



National Border Patrol Council

"Protecting Those Who Protect Our Borders"

BORDER PATROL AGENT PAY REFORM AMENDMENT ACT OF 2018 (Technical Amendments)

October 2, 2018

BORDER PATROL PAY SYSTEM AMENDMENTS

The bill would amend a 2014 law (Public Law 113-277) that provides overtime pay and a stable work schedule for Border Patrol agents.

ADVANCED TRAINING – Currently law limits agents to 60 days of advanced training per year. The bill will increase this to 180 hours for level 1 agents and 90 hours of level 2.

ALTERNATIVE WORK SCHEDULES – Currently OPM has mandated that agents must work a 5-day work week. The bill would allow agents at the basic rate to work four 10-hour shifts to meet their 40-hour workweek requirement. Agents at level 2 would work nine 10-hour shifts per pay period to work their required hours.

CONTROL PERIOD – Congress was concerned that Agents could artificially inflate their retirement by working either basic or level 2 overtime rates and then increasing their level to level 1 in the final three years of their career. OPM in response created a control period that was completely unworkable. The bill eliminates the control period and calculates retirement benefits based on what the agents actually work over the course of their career.

TRAVEL COMP TIME – Agents will now be allowed to apply comp time earned while traveling to overtime debt obligations. Travel comp may only be applied after any normal comp time is exhausted.

LEAVE WITHOUT PAY – Agents who took LWOP were still being paid their overtime supplement and were therefore accruing an overtime debt. The bill corrects this and agents taking LWOP will not be paid regular or overtime pay.

WHAT IS NEXT?

Now that the bill passed the House, the bill will go to the Senate to be considered. If the bill is passed in the Senate, it will be cleared for the White House, then signed by the President to become Public Law.