

**New Rules on use of Comp Time for all government employees** - Effective May 14, 2007, employees will be able to use accrued compensatory time off up to 26 pay periods after it is earned. At the end of the 26 pay periods, unused compensatory time will be paid out in the form of overtime to non-exempt FLSA employees and all other employees where the agency head determines that the employee could not use the earned compensatory time due to an exigency of the service that was beyond the employee's control. (Note: Previously, compensatory time off had to be used no later than the end of the fourteenth full pay period following the pay period in which it was earned.)

To assist with the transition to the new rules, employees will have up to three years from the effective date of the new regulation, May 14, 2007, to use their earned compensatory time off to their credit as of that date. At the end of the three year period, unused compensatory time will then be paid out in the form of overtime as described above.

The new rules also require agencies to provide payment for compensatory time off when an employee separates from federal service or is placed in a leave without pay status to perform military service or due to a compensable on the job injury.

Similar changes are being made to the use of compensatory time off for travel. However, there are no provisions in the law to pay an employee for travel compensatory time. Therefore, for situations described above for employees separated or placed on LWOP to perform military service or due to a compensable on the job injury, the employee would receive an additional 26 pay periods following the pay period the employee returns to duty to use travel compensatory time. Additionally, employees performing military service will be permitted, upon request, to use earned compensatory time off for travel during such service.

In addition, there are provisions for agency heads to extend the time limit for using earned compensatory time off for travel if the employee failed to use the compensatory time within 26 pay periods due to an exigency of the service beyond the employee's control.