the end of such
5 calendar year.”; and

6 (C) by amending subsection (c) to read as
7 follows:

8 “(c) This section shall not apply to any employee of
9 the Federal Aviation Administration or the Department
10 of Defense who is paid premium pay under section 5546a
11 of this title.”.

12 (b) The amendments made by subsection (a) shall
13 take effect on the first day of the first pay period begin-
14 ning on or after 180 days following the date of enactment
15 of this Act.

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