DEPARTMENT OF THE ARMY
HEADQUARTERS, UNITED STATES ARMY TRAINING AND DOCTRINE COMMAND
950 JEFFERSON AVENUE
FORT EUSTIS, VIRGINIA 23604-5700

REPLY TO
ATTENTION OF

ATBO-C

17 JUN 2014

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Delegation of Authority to Approve Overtime and Compensatory Time

1. References:

a. Memorandum, ASA(M&RA), 20131213, subject: Fiscal Year (FY) 2014 Department of the Army Workforce Guidance.

b. Memorandum, HQ TRADOC, ATBO-C, 30 May 2013, subject: Delegation of Authority to Approve Exceptions to Administrative Furlough (hereby superseded).

2. Approval authority for overtime is hereby delegated to the following:

a. TRADOC Deputy Commanding General/Chief of Staff.

b. Commander, U.S. Army Combined Arms Center.

c. Director, Army Capabilities Integration Center.

d. TRADOC Deputy Commanding General, Initial Military Training.

e. TRADOC Deputy Chief of Staff.

f. Commanders, U.S. Army Centers of Excellence.

g. Commanders/directors of special activities who report directly to HQ TRADOC.

h. TRADOC Deputy Chiefs of General and Chiefs of Special Staff Offices.

3. Approval for overtime/compensatory time, including compensatory time for travel, may be further delegated down to the lowest feasible level, but no lower than colonel/GS-15, or equivalent.

4. Employee overtime work, whether it be paid or awarded as compensatory time off, must continue to be closely monitored. Overtime or compensatory time off, including compensatory time for travel, should be approved sparingly and only in cases where it is necessary and critical to the completion of the mission.

5. Commanders need to remain aware of their employees' status as exempt or non-exempt from the Fair Labor Standards Act (FLSA) as different overtime rules apply to each of these groups. Questions regarding an employees' FLSA status should be directed to the servicing Civilian Personnel Advisory Center.

a. Non-exempt employees:

(1) Overtime for non-exempt employees is any work performed in excess of 8 hours in a daily tour of duty or in excess of 40 hours in the weekly tour of duty. Supervisors and managers must be aware of who their non-exempt employees are, and closely monitor the hours they are working.

(2) Under the FLSA, a covered or non-exempt employee becomes entitled to overtime compensation for hours worked in excess of 40 in a workweek for all work which management approves or "suffers or permits" to be performed. Suffered or permitted work means any work performed by an employee for the benefit of an agency, whether requested or not, appropriately approved or not, when the employee's supervisor accepts the benefits of that performed work.

(3) Management cannot accept the benefits of a covered employee's work without compensating the employee for that work. FLSA-covered employees who work for the benefit of the agency, prior to or after established shift hours or during prescribed lunch periods, are entitled to compensation.

b. Exempt Employees:

(1) Overtime work for exempt employees is any work officially ordered or approved in writing, in excess of 8 hours in a day or 40 hours in an administrative workweek. Those with delegated authority to approve overtime/compensatory time for exempt employees must approve all overtime and compensatory time prior to these employees earning it.

(2) Those with delegated authority to approve overtime/compensatory time may at the employee's request grant the use of compensatory time instead of overtime.

6. Commands and organizations are responsible for ensuring funding for overtime and compensatory time is available before authorizing overtime or compensatory time. All approved paid out overtime and compensatory time paid out must be internally funded within commands' and organizations' existing funded civilian pay targets.

DAVID G. PERKINS
General, U.S. Army
Commanding

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