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Aggravation  
12945 P. II

GAO

United States General Accounting Office  
Washington, DC 20548

Office of  
General Counsel

In Reply  
Refer to: B-197591

FEB 15 1980

Mrs. Senora H. Leaks  
1865 Shirlene Drive  
Florissant, Missouri 63031

*Do not disseminate to public reading*

Dear Mrs. Leaks:

We refer to your letter dated January 18, 1980, with enclosures, concerning your not being authorized overtime work on Saturday January 5, 1980, in connection with your employment as an Archives Technician with the General Services Administration. Although an official decision is not being rendered we are providing the following information.

Generally the authorization of overtime hours of work is purely discretionary with an agency as there is no statutory provision which requires that an employee receive overtime assignments. However, in some instances an agency may have entered into a labor-management agreement which contains provisions concerning entitlement to overtime work assignments. The Comptroller General has held that where an employee has been deprived of overtime work in violation of a labor-management agreement, the employee is entitled to backpay under the Back Pay Act, 5 U.S.C. 5596, for the overtime compensation he would have otherwise received but for the agency's violation of the agreement. See 54 Comp. Gen. 1071 (1975), and 55 id. 171 (1975), copies enclosed.

We trust that the above information will serve the purpose of your inquiry.

Sincerely yours,

Edwin J. Monsma  
Assistant General Counsel

Enclosures

