

(B-43828)

**COMPENSATION—EFFECTIVE DATE—DAY OF OATH; SUNDAYS**

An employee who accepted an appointment to a position effective on Saturday, a regular workday, and took the oath of office on that day but did not enter upon duty until the following Monday, the next workday, is entitled to compensation for the intervening Sunday, but not for Saturday.

**Comptroller General Warren to the Acting Recorder of Deeds, District of Columbia, August 21, 1944:**

I have your letter of August 10, 1944, as follows:

It shall be appreciated if you will furnish us an opinion on the following:

Mrs. Mary N. Morman accepted the position as Executive Secretary for the Recorder of Deeds, D. C. by wire from Reno, Nevada, stating that she would report for work around July 15, 1944. She contacted my office on the 14th and was instructed not to report on actual duty until July 16, 1944, since the 15th was the end of our pay period and the 16th was an intervening Sunday. She agreed and did report for work on the 17th. However, I informed her she could come to the office and receive the oath of allegiance, which she did. Mrs. Morman did not perform any work whatsoever on Saturday, July 15th.

Mrs. Morman feels that she is entitled to pay for July 15 and 16, 1944. May I please have your decision concerning this situation?

For your information, I am attaching copy of a memorandum from Mrs. Morman to Dr. Thompkins.

You did not furnish a copy of the appointment or state its effective date, which is a material fact in this case. However, assuming that the appointment purported to be "effective July 15th," as stated by the employee in her letter of August 3, 1944, to the late Recorder of Deeds, a copy of which was forwarded with your letter, she is entitled to compensation for Sunday, July 16, 1944—the employee having accepted the appointment on or prior thereto and having entered upon duty July 17, 1944, the next work day after Sunday, July 16. On the basis of your statement that she performed no service on Saturday, July 15, which fact she admits, she is not entitled to compensation for Saturday, July 15, the performance of service under the appointment on a regular workday, or authorized leave status, being essential to create a pay status.