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A BILL FOR AN ACT

To further amend title 52 of the Code of the Federated States of Micronesia, as amended, by further amending section 509, as amended by Public Law No. 10-62, to allow for the payment of overtime differential under circumstances in which the National government is entitled to reimbursement through a written agreement with another legal entity that seeks to provide relief from drought conditions, and for other purposes.

BE IT ENACTED BY THE CONGRESS OF THE FEDERATED STATES OF MICRONESIA:

1 Section 1. Section 509 of title 52 of the Code of the
2 Federated States of Micronesia, as amended by Public Law No.
3 10-62, is hereby further amended to read as follows:

4 "Section 509. Freeze on salary increases;
5 compensatory time and overtime compensation.

6 Notwithstanding any other applicable law, there is
7 hereby enacted:

8 (1) A freeze on annual salary step increases
9 of all employees in the public service system; and

10 (2) Compensatory time, with which employees
11 in the public service shall be credited in lieu of
12 receiving overtime compensation as otherwise
13 authorized under the National Public Service Act and
14 regulations promulgated thereunder. Compensatory
15 time means those hours authorized in advance and
16 worked by an employee outside established work hours
17 and for which the employee is credited with one hour
18 in the form of leave with pay for each hour of work
19 an employee is directed to and performs work in
20 excess of the regular 40 hour workweek as provided
21 by law. Compensatory time shall be accrued by
22 National Government public service employees and
23 shall be included in the compensation received by a
24 program participant pursuant to subsection (4)(c) of
25 section 506 of this chapter; except that any

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1 accumulation of time in excess of 280 hours shall be
2 forfeited unless taken before the end of the
3 calendar year in which the excess was accumulated.
4 For purposes of computing whether a program
5 employee's accrued compensatory and/or annual leave
6 hours are in excess of 280 hours, accrued
7 compensatory time and annual leave shall be included
8 in computing the 280-hour ceiling.

9 (3) Notwithstanding the provisions of this
10 section, an employee shall be entitled to receive
11 overtime differential, retroactive to the effective
12 date of Public Law No. 9-155, as authorized under
13 the National Public Service System Act for:

14 (a) time worked in the event that the
15 National government would be entitled to
16 compensation for payment of such differential under
17 section 113 of title 50; or

18 (b) time worked in the event that the
19 National government would be entitled to
20 compensation for payment of such differential
21 through a written agreement with a legal entity that
22 seeks to provide relief from drought conditions, as
23 long as the time worked is directly related to
24 efforts to provide drought relief."

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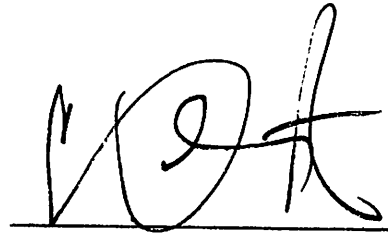
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1 Section 2. This act shall become law upon approval by the
2 President of the Federated States of Micronesia or upon its
3
4 becoming law without such approval.

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6 Date:

1/13/98

Introduced by:



Dohsis Halbert

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