**From:** Corbett, Krysti
**To:** O"Grady, John; Morrison, Denise; Tim Seidman; McBride, William; Mills, Lesley; Pitchford, Ann; Sims, Mark; Oliver, Leah; Doolan, Stephanie
**Cc:** Ferrell, Randolph
**Subject:** Courtesy Notice: Lifting of 2017 Annual Pay Cap
**Date:** Wednesday, April 18, 2018 12:38:00 PM

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All,

This is courtesy notice that the Office of the Chief Financial Officer (OCFO), Office of Technology Solutions (OTS), will be issuing guidance for EPA employees and managers concerning the lifting of the Annual Pay Cap for Calendar Year 2017 as authorized by the 115th Congress, House Resolution 1892-Bipartisan Budget Act of 2018, found on Pages 24 and 25 and signed by the President on February 9, 2018. This Act provided continuing appropriations through March 23, 2018. The language in the CR lifts the annual pay cap for certain employees for calendar year 2017 and provides the following:

> SEC. 20607. Division F of the Consolidated Appropriations Act, 2017, is amended by inserting the following at the end of Title V:
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> ''SEC. 545. (a) PREMIUM PAY AUTHORITY.—During calendar year 2017, any premium pay that is funded, either directly or through reimbursement, by the 'Federal Emergency Management Agency— Disaster Relief Fund' shall be exempted from the aggregate of basic pay and premium pay calculated under section 5547(a) of title 5, United States Code, and any other provision of law limiting the aggregate amount of premium pay payable on a biweekly or calendar year basis.
> ''(b) OVERTIME AUTHORITY.—During calendar year 2017, any overtime that is funded, either directly or through reimbursement, by the 'Federal Emergency Management Agency— Disaster Relief Fund' shall be exempted from any annual limit on the amount of overtime payable in a calendar or fiscal year.
> ''(c) APPLICABILITY OF AGGREGATE LIMITATION ON PAY.—In determining whether an employee's pay exceeds the applicable annual rate of basic pay payable under section 5307 of title 5, United States Code, the head of an Executive agency shall not include pay exempted under this section. H. R. 1892—25
> ''(d) LIMITATION OF PAY AUTHORITY.—Pay exempted from otherwise applicable limits under subsection (a) shall not cause the aggregate pay earned for the calendar year in which the exempted pay is earned to exceed the rate of basic pay payable for a position at level II of the Executive Schedule under section 5313 of title
> 5, United States Code.
> ''(e) EFFECTIVE DATE.—This section shall take effect as if enacted on December 31, 2016.''.

OTS will be working closely with the Office of Land and Emergency Management (OLEM) as well as the U.S. Department of the Interior, Interior Business Center (IBC), to ensure employees are properly compensated for time worked beyond the initial pay cap in 2017.

**Randy Ferrell** is the LERD lead on this initiative if you have any questions. He can be reached at 202-

564-1927 or ferrell.randolph@epa.gov.

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**Krysti Corbett**
Director
Labor and Employee Relations Division
Office of Human Resources
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, N.W.
WJC North 6313A
Washington DC 20460
Mail Code 3602A
Desk Phone: (202) 564-6295
Mobile: (202) 579-1681
corbett.krysti@epa.gov