



U.S. Department of Transportation

1200 New Jersey Ave, S.E.
Washington, D.C. 20590

**Pipeline and Hazardous Material
Safety Administration**

Overtime and Backfill (OTB) Reimbursement and Volunteer Stipend Guidance

Effective: October 2020

PURPOSE:

Guidance Regarding Overtime/Backfill Reimbursement and Emergency Responder Volunteer Stipend

SCOPE

This guidance applies to the Pipeline and Hazardous Materials Safety Administration's (PHMSA) recipients of the Hazardous Materials Emergency Preparedness (HMEP) grant.

GUIDANCE

Generally, overtime and backfill expenses are permitted under this grant in order to perform allowable HMEP training and exercise activities. To be eligible for any form of personnel time reimbursements, the individual's employing department must have experienced an actual cost beyond normal operational personnel expenses. Qualified expenses may include overtime, backfill or loss of salary/compensation by the individual attending a grant eligible activity or backfilling for someone attending an eligible activity. Backfill, overtime and stipend reimbursements must be supported by actual payroll records.

The following limitations apply to this guidance:

- PHMSA will allow HMEP recipients to request up to 30% of its award for backfill, overtime and stipend costs.
- Overtime to attend training conferences or symposiums will not be covered.
- Planning activities will not be considered for overtime, backfill or stipends.
- Course instructors and administrative staff are not eligible to be reimbursed under this guidance.

STIPULATIONS FOR INCURRING COSTS: HMEP recipients must have these costs pre-approved prior to incurring the costs. Grant recipients must provide PHMSA with an internal management plan to ensure adequate oversight for these costs prior to the activity occurring. Grant recipients must retain a list of all individuals involved in these costs and their salary (individual trained and individual backfilling). A training record and actual payroll records must be maintained for all responders who receive overtime, backfill or stipends by name, county, training date(s) and the total amount paid to each individual volunteer for each individual training event.

DEFINITIONS

Overtime: Expenses limited to the additional costs which result from personnel working over and above 40 hours (or the number of hours considered fulltime per week) of weekly work time as a direct result of HMEP-approved activities. Overtime shall not exceed 1.5 times an individual's hourly wage.

Backfill-related Overtime, also known as "overtime as backfill": Expenses are limited to overtime costs that result from personnel who are working overtime (as identified above) to perform the duties of other personnel who are temporarily assigned to PHMSA-approved activities outside their core responsibilities.

Volunteer Stipend: A nominal amount of money to be paid directly to a volunteer who attended an HMEP training activity. A stipend is nominal if it does not exceed 20 percent of what the fire department would otherwise pay a full-time firefighter to perform response services or the prevailing state volunteer rate. Conditions for receiving a stipend must be in writing and training and/or exercise completion should be verifiable through certificates of completions and/or rosters.

Please note: Public employers who compensate volunteers with more than a nominal fee may create an employment relationship, thereby destroying the volunteer status of the individuals. Please consult your state's legal counsel before making a determination on volunteer stipends.