

BPA Human Resources Desk Reference

Religious Compensatory Time

Desk Reference: 410-05-04

Table of Contents

1. Purpose & Background	2
2. Applicability	2
3. Terms & Definitions	3
4. Responsibilities	5
5. Program Administration Requirements & Guidance	6
5.1 Compensatory time for religious observances.....	6
5.2 Religious observances compensatory time processes and procedures.....	7
6. Authorities & References	8
7. Contacts.....	8
8. Revision History	8



1. Purpose & Background

This HR Desk Reference implements BPA HR Directive 410-05: Employee Pay and Compensation Initiatives.

A. Introduction

1. **Governance model:** This HR Desk Reference is part of a tiered approach to BPA’s Human Resources governance model. The first tier is the BPA Human Resources Policy, which provides broad BPA-wide guidelines and standards for making specific human resources-related decisions and specifies who in BPA is delegated the authority to make them.

The second tier consists of HR Desk References covering more detailed instructions concerning program administration and processes. These second tier documents will be authorized in the “Related HR Desk References” section of the BPA HR Directive when they are published as an extension of a specific HR Policy.

The third tier consists of Standard Operating Procedures applicable to a specific business process. Standard Operating Procedures may stand alone or be encompassed in a Desk Reference.

2. **Design of the HR Desk Reference:** In order to support the overarching guidance contained in the relevant HR Policy, this HR Desk Reference provides a standardized and consistent approach to HCM’s and BPA Management’s administration of the programs and processes contained in this HR Desk Reference.
3. **Using the HR Desk Reference:** Recorded information is an integral part of all business functions at BPA and as such, is an asset of the agency that is handled and managed based upon content and the circumstances surrounding the function. Users of this HR Desk Reference are likely to reference a specific function or procedure rather than reading it in its entirety and it is therefore structured to reflect this type of use.

- B. **Objectives:** This chapter is intended to assist managers, supervisors, and employees in understanding the rules, policies, and procedures for earning paid overtime and compensatory time in lieu of paid overtime, religious compensatory time, and compensatory time off for travel under 5 CFR, Part 550, Pay.

- C. **Background:** To the extent that modifications in work schedules do not interfere with the efficient accomplishment of an agency's mission, an employee whose personal religious beliefs require that he or she abstain from work at certain times of the workday or workweek must be permitted to work alternative work hours so that the employee can meet the religious obligation. The hours worked in lieu of the normal work schedule do not create any entitlement to premium pay (including overtime pay).

2. Applicability

Organization Integrated Strategy (NHI)	Title Religious Compensatory Time	Unique ID 410-05-04		
Author HCM	Approved by CAO	Date 4/18/2016	Version 1.0	Page 2

This chapter guidance on religious compensatory time applies to all FLSA-exempt (annual) and non-exempt BPA annual and hourly employees earning compensatory time to make up for time lost to accommodate religious beliefs that require abstention from work during certain days or periods of time during the work day to all FLSA-exempt or non-exempt BPA annual and hourly employees.

3. Terms & Definitions

- A. **Administrative workweek:** Administratively established period of 7 consecutive calendar days designated in advance, normally from 12 a.m. Sunday to 12 a.m. the following Sunday. Variance from this standard workweek may be authorized as outlined in BPA HR Directive 410-06: Employee Leave, Work Schedules, and Telework.
- B. **Basic work requirement:** The number of hours excluding overtime hours that must be regularly accounted for on the time and labor report. Completion of the basic work requirement includes hours reported as work, paid leave, or credit hours used.
- C. **Basic workweek:** For full-time employees not on a compressed work schedule, the regularly scheduled 40-hour workweek. For full-time employees on a compressed work schedule, the regularly scheduled 80-hour bi-weekly work schedule specified in the published, compressed work schedule. For all part-time employees, it is the hours specified on their current SF-50, Notification of Personnel Action.
- D. **Compensatory time:** An alternative form of compensation for overtime worked. Generally, it is an equal amount of time off, instead of pay, for overtime hours worked subject to certain limitations described in this document and the collective bargaining agreements with BPA.
- E. **Compressed work schedule:** A work schedule with an 80-hour, bi-weekly basic work requirement that is scheduled for less than 10 workdays for a full-time employee (e.g., a 4/10 schedule consisting of 4 10-hour days per week). *(See applicable compressed work schedules established for Real Time Schedulers, Pre-Schedulers, Dispatchers, etc.).* For a part-time employee, a basic work requirement of less than 80 hours bi-weekly that is scheduled for less than 10 workdays and that may require the employee to work more than 8 hours in a day.
- F. **Exempt employees:** Employees not covered by the minimum wage and overtime provisions of the Fair Labor Standards Act (FLSA).
- G. **Flexible work schedule:** A work schedule established under 5 U.S.C. 6122 that has a bi-weekly, basic work requirement of 80 hours for a full-time employee (less than 80 hours for a part-time employee) and allows an employee to determine their own schedule within the limits set by BPA, i.e., vary arrival and departure times outside of core hours with supervisor approval and may include earning and using credit hours to vary the workday or workweek.

Organization Integrated Strategy (NHI)		Title Religious Compensatory Time		Unique ID 410-05-04	
Author HCM		Approved by CAO		Date 4/18/2016	
				Version 1.0	
				Page 3	

- H. **Holiday work:** Non-overtime work performed during a regularly scheduled, daily tour-of-duty on a holiday designated in accordance with 5 CFR, Part 610.202
- I. **Night work:** Regularly scheduled work (including regularly scheduled overtime) performed between the hours of 6 p.m. and 6 a.m.
- J. **Non-exempt employees:** Employees covered by the minimum wage and overtime provisions of the FLSA.
- K. **Official duty station:** The city/town, county, and state in which an employee works and the surrounding area within a 35-mile radius that is used to determine whether travel is outside the limits of the official duty station for purposes of this HR Desk Reference.
- L. **Overtime:** Hours of work in excess of 8 hours in a day or 40 hours in a week for a full-time or a part-time employee on a regular or a flexible work schedule. Hours of work in excess of the basic work requirement for employees on compressed schedules. For a part-time employee on a compressed schedule, hours that would be considered overtime hours for a full-time employee on the same compressed schedule, but always more than 8 hours in a day or 40 hours in a week. All overtime hours are ordered or approved by a BPA manager.
- M. **Premium pay:** Additional pay authorized by 5 U.S.C., Chapter 55, Subchapter V and 5 CFR, Part 550 for overtime (including the dollar value of compensatory time earned in lieu of paid overtime), night, Sunday, or holiday work; or for standby duty, administratively uncontrollable overtime work, or availability duty. This excludes overtime pay paid to employees under FLSA and compensatory time off earned in lieu of such overtime pay.
- N. **Rate of basic pay:** The rate of pay fixed by law or administrative action for the position held by an employee, including any applicable locality payment under 5 CFR, Part 531, Subpart F; special rate supplement under 5 CFR, Part 530, Subpart C; or similar payment or supplement under other legal authority, before any deductions and exclusive of additional pay of any other kind.
- O. **Regularly scheduled administrative workweek:** For full-time employees, the period within an administrative workweek when regularly required to be on duty (normally Monday through Friday, but it can be any 5 or 6 consecutive days of the administrative workweek, and may include regularly scheduled overtime). For part-time employees, the officially prescribed days and hours within an administrative workweek when regularly scheduled to work as reflected on the current Standard Form (SF) 50, "Notification of Personnel Action."
- P. **Regularly scheduled overtime:** Generally, overtime hours scheduled in advance of the beginning of the administrative workweek.

Organization Integrated Strategy (NHI)		Title Religious Compensatory Time		Unique ID 410-05-04	
Author HCM	Approved by CAO		Date 4/18/2016	Version 1.0	Page 4

- Q. **Regularly scheduled tour-of-duty:** Hours of a day (daily tour-of-duty) and the days of an administrative workweek (weekly tour-of-duty) constituting an employee’s regularly scheduled administrative workweek.
- R. **Sunday work:** Non-overtime work performed during a regularly scheduled, daily tour-of-duty, any part of which is on a Sunday.
- S. **Workday:** Daily tour-of-duty whether it falls entirely within the same calendar day or not.
- T. **Acronyms:**
 - 1. **CBA:** Collective Bargaining Agreement
 - 2. **CFR:** Code of Federal Regulations
 - 3. **COO:** Chief Operating Officer
 - 4. **FLSA:** Fair Labor Standards Act
 - 5. **HCM:** Human Capital Management
 - 6. **HRD:** Human Resources Director
 - 7. **MOU:** Memorandum of Understanding
 - 8. **OPM:** U.S. Office of Personnel Management
 - 9. **SF:** Standard Form
 - 10. **U.S.C.:** United States Code

4. Responsibilities

- A. **BPA Human Resource Director or his/her assignee:**
 - 1. Provides expert advice and guidance concerning earning and using religious compensatory in accordance applicable OPM regulations, DOE Directives and federal statutes; and
 - 2. Provides expert advice and guidance on adjusting work schedules for religious purposes.
- B. **BPA Managers and Supervisors:**
 - 1. Order and schedule employees to work overtime and approve overtime for employees under their administrative jurisdiction;
 - 2. Ensure that overtime is authorized, approved, and controlled in a cost-effective manner;
 - 3. Ensure that religious compensatory time used, then earned back, is recorded in accordance with BPA’s time and labor reporting instructions;

Organization Integrated Strategy (NHI)		Title Religious Compensatory Time		Unique ID 410-05-04	
Author HCM		Approved by CAO		Date 4/18/2016	
				Version 1.0	
				Page 5	

4. Approve requests to earn compensatory time off for religious observances;
5. Ensure that religious compensatory time is earned by the third bi-weekly pay period from when it was used; and
6. Maintain documentation for these requests for the use of compensatory time and any supportive documentation, as needed. These records must be maintained in official electronic or paper files.

C. Employees:

1. Request compensatory time off for religious observances in a timely manner, and perform overtime work to repay any advanced religious compensatory time off by the end of the 26th pay period following the pay period in which the absence occurred;
2. Properly request and record religious compensatory time earned and used;
3. Follow any request, approval, and/or documentation procedures specific to their units or the instructions of their supervisors; and
4. May not approve their own religious compensatory time earned and used.

5. Program Administration Requirements & Guidance

5.1 Compensatory time for religious observances

A. General:

1. An employee whose personal religious beliefs require abstention from work during certain periods of time in the administrative workweek may elect to earn compensatory time off to cover time lost in meeting religious requirements.
2. Employees may earn the compensatory time off before or after the religious observance. The hours worked for the purpose of earning compensatory time off to accommodate religious observances do not create entitlement to premium pay, including overtime pay.
3. Severe disruption of work is the only basis for denying a request for compensatory time for religious observances. Managers will afford an employee the opportunity to earn compensatory time and will grant compensatory time off for religious observances when the employee’s personal religious beliefs require abstention from work during certain periods of the workday or workweek.

B. Liquidation upon separation from BPA:

If an employee is separated or transferred from BPA before using compensatory time earned and set aside for religious observances, the unused hours must be paid at the employee’s rate of basic pay in effect when the extra hours of work were performed.

Organization Integrated Strategy (NHI)		Title Religious Compensatory Time		Unique ID 410-05-04	
Author HCM		Approved by CAO		Date 4/18/2016	
				Version 1.0	
				Page 6	

5.2 Religious observances compensatory time processes and procedures

A. Scheduling and recording overtime:

1. Except for irregular or occasional overtime resulting from unexpected circumstances, overtime should be scheduled and approved in writing prior to the administrative workweek in which it will be performed (regularly scheduled overtime). The authorizing official must provide employees, in writing, the specific hours of overtime to be worked.
2. All regularly scheduled overtime must be requested and approved on form BPA Form 2220.15e, "Overtime/Comp Time Request and Justification," on the time sheet or on other time and labor reporting forms designated by line organizations.
3. No employee may authorize or approve his/her own overtime work.

B. Scheduling and recording compensatory time:

1. All compensatory time off earned by an employee in lieu of paid overtime must be recorded on the applicable time and labor report.
2. An employee should request use of compensatory time used in advance, when possible, by using the leave calendar or absence and leave request system in place in his/her organization. An employee without internet or e-mail access may submit OPM Form 71. The employee should clearly indicate in the remarks and/or comments section that the time requested is for religious observances.
3. Compensatory time balances are maintained in the payroll system and are recorded (used) in 15-minute increments.

C. Requesting, documenting, and repaying advanced compensatory time:

1. Requests to use compensatory time off or advances of compensatory time off for religious observances are made in advance, when possible, by using the leave calendar or absence and leave request system in place in his/her organization. An employee without internet or e-mail access may submit OPM Form 71, "Request for Leave or Approved Absence". The employee indicates in the remarks section of OPM Form 71 that time requested is for religious observances. This employee certification provides acceptable documentation of the need to abstain from work.
2. Advances of compensatory time off for religious observances must be repaid by working an equal number of compensatory overtime hours. Repayment must be completed by the end of the 26th pay period following the pay period in which the absence occurred.
3. Any overtime hours worked after the absence will be reduced by the amount of advanced compensatory time off before any entitlement to overtime pay accrues. Payroll automatically makes this reduction. If the debt is not repaid by the end of the 26th pay period, Payroll will recover outstanding advanced compensatory time

Organization Integrated Strategy (NHI)		Title Religious Compensatory Time		Unique ID 410-05-04	
Author HCM		Approved by CAO		Date 4/18/2016	
				Version 1.0	
				Page 7	

off from annual leave and if necessary conversion to leave without pay. When converted to leave without pay, BPA's indebtedness procedures will be followed.

4. If an employee is absent when scheduled to perform compensatory overtime to make up for the advanced compensatory time off for religious observance, he/she must take paid leave, request leave without pay, or be charged absence without leave. The same options apply to any other absence from an employee's basic work schedule.

6. Authorities & References

- A. BPA HR Directive 410-5: Employee Pay and Compensation Initiatives
- B. 5 U.S.C., Chapter 55, Subchapter V, Premium Pay
- C. 5 CFR, Part 550, Pay Administration (General)
- D. 5 CFR, Part 551, Pay Administration Under the Fair Labor Standards Act
- E. [DOE Handbook on Overtime](#), February 2004
- F. Related HR Desk References:
 1. 410-05-01: Pay and Compensation for Non-Exempt Annual Employees
 2. 410-05-02: Pay and Compensation for Exempt Annual Employees
 3. 410-05-03: Compensatory Time Off for Travel
 4. 410-05-05: Premium Pay

7. Contacts

- A. Human Capital Management, Employee/Labor Relations & Benefits (NHE) for information on earning and using compensatory time off for travel.
- B. Finance, Payroll Disbursement office for information concerning time and attendance reporting.

8. Revision History

Version Number	Issue Date	Description of Change or Review
1.0	4/18/2016	Initial issuance

Organization Integrated Strategy (NHI)		Title Religious Compensatory Time		Unique ID 410-05-04	
Author HCM		Approved by CAO		Date 4/18/2016	
				Version 1.0	
				Page 8	