



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL WEATHER SERVICE
1325 East-West Highway
Silver Spring, MD 20910-3283

JUL 28 2017

MEMORANDUM FOR: National Weather Service Regional Directors
Director, National Centers for Environmental Prediction
Director, Office of Water Prediction

FROM: Dr. Louis W. Uccellini *Mary C. Erickson for LWW*
Assistant Administrator for Weather Services
National Weather Service

SUBJECT: Declaration of Emergency Conditions to support and authorize
payment of wages that exceed the Bi-Weekly Pay Cap

This memorandum establishes authority for you to approve bi-weekly pay cap exceptions meeting the requirements as outlined below. To the maximum extent possible, you and your managers must ensure you have exhausted all other alternatives prior to allowing employees to work extra hours that place them over the bi-weekly pay cap. Requests for exceptions for potential emergency situations or effected employees which do not fall within the above criteria must be submitted to my office through normal channels for review.

Emergency weather conditions for National Weather Service (NWS) personnel are those in which weather-related events threaten lives and property and require National Weather Service personnel to work extra hours, which could cause some employees to exceed the bi-weekly pay cap. Public Law 107-107, Limitation on Premium Pay, Sec. 5547, section (b)(1)., states "Subject to regulations prescribed by the Office of Personnel Management, subsection (a) shall not apply to an employee who is paid premium pay by reason of work in connection with an emergency (including a wildfire emergency) that involves a direct threat to life or property, including work performed in the aftermath of such an emergency."

The following weather conditions, which occur on a local or regional level, constitute an emergency in the context of bi-weekly pay cap exceptions:

- Hurricanes and Tropical Storms. These weather events produce strong to extreme winds capable of blowing down buildings, storm surges, heavy rain, tornadoes and flooding;
- Thunderstorms that produce localized strong winds, hail, tornadoes, and flash flooding;
- Heavy precipitation, not related to thunderstorms, hurricanes, or tropical storms, which produces flash flooding situations, and/or river/lake flooding;
- Wildfires. While not specifically a weather event, these emergency conditions require significant response and support by National Weather Service personnel. Specifically, NWS employs numerous Incident Meteorologists (IMETS) that either provide continuous, specific support from their home forecast office or deploy from their home



forecast office to the site of a wildfire, providing on-site weather support to agencies battling the fires.

The series, grades, and locations of positions authorized for premium pay for work under this memo include:

- GS-1340 series, grades 12 thru 15 ((Weather Forecast Offices (WFO), River Forecast Centers (RFC), and National Centers for Environmental Prediction (NCEP) centers))
- GS-1315 series, grades 12 thru 15 ((WFOs, RFCs, NCEP Centers, and the Office of Water Prediction (OWP) and the National Water Center (NWC))
- GS-1301 series, grades 12 thru 15 (WFOs, RFCs, NCEP Centers, OWP and NWC)
- GS-2210 series, grades 11 thru 15 at NCEP Central Operations
- ZP-1301 series, band 04 at the Space Weather Prediction Center (SWPC)
- ZP-1310 series, band 5 at SWPC
- ZP-1330 series, band 4 at SWPC
- ZP-2210 series, bands 4 and 5 at SWPC

This memorandum and authorization is effective from December 1, 2016 until March 31, 2018.

The following must be provided with each request to pay an employee wages that exceed the bi-weekly pay cap exception:

1. A copy of this memo, which serves as my approval to pay these wages based on the criteria in this memo
2. An Exemption From Biweekly Earnings Limitation Form, found here: http://www.wfm.noaa.gov/policies/pay_policies-emergency-exceptions.html.
3. A brief memo from the office head (MIC, HIC, etc.) that provides the following:
 - a. The name, positions title, pay plan, series, and grade of the impacted employee(s);
 - b. The pay period(s) in which the pay cap was exceeded;
 - c. Details on the specific event, including under which category of the above emergencies it falls;
 - d. Why it was necessary for the employee to exceed the pay cap and the nature of the work activities engaged in, and work conditions that lead to exceeding the pay cap.
 - e. How overtime hours were/will be monitored to ensure annual pay caps are not exceeded and who will be responsible for monitoring these hours.

The completed items listed above, with necessary signatures on the Exemption From Biweekly Earnings Limitation Form, should be submitted to wfmo.pay@noaa.gov, who will evaluate the package to ensure the conditions meet the requirements of public law, NOAA and DOC policy, and comply with this authorization before processing for payment. Upon approval of the package by the payroll office, timekeepers will work with the payroll office to annotate the time cards appropriately.

If you have any questions regarding this matter, please contact Bob DuFrane, (301) 427-9276 or robert.dufrane@noaa.gov.

cc: NOAA Workforce Management Office Policy Division

