

SERVICE AGREEMENTS ENTERED INTO ON OR AFTER  
DECEMBER 29, 1979; ADVANCE AUTHORIZATION

Section 5 of Pub. L. 96-166 provided that any service agreement entered into on or after Dec. 29, 1979, pursuant to this section, as amended by section 2 of Pub. L. 96-166, shall be effective only to such extent or in such amounts as are provided in advance in appropriation Acts.

TIME OF ENTRY INTO ALLOWANCE AGREEMENTS AND  
FOR COMMENCEMENT OF ALLOWANCE

Section 2(c) of Pub. L. 95-603 provided that no agreement be entered into under this section before 60th day after Nov. 6, 1978, and that no agreement provide for payment of any allowance under such section for any pay period beginning before later of such 60th day, or Oct. 1, 1978.

EX. ORD. NO. 12109. DELEGATION OF AUTHORITY TO  
DIRECTOR OF OFFICE OF PERSONNEL MANAGEMENT

Ex. Ord. No. 12109, Dec. 28, 1978, 44 F.R. 1067, provided: By the authority vested in me as President of the United States of America by Section 5948 of Title 5 and Section 301 of Title 3 of the United States Code, it is hereby ordered as follows:

1-101. The Director of the Office of Personnel Management is hereby designated and empowered to exercise, in consultation with the Director of the Office of Management and Budget, the authority of the President under Section 5948 of Title 5 of the United States Code, to prescribe regulations, criteria, and conditions with regard to the payment of comparability allowances to recruit and retain certain Federal physicians.

1-102. Until the Office of Personnel Management is established (on or before January 1, 1979), pursuant to Reorganization Plan No. 2 of 1978 (43 FR 36037) [set out under section 1101 of this title], the Civil Service Commission shall exercise the authority delegated under this Order to the Director of the Office of Personnel Management.

JIMMY CARTER.

§ 5949. Hostile fire pay

(a) The head of an Executive agency may pay an employee hostile fire pay at the rate of \$150 for any month in which the employee was—

- (1) subject to hostile fire or explosion of hostile mines;
- (2) on duty in an area in which the employee was in imminent danger of being exposed to hostile fire or explosion of hostile mines and in which, during the period on duty in that area, other employees were subject to hostile fire or explosion of hostile mines; or
- (3) killed, injured, or wounded by hostile fire, explosion of a hostile mine, or any other hostile action.

(b) An employee covered by subsection (a)(3) who is hospitalized for the treatment of his or her injury or wound may be paid hostile fire pay under this section for not more than three additional months during which the employee is so hospitalized.

(c) An employee may be paid hostile fire pay under this section in addition to other pay and allowances to which entitled, except that an employee may not be paid hostile fire pay under this section for periods of time during which the employee receives payment under section 5925 of this title because of exposure to political violence or payment under section 5928 of this title.

(Added Pub. L. 107-107, div. A, title XI, §1111(a), Dec. 28, 2001, 115 Stat. 1238.)

EFFECTIVE DATE

Pub. L. 107-107, div. A, title XI, §1111(c), Dec. 28, 2001, 115 Stat. 1238, as amended by Pub. L. 108-375, div. A, title X, §1084(h)(3), Oct. 28, 2004, 118 Stat. 2064, provided that: "Section 5949 of title 5, United States Code, as added by subsection (a), is effective as if enacted into law on September 11, 2001, and may be applied with respect to any hostile action that took place on or after that date."

Subpart E—Attendance and Leave

CHAPTER 61—HOURS OF WORK

SUBCHAPTER I—GENERAL PROVISIONS

- Sec. 6101. Basic 40-hour workweek; work schedules; regulations.
- [6102. Repealed.]
- 6103. Holidays.
- 6104. Holidays; daily, hourly, and piece-work basis employees.
- 6105. Closing of Executive departments.
- 6106. Time clocks; restrictions.

SUBCHAPTER II—FLEXIBLE AND COMPRESSED  
WORK SCHEDULES

- 6120. Purpose.
- 6121. Definitions.
- 6122. Flexible schedules; agencies authorized to use.
- 6123. Flexible schedules; computation of premium pay.
- 6124. Flexible schedules; holidays.
- 6125. Flexible schedules; time-recording devices.
- 6126. Flexible schedules; credit hours; accumulation and compensation.
- 6127. Compressed schedules; agencies authorized to use.
- 6128. Compressed schedules; computation of premium pay.
- 6129. Administration of leave and retirement provisions.
- 6130. Application of programs in the case of collective bargaining agreements.
- 6131. Criteria and review.
- 6132. Prohibition of coercion.
- 6133. Regulations; technical assistance; program review.

AMENDMENTS

1982—Pub. L. 97-221, §2(b), July 23, 1982, 96 Stat. 233, inserted "SUBCHAPTER I—GENERAL PROVISIONS" before item 6101 and inserted "SUBCHAPTER II—FLEXIBLE AND COMPRESSED WORK SCHEDULES" and items 6120 to 6133 after item 6106.

1972—Pub. L. 92-392, §7(b), Aug. 19, 1972, 86 Stat. 573, struck out item 6102 "Eight-hour day; 40-hour work week; wage-board employees".

SUBCHAPTER I—GENERAL PROVISIONS

AMENDMENTS

1982—Pub. L. 97-221, §2(a)(1), July 23, 1982, 96 Stat. 227, added subchapter I heading so as to designate existing provisions as "SUBCHAPTER I—GENERAL PROVISIONS".

§ 6101. Basic 40-hour workweek; work schedules; regulations

(a)(1) For the purpose of this subsection, "employee" includes an employee of the government of the District of Columbia and an employee whose pay is fixed and adjusted from time to time under section 5343 or 5349 of this title, or by a wage board or similar administrative authority serving the same purpose, but does not in-