



## National Security Personnel System Pay Limitations Fact Sheet December 2007

***This Fact Sheet provides general information concerning pay limitations that apply under National Security Personnel System (NSPS). For more information on these and other NSPS subjects, please visit the NSPS web page at <http://www.cpms.osd.mil/nsps>.***

### General

NSPS has limitations that govern the amount of premium pay that employees receive.

The categories of premium pay covered by these limitations include:

- Overtime pay (except overtime pay earned by nonexempt employees under the Fair Labor Standards Act)
- Compensatory time off (except compensatory time off for travel).
- Premium pay for regularly scheduled standby duty (applies to certain firefighters and emergency medical technicians).
- Availability pay for criminal investigators
- Holiday pay
- Night pay
- Sunday pay

### Biweekly Premium Pay Limitation

The NSPS biweekly cap on premium pay is the same as the General Schedule biweekly cap: both are the biweekly salary for GS-15, step 10, including locality pay. For OCONUS locations, the limit is equal to the salary for Executive Level V (Est. \$139,600 in 2008).

Authorized management officials may waive the biweekly limitation by applying the annual premium pay limitation if the employee is performing work:

- In connection with an emergency or its aftermath, or
- Critical to the mission.

### Annual Premium Pay Limitation

An annual premium pay limitation caps the sum of premium pay plus salary at no more than the annual salary for GS-15, step 10, for the employee's location (or Executive Level V for OCONUS locations).

## Aggregate Compensation Limitation

In addition to the salary and premium pay limits, there is a limit on the total amount of compensation that employees may receive during a calendar year. This limitation is equal to the salary for Executive Level I (Est. \$191,300 in 2008).

This limitation applies to various forms of additional compensation such as:

- Foreign language proficiency pay
- Overseas post differentials and danger pay allowances
- Recruitment, relocation, and retention incentives
- Supervisory differentials

For most employees, the aggregate compensation limitation does not reduce the pay they ultimately receive since the excess money that cannot be paid in the year it is earned is paid in the next calendar year.

### FAQ

**Question:** If an employee's salary exceeds GS-15, step 10, (e.g., near the maximum for YA or YC-3) can the employee receive any premium pay?

**Answer:** No. Since the employee's salary alone exceeds the GS-15, step 10 cap, the employee cannot receive premium pay. The limitation caps the amount of premium pay that may be received, but does not cap salary.