

**DECISION****THE COMPTROLLER GENERAL  
OF THE UNITED STATES  
WASHINGTON, D. C. 20548**

FILE: B-176580

DATE: JUN 24 1975

61023  
98402MATTER OF: Richard W. Martin - Overtime compensation  
for preliminary and postliminary duties

DIGEST: Veterans Administration (VA) employee whose claim was considered under B-176580, August 7, 1974, appealed certificate of settlement disallowing claim. Certificate of settlement is sustained as no evidence presented to distinguish case from B-176580, supra, which disallowed overtime claims of two representative employees at VA Hospital, Augusta, Georgia. Overtime was regular and had not been "officially ordered or approved" as is required by 5 U.S.C. § 5542(a) (1972).

By a letter dated October 1, 1975, Mr. Richard W. Martin appealed Settlement Certificate No. Z-2481416, issued January 10, 1975, which disallowed his claim for overtime compensation for preliminary and postliminary duties performed incident to his job at the Veterans Administration Hospital in Augusta, Georgia. Mr. Martin's claim was originally received in our Office on June 2, 1972, in the name of Richard W. Martino and the Settlement Certificate issued January 10, 1975, was issued in that name. These duties included inter alia changing into and out of Government furnished uniforms at a locker provided in the hospital and reporting for duty in uniform prior to the beginning of a shift.

Mr. Martin's claim was one of many considered in our decision B-176580, August 7, 1974, in the matter of claims for overtime compensation of Veterans Administration employees under Bates v. United States, 196 Ct. Cl. 362 (1971). In that case, we disallowed the claims of Messrs. Raymond Aaron, Jr., and Raymond L. Adams, employees of the Veterans Administration Hospital in Augusta, Georgia, as overtime compensation for the performance of preliminary and postliminary duties for which overtime was claimed constituted regularly scheduled overtime and had not been "officially ordered or approved" as is required by section 5542(a) of title 5, United States Code (1970). That decision was dispositive of claims of other employees of the

B-176580

Veterans Administration Hospital employees at Augusta, Georgia, insofar as the circumstances relating to the performance of preliminary and postliminary duties were identical. The duties performed by Mr. Martin were identical to those considered in B-176580, supra.

Mr. Martin has offered no evidence to distinguish his situation from the facts in B-176580, supra. Accordingly, the certificate of settlement disallowing Mr. Martin's claim is sustained.

R.F.KELLER

Deputy Comptroller General  
of the United States