Public Law 87-399

October 5, 1961
[S. 1292]

AN ACT

To amend the Act of June 19, 1948, relating to the workweek of the Fire Department of the District of Columbia, and for other purposes.

D. C. Fire Department.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (a) of section 2 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, as amended (sec. 4–404a(a), D.C. Code, 1951 ed.), is amended to read as follows:

62 Stat. 498.

Workweek.

"(a) The Commissioners of the District of Columbia are authorized and directed to establish a workweek for officers and members of the firefighting division of the Fire Department of the District of Columbia which will result in an average workweek of fifty-six hours in any complete work cycle: *Provided*, That no workweek shall exceed seventy-two hours.

"(b) The firefighting division shall operate under a two-shift system and all hours of duty of any shift shall be consecutive.

"(c) The Commissioners of the District of Columbia are further authorized and directed to establish a workweek for officers and members of the Fire Department, other than those in the firefighting division, of forty hours, and the hours of work in such workweek shall be performed on consecutive days in such workweek.

"(d) The days off duty to which each officer or member of the Fire Department is entitled shall be in addition to his annual leave and sick leave allowed by law. In the case of any shift of the Fire Department beginning on one day and extending without a break in continuity into the next day, or in the case of two shifts beginning on the same day, the Commissioners are authorized to designate the shift which shall be the workday, and the entire shift so designated shall be considered the workday for all pay and leave purposes.

Holidays.

"(e) If a holiday shall fall on any day off of any officer or member of the Fire Department, he shall be excused from duty on such other day as is designated by the Commissioners of the District of Columbia, and if he is required to be on duty in lieu of such day off, he shall receive compensation for such duty at the rate provided by law for duty performed on a holiday. When any shift of the Fire Department begins on the day before a holiday and extends without a break in continuity into the holiday, or begins on a holiday and extends without a break in continuity into the next day, the Commissioners of the District of Columbia are authorized to designate either of such shifts as the holiday workday, and the entire shift so designated shall be considered as the holiday workday for all pay and leave purposes. As used in this subsection the word 'holiday' shall have the same meaning as such word has in the Act of October 24, 1951 (65 Stat. 607), as amended (sec. 4–808, D.C. Code, 1951 ed.), and as supplemented by the Act of January 11, 1957 (71 Stat. 3; Public Law 85–1)."

D. C. Code 1-1210.

SEC. 2. Section 2 of such Act approved June 19, 1948 (62 Stat. 499; sec. 4–404a(b), D.C. Code 1951 ed.), is further amended by redesignating subsection (b) as subsection (f) and by amending the first sentence of subsection (f) as so redesignated to read as follows: "Notwithstanding the provisions of the preceding subsection, whenever the Commissioners declare that an emergency exists of such a character as to necessitate the continuous service of all or some of the officers and members of the Fire Department, the granting of days off shall be suspended during the continuation of such emergency."

69 Stat. 491.

Emergency situations.

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SEC. 3. Subsection (e) of 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 (64 Stat. 447), as amended (sec. 4–904, D.C. Code, 1951 ed.), is amended (a) by inserting "the Fire Department of the District of Columbia," after "Metropolitan Police force,"; (b) by striking "Major and Superintendent of Police," and inserting in lieu thereof "Chief of Police, the Fire Chief,"; and (c) by striking therefrom "section 5 of the Act entitled 'An Act to fix the salaries of officers and members of the Metropolitan Police force and the Fire Department of the District of Columbia', approved July 1, 1930, as amended", and inserting in lieu thereof "such section".

Holiday pay.

SEC. 4. 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 on holidays", approved October 24, 1951 (65 Stat. 607), as amended (sec. 4–807, D.C. Code, 1951 ed.), is amended to read as follows:

"That under regulations promulgated by the Commissioners of the District of Columbia each officer and member of the Metropolitan Police force and of the Fire Department of the District of Columbia when he may be required to work on any holiday, shall be compensated for such duty, excluding periods when he is in a leave status, in lieu of his regular rate of basic compensation for such work, at the rate of twice such regular rate of basic compensation: *Provided*, That for the purpose of this Act, each such officer or member who works eight hours or less on any holiday shall be compensated for such duty in addition to his regular rate of basic compensation for such work, at the rate of one-eighth of his daily rate of basic compensation for each hour so worked, computed to the nearest hour, counting thirty minutes or more as a full hour: *Provided further*, That the total compensation to be paid any such officer or member for duty performed on a holiday shall not exceed an amount equal to twice the daily rate of pay to which such officer or member shall be entitled for performing one regular tour of duty on a day other than a holiday: *And provided further*, That no such officer or member shall be entitled to additional compensation for such holiday work for any day for which he is entitled to receive additional compensation under the provisions of subsection (e) of the first section of the Act approved August 15, 1950 (64 Stat. 447), as amended (sec. 4–904, D.C. Code, 1951 ed.). So much of the compensation for such holiday work as is in excess of the regular pay for such day shall not be considered as salary for the purpose of computing deductions for life insurance or for computing annuity payments under the provisions of the Policemen and Firemen's Retirement and Disability Act (39 Stat. 718, 71 Stat. 391; sec. 4–521, et seq., D.C. Code, 1951 ed.), nor shall such excess compensation be subject to deduction as provided in such Act. Appropriations for personal services for the Metropolitan Police force, the Fire Department of the District of Columbia, the White House Police force, and the United States Park Police force shall be available for payment of the additional compensation authorized by this Act."

65 Stat. 27.

Computation of pay.

SEC. 5. Clause (D) of subsection (b) of section 405 of the District of Columbia Police and Firemen's Salary Act of 1953, as amended (67 Stat. 76; D.C. Code, sec. 4–821), is amended to read as follows:

72 Stat. 378.

"(D) In the case of the Metropolitan Police force, except with respect to computation of holiday pay, a biweekly rate shall be divided by the number of hours constituting the biweekly tour of duty in order to derive an hourly rate.

"(E) In the case of the firefighting division of the Fire Department of the District of Columbia, except with respect to computation of holiday pay, the weekly or biweekly rate shall be divided by 56 or 112, as the case may be, to derive an hourly rate.

"(F) In the case of officers and members of divisions of the Fire Department of the District of Columbia other than the firefighting division, except with respect to computation of holiday pay, a biweekly rate shall be divided by the number of hours constituting the biweekly tour of duty in order to derive an hourly rate."

Recording annual and sick leave.

SEC. 6. (a) For the purpose of recording annual and sick leave on an hourly basis for officers and members of the firefighting division of the Fire Department of the District of Columbia, the workday of any workweek shall be considered to be twelve hours.

(b) For the purposes of recording on an hourly basis annual and sick leave taken by officers and members of the firefighting division, the following formula shall be used:

(1) During the day shift of ten hours, one and two-tenths hours of leave shall be charged for each hour taken.

(2) During the night shift of fourteen hours, twelve-fourteenths of an hour of leave shall be charged for each hour taken, calculated to the nearest fractional tenth.

Effective date.

SEC. 7. This Act shall take effect on the first day of the first full pay period which begins at least sixty days after the date of approval of this Act.

Approved October 5, 1961.

Public Law 87-400

AN ACT

October 5, 1961
[H. R. 9053]

To amend title II of the National Defense Education Act of 1958 with respect to the periods for which loans under that title are made.

National defense education loans; terms.
72 Stat. 1584.
20 USC 425.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 205(a) of the National Defense Education Act of 1958 is amended by striking out "fiscal year" and inserting in lieu thereof "academic year or its equivalent, as determined under regulations of the Commissioner,".

(b) The amendment made by subsection (a) of this section shall not apply with respect to any academic year or equivalent period, as determined under regulations of the Commissioner of Education, which began before July 1, 1961.

Approved October 5, 1961.