

108TH CONGRESS
1ST SESSION

H. R. 1764

To amend title 5, United States Code, to provide for appropriate overtime pay for National Weather Service employees who perform essential services during severe weather events.

IN THE HOUSE OF REPRESENTATIVES

APRIL 10, 2003

Mr. WOLF introduced the following bill; which was referred to the Committee on Government Reform

A BILL

To amend title 5, United States Code, to provide for appropriate overtime pay for National Weather Service employees who perform essential services during severe weather events.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. OVERTIME RATES.**

4 (a) IN GENERAL.—Section 5542(a) of title 5, United
5 States Code, is amended by adding at the end the fol-
6 lowing:

7 “(6) Notwithstanding paragraphs (1) and (2),
8 for an employee of the National Weather Service

1 who occupies a nonmanagerial position in GS-14 or
2 under and, as determined by the Secretary of Com-
3 merce—

4 “(A) the duties of which are critical to the
5 immediate daily operation of the forecast and
6 warning responsibilities of the National Weath-
7 er Service and directly affect public and avia-
8 tion safety;

9 “(B) in which overtime work is usually un-
10 scheduled due to the vicissitudes of severe
11 weather; and

12 “(C) in which overtime work is therefore
13 unusually taxing;

14 the overtime hourly rate of pay is an amount equal
15 to one and one-half times the hourly rate of basic
16 pay of the employee, and all that amount is pre-
17 mium pay.”.

18 (b) EXEMPTION FROM LIMITATION.—Section
19 5547(d) of title 5, United States Code, is amended by
20 striking the period and inserting “, or to any employee
21 of the National Weather Service who occupies a position
22 described in section 5542(a)(6).”.

23 **SEC. 2. EFFECTIVE DATE.**

24 The amendments made by this Act shall apply with
25 respect to service performed on or after the first day of

- 1 the first applicable pay period beginning after the end of
- 2 the 30-day period beginning on the date of enactment of
- 3 this Act.

