

NAO 202-532A
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PAY FOR PERFORMING DIVE DUTIES

SECTION 1. PURPOSE.

.01 This Order establishes guidance for paying National Oceanic and Atmospheric Administration (NOAA) employees additional compensation for performing dive duties.

.02 This is a revision and retitling of the previously issued Order. The revision addresses circumstances when additional compensation will be paid to NOAA employees for performing dive duties.

SECTION 2. APPLICABILITY.

.01 NOAA employees engaged in official diving duties must be certified to dive by the NOAA Diving Program, in accordance with NOAA Administrative Order (NAO) 209-123, NOAA Diving Program.

.02 Employees receiving initial dive certification training are not diving in a scientific or engineering pursuit and therefore are ineligible for additional compensation. Any training subsequent to initial NOAA certification that meets requirements specified in Section 4. of this Order is covered by dive pay.

SECTION 3. REFERENCES.

.01 NOAA Corps Officers are authorized special pay for diving duty (dive pay) in accordance with 37 U.S.C. 304. Regulations prescribed by the Secretary of Commerce to administer this pay can be found in the NOAA Corps Pay Manual, Chapter 4.

.02 General Schedule (includes GM) and Department of Commerce (DOC) Demonstration Project employees are authorized hazardous pay differential for diving in accordance with 5 U.S.C. 5545(d), 5 U.S.C. 5548(b), and 5 CFR 550.904.

.03 Wage Grade employees are authorized a special dive wage schedule in accordance with 5 CFR 532.281.

.04 Wage Marine employees are authorized a special rate schedule for vessel employees in accordance with 5 U.S.C. 5348.

SECTION 4. POLICY.

.01 NOAA Corps Officers.

Members of the uniformed service engaged in official diving duties are eligible to receive special pay for diving duty (dive pay) when the conditions and requirements outlined in the NOAA Corps Pay Manual, Chapter 4, are met.

.02 General Schedule and DOC Demonstration Project Employees.

a. General Schedule (GS/GM), and DOC Demonstration Project (ZP, ZT, ZA, ZS) employees who perform diving duties for which a hazard pay differential is authorized under 5 CFR 550.904, are eligible for the hazard pay differential for the hours in a pay status on the day on which the duty is performed as outlined in 5 CFR 550.905. Duties for which a hazard pay differential is payable are outlined in 5 CFR Part 550, Subpart I, Appendix A, which states:

Underwater Duty: Diving. Diving, including SCUBA (self-contained underwater breathing apparatus) diving, required in scientific and engineering pursuits, or search and rescue operations, when:

- a) at a depth of 6 meters (20 feet) or more below the surface; or
- b) visibility is restricted; or
- c) in rapidly flowing or cold water; or
- d) vertical access to the surface is restricted by ice, rock, or other structure; or
- e) testing or working with hardware which presents special hazards (such as work with high voltage equipment or work with underwater mockup components in an underwater space simulation study).

b. General Schedule and DOC Demonstration Project employees who perform diving duties that meet the criteria in Section 4.02a. of this Order are paid a hazard pay differential at the rate of 25 percent of base pay. The hazard pay differential is paid for all hours in a pay status on the day of the dive, including overtime, regardless of the number or duration of dives performed. For this purpose, a day is defined as a calendar day.

c. Hazard pay under 5 U.S.C. 5545 is in addition to pay and allowances payable under other statutes. Hazard pay is not basic pay for purposes of computing additional pay or allowances payable under other statutes. Hazard pay is not subject to the biweekly maximum limitation on premium pay; however, it is subject to the aggregate compensation limitation under 5 U.S.C. 5307.

.03 Wage Grade Employees.

a. Wage Grade (WG) employees engaged in official diving duties are eligible to receive compensation as outlined in 5 CFR 532.281. When WG employees perform diving duties, their hourly wages are calculated at 175 percent of the WG 10, step 2, hourly rates of the local Federal Wage Schedule (FWS). The dive pay rate is paid for all payable hours of the shift regardless of the number or duration of dives performed during the period. WG employees receive the dive pay rate in lieu of their regular scheduled rate. If an employee's regular scheduled rate exceeds the diving rate, the employee is paid at the regular rate, as that is the higher rate.

b. If WG employees also work overtime on the day in which they dive, overtime is computed using the dive pay rate or the employee's regular hourly rate, whichever is greater.

.04 Wage Marine Employees.

a. Wage Marine (WM) employees are eligible to receive dive pay in addition to their normal base pay when they perform diving duties. When WM employees dive, their hourly rate for the time spent diving is calculated at 175 percent of the WG 10, step 2, hourly rates of the FWS for the New York, New York, wage area. The SCUBA diving rate is published in the most current NOAA Schedule of Special Rates for Vessel Employees. The dive pay rate is payable for each hour WM employees are physically under the water or under pressure in a hyperbaric chamber (i.e., time leaving the surface at the beginning of a dive until reaching the surface at the conclusion of the dive). Fractional parts of an hour spent diving during a given day are accrued and rounded to the next whole hour. For example, if a WM employee performs three separate dives and is under the water or under pressure in a chamber for 40 minutes, 30 minutes, and 20 minutes, the employee receives dive pay for two (2) hours.

b. If WM employees dive outside regular working hours, they are paid the dive pay rate for the hour(s) spent diving. In addition, WM employees are entitled to overtime pay for all overtime hours worked. WM employees performing proficiency dives outside of regular working hours to maintain certification are entitled to dive pay and overtime pay only if authorized by the supervisor.

SECTION 5. EFFECT ON OTHER ISSUANCES.

This Order supersedes NAO 202-532A, Scuba Diving Duty Pay During Training, dated August 13, 1992.

/Signed/

Under Secretary of Commerce for
Oceans and Atmosphere

Office of Primary Interest:
Workforce Management Office
Policies and Program Management Office