



DEPARTMENT OF THE NAVY

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NAVY REGION, EUROPE
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COMNAVREGEURINST 12610.1
N46HR

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COMNAVREGEUR INSTRUCTION 12610.1

Subj: HOURS OF DUTY AND RELATED COMPENSATION FOR LOCAL NATIONAL
(LN) EMPLOYEES

Ref: (a) Conditions of Employment Manual for LN Employees of
the U.S. Armed Forces in Italy (COE)
(b) CINCUSNAVEURINST 12250.1D
(c) COMNAVREGEURNOTE 12630
(d) COMNAVREGEURINST 12340.1
(e) COMNAVREGEURINST 12990.1

Encl: (1) List of special compensation for firefighters
(2) Overtime differentials and premium rates
(3) List of official Italian holidays
(4) Environmental pay rates
(5) Extended workweek pay
(6) Shift work and uncommon tours of duty
(7) List of discontinuous and standby duty jobs

1. Purpose. To publish detailed instructions on the hours of work and the related compensation for LN employees in accordance with references (a) and (b).

2. Cancellation. COMFAIRMEDINST 12610.1C

3. Scope. This instruction is applicable to all Exchange and non-Exchange LN employees of U.S. Navy installations in Italy, including Department of Defense Schools (DODDS) employees, employees of the Defense Commissary Agency (DECA) and employees of the Morale, Welfare and Recreational (MWR) Services.

4. Definitions

a. Administrative Workweek. The administrative workweek is a period of seven consecutive days, beginning on Sunday and ending on Saturday, within which the basic workweek is

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scheduled. The workday within the administrative workweek is the one in which work begins, even if work starts on one calendar day and ends on the following calendar day.

b. Basic Workweek. The basic workweek is the period within the administrative workweek in which work hours are scheduled. The basic workweek consists of 40 hours of work, with the exception of firefighters and employees assigned to discontinuous or standby duties. Normally, the 40 hours of work are scheduled on 5 workdays, Monday through Friday, 8 hours per day. However, different arrangements may be made to meet operational needs, providing that at least one 24 consecutive hour weekly day of rest is allowed for. Employees performing discontinuous or standby duties listed in enclosure (7) may be assigned to workweek schedules averaging a maximum of 48 hours per week. Firefighters may be assigned to workweek schedules averaging 72 hours per week, with three-day shifts of 24 hours each consisting of 16 hours of work and 8 hours of overnight rest in dormitories provided by management. Personnel assigned to discontinuous or standby duties are entitled to extended workweek pay in accordance with article 38 of reference (a) and enclosure (5). Firefighters assigned to 72-hour weekly tours of duty are entitled to pay in accordance with article 54 of reference (a) and enclosure (1). Other types of basic workweek schedules may be established in accordance with enclosure (6). Firefighters working a 24 hour, 3 days per week tour of duty will be assigned to work schedules ranging between 155 and 157 workdays a year. The annual workdays will be inclusive of all or part of the rest days granted in lieu of two abolished Italian holidays and as reduction in hours of work in accordance with reference (c). The work schedule will consist of 24 hours on and 24 hours off, followed by an additional day off identified as "Kelly day", granted after the 5th day of duty. The number of Kelly days rotates between 25 and 27 per year. The rest days will be granted whenever the above sequence of days on and days off would otherwise result in two workdays in the administrative workweek instead of three, or a total of five workdays instead of six in a two week period.

5. Procedures

a. Establishing Work Schedules

(1) General. Work schedules are established by management in accordance with operational requirements and within the basic principles specified in paragraphs 4a and 4b

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above. The work schedules must indicate the workdays, the hours of work for each day, the starting and quitting time, and the duration of the lunch period.

(2) Normal Work Schedule. The normal work schedule for employees assigned to a 40-hour workweek is Monday through Friday, with 5 days work of 8 hours each from 0800 hours through 1630 hours, with half an hour lunch break. The normal workweek for firefighters consists of an average of 3 shifts of 24 hours each, starting at 0700 hours and ending at 0700 hours of the following day, with 8 hours rest period from 2200 hours through 0600 hours. Lunch periods of not less than 30 minutes will be scheduled for tours of duty of 8 hours per day. Lunch periods are not subject to compensation. When the work organization requires that the employees remain at the worksite during lunch, a paid lunch period of 30 minutes may be authorized, without extending the daily tour of duty. Rest periods with pay of no more than 15 minutes in each 4 hours continuous work period may be established, when the nature of the duties is particularly demanding. Employees who use a computer video terminal (CVT) for 20 or more hours per week are entitled to a 15 minute break every two hours of continuous use of CVT. The breaks may not be accumulated and should not be granted at the beginning or the end of the workday. Such breaks are considered as period of work for pay and all other purposes.

(3) Special Work Schedules. Work schedules different from those listed in paragraph 5a(2) above may be established to meet valid operating requirements. However, they may not be established to circumvent employee's entitlement to compensation for overtime, holiday benefits, or weekly days of rest. Such work schedules will be submitted by the cognizant supervisor to the servicing HRO for approval prior to their implementation. The servicing HRO will review the proposed schedules for compliance with this instruction. Approved schedules will be forwarded to the servicing payroll office with a copy to the originator. Disapproved schedules will be returned to the originator with the reason for disapproval. Employees are entitled to at least three workdays notice before a new work schedule is implemented.

(4) Shift Work and Uncommon Tours of Duty. Particular tours of duty may be established in accordance with article 45 of reference (a). These tours of duty are subject to costly supplemental compensation and, therefore, should be used only when absolutely necessary. Enclosure (6) contains a variety of uncommon tours of duty with the related compensation. The

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establishment of the above tours of duty is subject to approval in accordance with paragraph 5a(3) above.

b. Part-time Employees. The hours of work for part-time employees are stipulated between management and the employees at the time of hire. The employee's work schedule is established accordingly. Part-time employees may work hours in excess of those established at the time of hire, in accordance with the conditions set forth in reference (d).

c. Overtime Work

(1) Except as otherwise provided for discontinuous or standby work and for multi-week work cycles in articles 18 and 45 of reference (a), work performed in excess of the basic workweek and work performed by firefighters during the overnight rest period is regarded as overtime work. Employees should be informed of the need to work overtime at least 24 hours in advance. Overtime work should be authorized only in case of absolute necessity or demonstrable economy. Cases of real necessity are:

- (a) Disaster or emergency conditions.
- (b) Meeting essential deadlines.
- (c) Maintaining vital operations.

The demonstrable economy criteria is met when the economy is directly connected with the operations performed within the activity. Except for emergency conditions, overtime may not exceed 2 hours on a regular workday or 12 hours in the administrative workweek.

(2) Authorizing Overtime Work. Overtime work must be approved in advance by Commanding Officers, Officers in Charge or their designated representatives on NAVEXOS Form 4377, Overtime Request and Authorization. In emergency situations, overtime may be approved immediately after its performance. The approved NAVEXOS Form 4377 is forwarded to the servicing payroll office with the related time card. The above procedure will also be followed for work performed on Italian holidays and on Sundays outside the scheduled workweek.

(3) Overtime and Holiday Work Compensation. Authorized overtime, holiday and Sunday work will be compensated in accordance with enclosure (2). Payment will be made for work

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actually performed, disregarding fractions of hours of less than 15 minutes, with the exception of overtime performed by firefighters during the night rest period which will be paid in whole hours and call-back overtime hours paid in accordance with paragraph 5c(4) below.

(4) Call-Back Overtime. Employees required to work overtime on a non-workday, or after departure from the work site, are entitled to a minimum of 3 hours overtime pay, even when time of actual work is less than 3 hours.

(5) Compensatory Time. The use of compensatory work and compensatory time off is not authorized, except for cases provided for in reference (e) and paragraph 5d(2) below.

d. On-call Duty

(1) Employees assigned to maintenance and repair or other essential support and operational functions may be scheduled for on-call duty and required to respond to calls to perform emergency work outside the regularly scheduled tour of duty. For this purpose the employees are required to furnish information that will enable the employer to contact them at any time during the on-call duty period in order for them to reach the duty post within a reasonable time limit. On-call duty periods range from 1800 to 0600 hours and from 0600 to 1800 hours, with a duration of 12 hours for each tour. No on-call duty periods will be scheduled for employees on annual leave, sick leave or compulsory maternity leave.

(2) On-call Duty Allowance. On-call duty allowance is paid at the rate shown in paragraph 1e of enclosure (2). No allowance is paid to employees who are not available for work upon call or could not be reached at their point of contact. On-call duty is paid in addition to the compensation due for the actual work performed. Employees who work overtime between 2200 and 0600 hours may elect to have their following workday reduced by the same number of hours actually worked. In this case compensation for work performed is limited to the applicable pay supplements and differentials.

(3) On-call Duty Roster. Supervisors determine the need to assign employees to on-call duty and establish on-call duty rosters. The rosters will be approved by the department heads with a copy sent to the servicing payroll office. Employees assigned to on-call duty will be informed at least 3 workdays in advance of the assignment.

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e. Night Work. Work performed between 2000 and 0600 hours is regarded and compensated for as night work. Except for employees assigned to duty listed in articles 45 and 54 of reference (a), personnel who work between 2000 hours and 0600 hours are entitled to a night differential at the rates listed in paragraph 1d of enclosure (2). The night differential is paid in addition to other compensation due, such as regular pay, overtime, holiday and Sunday work. Employees regularly scheduled for night work are also entitled to the night differential while on annual leave, sick leave and paid holidays. As an exception to article 54 of reference (a), firefighters hired before 11 October 1984 are entitled to night differential for work performed between 2000 hours and 0600 hours, but no night differential is paid during overtime work.

f. Italian Holidays. All employees are entitled to paid absence, without charge to leave, during Italian holidays which fall on their regularly scheduled workdays. One extra day's salary will be paid for each holiday falling on Sunday. No compensation is paid for holidays falling on non-workdays other than Sundays. Employees required to work on Italian holidays are entitled to holiday work compensation in accordance with paragraph 1b of enclosure (2). Employees who are absent from work without approval on the day preceding the holiday forfeit pay for that holiday, as well as for holidays falling within a period of leave without pay in excess of three workdays. For the purpose of computing the day's pay for holidays falling on Sunday, one day's pay for full time employees, including firefighters, equals the hourly rate of pay multiplied by 8 or one fifth of the regularly scheduled weekly hours of work for part-time employees. Authorized Italian holidays are listed in enclosure (3).

g. Sunday Work. Sunday work is either work performed on Sunday as part of the regularly scheduled workweek, or work performed on Sunday outside the regularly scheduled workweek. Work performed on Sunday which is a regularly scheduled workday is compensated with the applicable rate of Sunday differential in accordance with paragraph 1c(1) or 1c(2) of enclosure (2). Food service workers of the Navy Exchange and firefighters are not entitled to the above differential. Work performed on Sunday outside the regularly scheduled workweek, or on the day off in lieu of Sunday, is paid in accordance with paragraphs 1c(3) of enclosure (2).

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h. Environmental Pay

(1) The environmental pay is an indemnity paid to employees working in particular situations as described below. The indemnity consists of an hourly differential which is paid during the actual exposure to the particular situation. Exposure of 30 minutes or more is counted as a full hour, while exposure of less than 30 minutes is disregarded. The environmental pay consists of two levels of severity:

Level 1 includes the following situations:

(a) Working in cold storage or moving continually in and out of cold storage or other climate-controlled areas with temperatures at freezing point or lower (32 degrees Fahrenheit or 0 degrees centigrade).

(b) Work requiring the transportation, loading, unloading and physical handling of boxed ammunition and explosives.

(c) Direct and continuous exposure to noise or ultrasonic sounds exceeding 95 decibels outdoors or 85 decibels indoors which require the use of protective equipment.

(d) Working with, or close to toxic substances in packaged or diluted form where, notwithstanding the use of protective device, acute intoxication or irritation of the skin, eyes or mucouses may be caused by accidental damage of containers during the marking, labeling, handling, hauling and storing.

(e) Removal and disposal of wastes and material of a repulsive nature, such as feces, or sludge from sewage treatment, which require the use of protective clothing and respirators.

(f) Spray painting requiring the use of protective goggles and masks. Use of poisonous paints applied by brush or similar method in enclosed areas, when poor ventilation requires the use of respirators.

(g) Welding and torch cutting.

(h) Use of machinery which generates flying particles, like metal or other solid fragments.

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Level 2 includes the following situations:

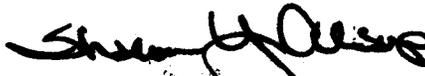
(a) Testing, maintenance, repair, modification, deactivation, demilitarization and inspection of ammunition and explosive materials.

(b) Direct and continuous exposure to toxic materials when, despite the use of technological and sanitary protective means, serious intoxication or persistent injuries may result through the application of pesticides and herbicides, or the salvaging, disposing of or transferring of chemical substances between containers.

(c) Cleaning and degassing the inside of fuel tanks, fuel/gas containers and tank trucks.

(d) Testing and calibrating fuel injectors.

(2) The rates of the environmental pay differential are listed in enclosure (4).



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By direction

Distribution:

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5216.2S)

List I (a-c)

List III (c-f, h&i)

List IV (a)

List V

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LIST OF ADDITIONAL COMPENSATION FOR FIREFIGHTERS

ON 72-HOUR WORKWEEK SCHEDULES

1. Extended Workweek Pay (EWP). Twenty percent of the normal pay in accordance with articles 36 and 38 of reference (a). The EWP is included in the regular pay and the end of employment pay in accordance with articles 36 and 64 of reference (a).

2. Overnight Allowance. This allowance is paid at the rate of 1.6509% of the base pay, contingenza and third element of the Uc-6 grade level in accordance with paragraph 1, article 54 of reference (a). The overnight allowance is paid for each night spent in the fire station dormitory, as well as when a firefighter is on annual leave, sick leave and short periods of travel duty (TDY), normally two weeks or less. The overnight allowance is included in the regular pay and end of employment pay in accordance with articles 36 and 64 of reference (a)

3. Special Tour Supplement. This supplement is paid for each 24 hour daily shift worked in excess of 8 in each calendar month. In counting the number of shifts the following will be included: annual leave, holiday work or leave, rest days, permessi, sick leave for job connected accidents and TDY. The amount of the tour supplement is Euro 5.16 per day. The tour supplement is not included in the hourly rate of pay nor in the 13th and 14th month bonuses, but is included in the end of employment pay in accordance with article 64 of reference (a).

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PREMIUM PAY AND DIFFERENTIALS FOR
OVERTIME, HOLIDAY, SUNDAY AND NIGHT WORK

1. The percentages shown in this table are applicable to the straight time hourly rate (STHR). The STHR is attained by dividing the monthly normal pay by 173 for all employees, except for firefighters whose monthly normal pay is divided by 208. The prorated value of the bonuses will be excluded from the normal monthly pay before computing the STHR of employees receiving the Temporary Assignment Differential in accordance with article 52 of reference (a).

a. OVERTIME

- | | | |
|---|--|------|
| (1) All employees
except firefighters: | Hours worked in excess of 40 per week, or in excess of 48 for employees assigned to discontinuous or standby duty, with a 48-hour workweek schedule. | 130% |
| (2) Firefighters: | Hours worked during overnight rest period or in excess of the weekly schedule. | 145% |

b. WORK PERFORMED ON
ITALIAN HOLIDAYS

- | | | |
|--------------------|--------------------------------------|------|
| (1) All employees: | During regularly scheduled workweek | 150% |
| | Outside regularly scheduled workweek | 160% |

The above rates apply also to holidays falling on Sunday, or on the day off equivalent to Sunday, in addition to the one day's pay required for holidays falling on Sunday.

c. WORK PERFORMED ON
SUNDAY

- | | | |
|--|---|------|
| (1) All employees,
except food service
workers of Navy
Exchanges and
firefighters: | During regularly
scheduled workday | 10% |
| (2) All employees,
except food service
workers of Navy
Exchanges and
firefighters: | In excess of daily tour,
within scheduled weekly
hours | 135% |
| (3) All employees: | Outside regularly
scheduled workweek,
including the day-off in
lieu of Sunday for
employees regularly
scheduled for Sunday
work. For this purpose,
the first day of rest in
the administrative
workweek is equivalent to
Sunday | |
| | First eight hours | 150% |
| | Over eight hours | 160% |

d. NIGHT WORK

- | | | |
|--|---------------------------|-----|
| (1) All employees,
excluding
firefighters: | Regularly scheduled | 15% |
| (2) All employees,
excluding
firefighters: | Occasional or unscheduled | 30% |

Night differential is paid in addition to other premium pay due
such as overtime, holiday overtime, and Sunday work.

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e. ON-CALL DUTY

- (1) For each 12 hour
tour from 0600
through 1800
hours, or from
1800 through 0600
hours:

Euro 9.68

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LIST OF OFFICIAL ITALIAN HOLIDAYS

<u>Date</u>	<u>Title</u>
1 January	New Year
6 January	Epiphany
variable	Easter Monday
25 April	Liberation Day
1 May	Labor Day
2 June	Republic Day
15 August	Assumption
1 November	All Saints' Day
First Sunday in November	National Unity Day
8 December	Immaculate Conception
25 December	Christmas
26 December	St. Stephen
Different dates	Local Patron Saint's Day (see current COMNAVREGEURNOTE 12610)

LIST OF ABOLISHED ITALIAN HOLIDAYS

19 March	St. Joseph
variable	Ascension
variable	Corpus Christi
29 June	St. Peter and Paul (except Rome area)

Note: Two of the above abolished holidays are credited towards annual leave accrual, and two are granted as rest days with pay.

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ENVIRONMENTAL PAY RATES

Level 1 Euro: 0.09 per hour

Level 2 Euro: 0.16 per hour

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EXTENDED WORKWEEK PAY

1. The extended workweek pay constitutes compensation for work which is regularly scheduled in excess of 40 hours a week pursuant to article 18 para 1b of reference (a) and chapter 18 of reference (b) which is compensable as straight time rates. The rate of extended workweek pay is computed multiplying the employee's weekly rate of normal pay by:

If the regularly scheduled weekly work hours are:

.025	41
.05	42
.075	43
.1	44
.125	45
.15	46
.175	47
.2	48

2. Extended workweek pay is subject to adjustment or discontinuation in conjunction with changes in regular weekly workhours.

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SHIFT WORK AND UNCOMMON TOURS OF DUTY

1. The following situations are identified which will require shift/uncommon tour compensation:

- a. Situation A - (Entitlement is determined on a monthly basis).

Shift workers rotating around the clock in organizations requiring a 24 hour-a-day operation, seven days a week. To qualify for situation A entitlements, an employee's personal work schedule for the month must involve full round-the-clock rotation, and at least one-third (1/3) of the working hours must fall between 1600 and 0600, and one-fifth (1/5) of the working hours must fall between 2200 and 0600.

- b. Situation B - (Entitlement is determined on a monthly basis).

Other shift arrangements which involve rotation through two or more shifts, one of which begins not later than 0600 or one of which lasts until at least 2200. To qualify for situation B entitlements, an employee's personal work schedule for the month must involve at least two shifts and at least one-half (1/2) of the monthly hours are on either the early shift or the late shift, or a combination of both, as long as, in the month considered, the beginning time of the early shift and the ending time of the late shift are at least 16 hours apart.

- c. Situation C - (Entitlement is determined on a weekly basis).

Situations requiring "Uncommon Tours". Uncommon tours which qualify employees for situation C entitlements must involve one or more of the following features:

- (1) A six-day workweek.

(2) A workweek with a split weekend. (Two days off are not consecutive).

(3) Split workdays (unpaid lunch break of over 2 hours and up to 4 hours). In no case will an employee be required to take a break longer than 4 hours. There will be no assignments to split workdays, other than for those employees already under such an assignment on 1 January 1993, unless the use of split workdays is required by exceptional situations. Its application

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must be only feasible answer to continuation of work operations. Prior to instituting any additional instances of split workdays, the employer will explore all other alternatives including hiring additional part-time employees and will inform the unions fully as to the need and facts bearing on the planned action. Full consideration will be given to the unions' input. In addition, the employer will review the need to continue the situation at least annually, and keep the unions informed as to the results of the review.

2. Situations A and B are mutually exclusive. However, there may be occasions when an employee's schedule is such that both situations A and C or situations B and C will be met. In these cases, the employee will receive both entitlements. If more than one of the conditions of situation C are present, only the highest weekly rate will apply.

3. Pay entitlements for situations A and B are as follows:

	Situation A	Situation B
0600-2000	Hourly differential of five (5) percent.	Hourly differential of three (3) percent.
2000-0600	Hourly differential of twenty (20) percent.	Hourly differential of fifteen (15) percent.
Full days of Sick or Annual Leave	As provided by work schedule (5% or 20%).	As provided by work schedule (3% or 15%).
Christmas and Summer Bonus	Pro-rated share based on the number of months in which the employee worked in situation A (1/12 of 11% per month).	Pro-rated share based on the number of months in which the employee worked in situation B (1/12 of 5% per month).
End-of-Employment Pay	IAW Article 64 of reference (a).	IAW Article 64 of reference (a).

The differential provided above for situations A and B absorb those provided for night work.

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4. The following weekly pay entitlements apply to situation C:

a. 6.20 Euro for a six day workweek.

b. 4.13 Euro for a workweek with a split weekend.

c. 4.13 Euro for split workdays with a break of at least two (2) and not more than three (3) hours.

d. 5.16 for split workdays with a break of more than three (3) hours and up to four (4).

e. Amounts in a. through d. above are not due if the employee is on sick or annual leave during the week, nor credited towards Christmas and Summer Bonuses, but may be credited toward end-of-employment pay in accordance with Article 64 of reference (a).

5. Firefighters who are assigned to 24-hour shifts and part-time employees are excluded from the provisions of this article.

6. The employees covered by the provisions of this article, where necessary, may complete the contractual workweek over a cycle in excess of one (1) week, up to a maximum, in exceptional cases, of six (6) weeks. This arrangement is necessitated by production factors that vary over day, night, weekend, etc. Hours worked in excess of contractual hours will be determined and compensated at the end of the cycle.

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LIST OF JOBS IDENTIFIED AS DISCONTINUOUS OR STANDBY WORK

Utility plant operators
Water treatment plant operators
Power production plant operators
Steam plant and air conditioning operators
Security guards
Law enforcement officials
Hospital personnel
Clubs and billeting personnel
Telephone operators
Firefighters

Administrative and clerical personnel are excluded from the above listing.