

TAB 5
PAY ENTITLEMENTS

1. MISSION. Pay entitlements should be established before the emergency, as much as possible. These entitlements should be explained to all responders prior to their deployment.

2. RESPONSIBILITIES.

a. Commander. The Commander of the supported command has overall responsibility to complete all actions necessary to ensure employees responding to an emergency are properly paid.

b. Emergency Operations Center. The Emergency Operations Center of the supported command is responsible for preparing all correspondence pertaining to pay and entitlements associated with the emergency.

c. Resource Management. The Resource Management office of the supported command is responsible for determining and advising on documentation required for payroll actions, to include time and attendance documentation and reporting.

d. Human Resources Office. The Human Resources Office of the supported command is responsible for determining and preparing pay entitlements, if different from the standard. These include, but not limited to, Fair Labor Standards Act (FLSA) determinations and premium pay entitlements.

3. EXECUTION.

a. HQUSACE Guidance and Requirements. Guidance and requirements which include pay entitlements are contained in ER 690-1-321. A sample memorandum to request lifting of the bi-weekly pay cap is shown on page B-25 of this Appendix. Rest and Recoupment(R&R) is discussed in Tab 6 of this guide. A sample memorandum establishing and notifying an employee of his/her tour of duty is shown on page B-26 of this Appendix. As shown in the sample, the basic 40 hour workweek will be 8 hours a day, Monday through Friday.

b. Fair Labor Standards Act (FLSA). Normally the employee will be assigned to one of the Standard Duty Descriptions (See Appendix D of this guide), the FLSA status is automatically determined and appropriate notification, if required, can be made. If the employee is not on a standard duty description or the duties differ in any significant respect, the supervisor must prepare a brief description of duties and provide them to the Supported Command EOC (HR representative) for a determination. It should be the extreme exception that an individual is not assigned one of the standard duty descriptions. If an employee is normally exempt and is assigned to a nonexempt duty description, then a letter must be written to advise the payroll office of this change. (Shown on page B-27 of this Appendix is a sample FLSA Memorandum)

c. Other. Any questions concerning entitlements should be referred to the Supported Command Human Resources Office. These questions could include ones on Hazardous Duty Pay (criteria for payment is difficult to meet) and Holiday Pay.