

Regulation
No. 385-1-2

15 May 2002

Safety and Occupational Health
HAZARDOUS DUTY PAY – HIGH WORK

1. Purpose. The purpose of this regulation is to provide guidelines to Little Rock District operations managers, supervisors, and employees regarding hazardous duty or environmental differential pay for high work pursuant to the Office of Personnel Management Regulations and the US Army supplements.
2. Applicability. This memorandum is applicable to all US Army Corps of Engineers Little Rock District civil works activities.
3. References.
 - a. SWLR 385-1-1, Safety General Policy, 4 June 2001.
 - b. EM 385-1-1, Safety and Health Requirements Manual, 3 September 1996.
 - c. Statutory Authority – 5 U.S.C. Section 5545(d) and 5548(b) (General Schedule Employees) and 5 U.S.C. Section 5343(c)(4) (Wage System Employees).
 - d. CFR, Title 5 – Administrative Personnel, Chapter I – Office of Personnel Management, Part 550 – Pay Administration (General) – Table of Contents, Subpart I – Pay for Duty Involving Physical Hardship or Hazard, 5 CFR 550.901 – 550.907 (General Schedule Employees).
 - e. CFR, Title 5 – Administrative Personnel, Chapter I – Office of Personnel Management, Part 532– Prevailing Rate Systems – Table of Contents, Subpart A – General Provisions, Subpart E – Premium Pay and Differentials, 5 CFR 532.501, 532.511 (Wage System Employees).
4. Definitions.
 - a. Hazardous Duty – Duty performed under circumstances in which an accident could result in serious injury or death.
 - b. Hazardous Duty Pay (HDP) – Additional pay for the performance of hazardous duty or duty involving physical hardship for General Schedule employees.

c. Environmental Differential Pay (EDP) – Hazard pay differential for wage system employees.

d. Code of Federal Regulations (CFR).

5. Employee Safety. The Little Rock District Corps of Engineers requires employees to work safely and encourages and promotes safe work practices for all employees. Accordingly, the district provides appropriate tools, clothing, and safety equipment. In certain work situations hazards exist whereby employees, both Federal Wage System and General Schedule, are entitled to environmental differential pay (EDP) or hazardous duty pay (HDP).

6. Position Hazard Analysis. Supervisors should insure that each employee has a Position Hazard Analysis (PHA). The Safety Office, in coordination with the supervisor and the employee, prepares the PHA by job title or classification specifically for the individual employee. For each employee job and sequence of job steps, the PHA identifies potential hazards, recommends prescribed actions or procedures, and recommends personal protective equipment. Each PHA states the requirements of the position that includes duties where hazards, including height hazards, exist in the job function. If a height hazard is identified that suspends a General Schedule employee above 50 feet or a Federal Wage System employee over 100 feet while working, a statement should be added requiring the employee to realize and acknowledge the hazard.

7. Activity Hazard Analysis. Before beginning each activity involving a type of work presenting hazards or physical hardships not experienced in previous project operations that involve hazardous or strenuous activities, supervisors and employees shall jointly prepare an Activity Hazard Analysis (AHA). The analysis will define the activities being performed and identify the sequences of work, the specific hazards anticipated and the control measures to be implemented to eliminate or reduce each hazard to an acceptable level. An AHA shall be prepared and documented for each SWL activity as warranted by the hazards associated with the activity. The Safety Office will assist in preparation of the Activity Hazard Analysis.

8. Appropriate Precautions and Protection. Hazards are best managed by taking all precautions and reducing the hazards to the lowest practical level or eliminating the condition or hazard from the task. In those instances where hazards, physical hardships or severe working conditions cannot be eliminated and when other program requirements are met, supervisors have the responsibility and authority to initiate payment of Environmental Differential Pay (EDP) or Hazardous Duty Pay (HDP).

9. Authorization of Hazardous Duty Pay (HDP) for General Schedule (GS) Employees.

a. General Schedule personnel performing any work, inspections, or repairs from ropes will qualify for HDP as specified in the CFR.

b. General Schedule personnel performing any work, including inspections, out of a man-basket at heights of 15 meters (50 feet) or higher will qualify for HDP as specified in the CFR. Transportation inside of a man-basket does not qualify for HDP.

c. Differential is normally 25% of the rate of the employee's basic pay and is paid for all hours in a duty status on the day the hazardous duty was worked, regardless of the length of exposure to the hazard.

d. Duty must be assigned and authorized by management (not volunteered).

e. Differential cannot be paid if the duty has been taken into account in the classification of the job, except under certain limited conditions.

10. Authorization of Environmental Differential Pay (EDP) for Wage System Employees.

a. Wage System personnel performing any work, inspections, or repairs from ropes will qualify for EDP as specified in the CFR.

b. Wage System personnel performing work, including inspections, out of a Man-basket will qualify for EDP as specified in the CFR. Transportation in a Man-basket does not qualify for EDP.

c. Wage System personnel working on any structure at least 30 meters (100 feet) above the ground, deck, floor or roof, will qualify for EDP as specified in the CFR.

d. Differential is normally 25% of the rate of a WG-10, Step 2, but can be 50% for work at heights of 30 meters (100 feet) or more for unstable conditions as specified in the CFR.

e. EDP is paid for actual duty worked with a minimum of one hour and then in increments of 15 minutes for duty worked above one hour.

f. Duty must be assigned and authorized by management (not volunteered).

g. Differential can be paid whether or not the duty was taken into account in the classification of the job.

11. Supervisors who authorize or approve payment of differentials for high work as described in paragraphs 9 and 10 and for other high work situations are urged to carefully and diligently exercise their authorities and to be aware of and observe the requirements and provisions of governing safety and pay regulations. Differentials should only be paid when warranted by mission requirements.

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12. Safety is first and foremost.

Benjamin H. Butler
BENJAMIN H. BUTLER
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Commanding

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