



Republic of the Marshall Islands
Office of the Public Service Commission

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PUBLIC SERVICE INSTRUCTION
2021/005

APPLICATION OF OVERTIME HOURS

Pursuant to the powers and functions vested in it by the Constitution of the Republic of the Marshall Islands, Article VII, Section 9, and the Public Service Regulation 36(1),(2) "Additional Hours of Duties", the Commission here by issue Instruction 2021/005, to replace PSC Instruction 2010/02 and PSC Instruction 2017/005 and shall read as follows:

GENERAL PRINCIPLES

Overtime work is a service performed over and beyond an employee's normal working hours (i.e. 8 am - 5 pm or others) and during regular working days (Monday – Friday, except holidays). **It should be undertaken only when it is unavoidable, which means the duties to be performed at the time are essential and the duties must be performed at that time only and cannot be deferred to another time and/or be performed by any other means.**

The application of Overtime and Excess hours for Public Service Employee shall be granted under the following terms and conditions:

1. Overtime hours shall be referred to as any public services performed after the regular working hours, including weekends and holidays, with the already earned the required 80 regular hours of a given pay period.
2. An employee who has been called by his/her supervisor to work overtime shall be entitled to a minimum of two (2) hours per incident but not to exceed four (4) hours per day, at the approval of the Commission.
3. Overtime compensation shall be given ONLY to an employee who has successfully worked the required 80 working hours per pay period or two (2) weeks period, and whose claimed overtime hours are in excess of the 80 regular hours worked.
4. There shall be NO other form of excess hours to be compensated other than as specified in section 1 and 3 of this Instruction, which means **NO EXCESS HOURS**.
5. Overtime request shall be accompanied by the following:
 - a. A photo copy of an approved time sheet by the Head of the Ministry;
 - b. An authorized Overtime Form with an advanced and scheduled overtime service to be delivered must be certified first by the immediate supervisor and/or authorized personnel;
 - c. Signed cover memo from the requesting ministry/agency to the Commission; and,
 - d. Approval by the Commission.

6. Overtime Eligibility:

Any employees at **Pay Level 9/5, or \$17,025, and below**, shall be eligible for overtime compensation. Employees at **Pay Level 10/1 or \$18,000 per annum**, and above, shall **NOT** be eligible.

7. Excessive Overtime:

- a. Though working overtime may be necessary to handle emergencies, heavy workloads or other issues. However, frequent and excessive overtime is not (recommended for the wellbeing of employee's health and performance) good for employees' health and performance. *This is the position of the RMI government to avoid productivity and morale loss and/or relevant work-related accidents due to mental and/or physical fatigue.* The RMI Government stands firmly on ethical values for employees to diligently and responsibly perform duties and responsibilities.
- b. Record overtime hours accurately and consistently.
- c. Advise employees to work overtime **only** when they have to finish urgent work.
- d. Take corrective measures when observe a decline in work quality and/or other issues and matters due to excessive working hours.

8. Overtime Caps:

- a. A daily overtime cap is two (2) hours.
- b. A weekly overtime cap is eight (8) hours.
- c. A pay period (2 weeks) overtime cap is sixteen (16) hours.

9. Shift-Based System:

- a. Employees working on night shifts shall NOT work for more than two (2) hours overtime (unless in cases of emergency).
- b. Employees who work 12-hour schedules shall NOT work more than two (2) additional hours overtime.
- c. Employees who work 8 to 10 hours shall NOT work additional more than four (4) hour overtime.
- d. Employees who work **more than 8-hour** schedules shall NOT work double shifts.
- e. All employees are urged to respect and be conformed to these limits.

10. Employees asked by their supervisors to work during weekends, holidays and partake in emergency and during disasters, outside their regular working schedules, shall be compensated at 1.5 (time and half) their base rates.

11. Apart from the unforeseen circumstances, overtime work must be authorized in advance by HoDs or designated officers and further approved by the Public Service Commission.

12. Overtime calculation shall be based on number of hours worked (not to exceed 16 hours per pay period) x hourly rates x 1.5 (time and half—if so required).

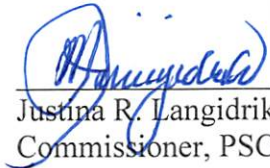
Eg# 1: Employees with PL 9/5 \$17025 and below

Number of hrs rendered	Hourly rate x 1.5 (if need be)	Total
8 overtime hours	\$8.19 x 8 x 1.5 (PL 9/5)	\$98.28

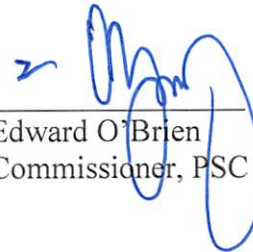
This revised Public Service Instruction 2021/005, shall take effect immediately and shall be the prevailing norm. All Ministries and Agencies of government are to ensure that the prescribed instruction be observed as stipulated above.



Kenneth Anitok
Chairman, PSC



Justina R. Langidrik
Commissioner, PSC



Edward O'Brien
Commissioner, PSC