

DECISION

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

FILE: B-184797

DATE: SEP 16 1976

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98029MATTER OF: Lester Yeingst - Claim for environmental
pay -- Evidence to support

DIGEST: In absence of official records claim of
Air Force employee for environmental pay
may be paid under best evidence rule to
the extent that time and attendance
records substantiate employee's personal
record of qualified hours worked. See
cited decisions.

Major C. T. Woolsey, Chief of the Accounting and Finance Division, Headquarters Oklahoma Air Logistics Center (AFLC), Tinker Air Force Base, Oklahoma, requests an advance decision as to the propriety of certifying for payment the voucher of Mr. Lester Yeingst representing environmental pay. Mr. Yeingst's eligibility for environmental pay under subchapter S3-7 of the Federal Personnel Manual Supplement 532-1 is not at issue. However, no official records were kept of the time periods during which the employee was entitled to environmental pay.

Mr. Yeingst's claim in the amount of \$440.41 covers the time period from March 6, 1972, through July 12, 1974. The only evidence substantiating the time worked for which environmental pay is claimed consists of time and attendance records of the agency and the employee's personal log. The employee's supervisor has determined the claim based on estimates from his log are reasonable and proper. However, there are 14 conflicts between the employee's log and time and attendance records. In the absence of official records Major Woolsey inquires (1) if the claim can be paid based on the employee's log in light of the conflicts or discrepancies and (2) if the claim cannot be paid based on the above, is any part payable.

The rule with regard to evidence in support of claims is that in the absence of official records payment may be made on the basis of the most accurate estimate possible after consideration of all available records. Thus, we have held that in cases where it is known that over a period of time an employee has performed duty for which he is entitled to additional pay and doubt exists only as to the particular days or hours on which qualifying work was performed, payment may be based on the most reasonable estimate after consideration of all available records. 50 Comp. Gen. 767 (1971); B-180206, July 16, 1974; B-170182, December 26, 1973.

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Since the time and attendance records are the only official records available as to the employee's entitlement to environmental pay, we believe they may be properly used to substantiate the employee's estimate based on his personal log. We note that his supervisor has determined that the amount claimed is reasonable. The fact that the time and attendance records may be inconsistent with the employee's estimate would only affect the degree to which they may be used or the portion of the employee's claim which may be substantiated. In this regard the fact that certain dates in the employee's claim disagree with his time and attendance record would preclude payment of only that portion of the claim not substantiated.

Accordingly, the voucher may be certified for payment in accordance with the above guidelines.

R.F.KELLER

[Deputy] Comptroller General
of the United States