



# Memorandum

U.S. Department of  
Transportation

Office of the Secretary  
of Transportation

Office of Inspector General

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Subject: **INFORMATION:** Management Advisory Memorandum on  
the Audit of Administratively Uncontrollable Overtime  
Department of Transportation  
Report No. R9-OS-7-004

Date:

From: Joyce N. Fleischman  
Acting Inspector General

Reply to DeCarli:x61964  
Attn of:

To: Secretary of Transportation

Thru: Deputy Secretary

We have completed our audit of administratively uncontrollable overtime (AUO) in the Department of Transportation (DOT). The objectives of the audit were to review policies, costs, and other relevant aspects of the use of AUO at DOT; and determine whether eligibility criteria and payment of AUO complied with Federal statutory and regulatory requirements.

Section 650 of Public Law 104-208, Omnibus Consolidated Appropriations Act (Act), dated October 1, 1996, requires the Inspector General of each Federal department or agency that uses AUO in the pay of any employee to conduct an audit on the use of AUO. Under statutory requirements defined in Title 5 of the United States Code Annotated Section 5545(c)(2), AUO is authorized for:

an employee in a position in which the hours of duty can not be controlled administratively, and which requires substantial amounts of irregular, unscheduled overtime duty with the employee generally being responsible for recognizing, without supervision, circumstances which require the employee to remain on duty, shall receive premium pay for this duty on an annual basis . . . . Premium pay under this paragraph is an appropriate percentage, not less than 10 percent nor more than 25 percent, of the rate of basic pay for the position, as determined by taking into consideration the frequency and duration of irregular, unscheduled overtime duty required in the position.

In DOT, only eight employees receive AUO. These employees are air safety investigators in the Federal Aviation Administration (FAA) Office of Accident Investigations. These employees investigate major air carrier accidents and incidents; significant commuter, air taxi, or general aviation accidents or incidents which reflect a lack of safety consciousness; and accidents and incidents that are catastrophic or involve recurring safety problems. In Fiscal Year (FY) 1996, air safety investigators were compensated a total of \$87,697 for working 3,564 AUO hours.

Our audit was limited to AUO in FY1996. We queried the Consolidated Uniform Payroll System for DOT employees receiving AUO, and confirmed with payroll and personnel management that FAA air safety investigators were the only employees in DOT receiving AUO. At the FAA Office of Accident Investigations in Washington DC, we reviewed air safety investigators' job classifications; aircraft accident and incident notifications, investigation and reporting requirements; policies and procedures for administering AUO; and AUO reporting and recordkeeping. We also interviewed supervisors and investigators.

Our audit was conducted in accordance with Government Auditing Standards prescribed by the Comptroller General of the United States, and included such tests of records and transactions as considered necessary.

Our audit found FAA's eligibility criteria and payment of AUO complied with Federal statutory and regulatory requirements. Specifically, we found:

- Air safety investigators were in positions requiring substantial amounts of irregular, unscheduled overtime duty; and the investigators were responsible for recognizing, without supervision, circumstances which required them to remain on duty.
- AUO policies and procedures were established and properly implemented.
- AUO records were complete and accurate, and AUO was reported for those hours of duty which could not be controlled administratively.
- Semi-annual reviews were conducted verifying current AUO percentage rates.
- The amount of premium pay for AUO was commensurate with the number of AUO hours worked.

No response to this memorandum is required. Also, as required by Section 650 of the Act, we are forwarding copies of this memorandum to the Office of Personnel Management; the Government Affairs Committee of the Senate; and the Government Reform and Oversight Committee of the House of Representatives. If you have any questions or would like additional information, please contact me at 366-1959, or my Associate Deputy Raymond J. DeCarli at 366-1964.

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