Hazardous Pay Differential and Environmental Differential Pay

Q-What is the amount or percentage rate for both Hazardous Pay Differential (HPD) and Environmental Differential Pay (EDP)?
A- IHS authorized Hazardous Pay Differential at 25% for General Schedule (GS) employees and Environmental Differential Pay at 8% for Federal Wage Schedule (FWS) employees. The 25% differential is applied to the employee’s regular (not overtime) rate of pay. The amount of the environmental differential is determined by multiplying the percentage rate (8%) by the second step for grade WG-10 on the current regular nonsupervisory wage schedule for the area, rounding one-half cent and over as a full cent. The resulting amount is paid uniformly to each wage employee in the area, regardless of the grade level of the wage employee or the Federal Wage System wage schedule on which the employee is paid.

Q-Why is there such a difference in hazard pay between GS employees and WG employees?
A-Hazardous pay differential and environmental differential pay are governed separately and have different legal authorities. The authority for hazardous pay differential is found in 5 U.S.C. 5545(d). The legal authority for environmental differential pay is found in 5 U.S.C. 5343(c)(4). For a list of pay differentials for hazardous duty pay – refer to Appendix A for General Schedule and locate Exposure to Hazardous Agents, work with or in close proximity to: (5) Virulent biologicals. For environmental differential pay – refer to Appendix J for Federal Wage Schedule and locate Micro-organisms—high degree hazard.

Q-If I take leave for part of the day, do I only receive Hazardous Pay Differential (HDP) for the time working on site?
A-No, if a hazardous duty is performed on a day in which paid leave is taken all hours in a pay status (work hours or paid leave hours) receive the hazardous pay differential. For example, if an employee performs a hazardous duty for 1 hour and then takes annual leave for the 7 hours remaining in his or her workday, the employee is paid hazardous duty pay for the entire 8-hour workday.

Q-When can we stop Hazardous Pay Differential/Environmental Differential Pay (HPD/EDP)?
A-Under 5 CFR 550.906, an agency can no longer pay the hazardous pay differential once any of these three circumstances occur:
- One or more of the conditions requisite for the payment ceases to exist.
- Safety precautions have reduced the element of hazard to a less than significant level of risk, consistent with generally accepted standards that may be applicable (e.g., Occupational Safety and Health Administration or Department of Labor standards).
- Protective or mechanical devices have adequately alleviated physical discomfort or distress.
Families First Coronavirus Response Act/Emergency Paid Sick Leave Act

Q- Is the 80 hours of paid sick leave under the Families First Coronavirus Response Act (FFCRA)/Emergency Paid Sick Leave Act (EPSLA), a separate leave bank and only available for use after sick and annual balances have been depleted?
A- The EPSLA paid sick leave is separate leave balance available for COVID-19 qualifying circumstances. You do not need to deplete sick and annual leave balances in order to use this leave.

Q- Can retroactive EPSLA leave be entered in place of sick or annual leave already taken?
A- An employee may request EPSLA paid sick leave to cover a past period of leave without pay occurring during the period of April 1, 2020, through December 31, 2020.

Q- Are full time General Schedule (GS) employees eligible for EPSLA paid sick leave?
A- Yes, employees who are full-time, part-time, or intermittent are all eligible and whether they are in the GS or Federal Wage System.

Q- How can an employee request to use EPSLA leave?
A- An employee is required to provide their supervisor with the following documentation to support the taking of EPSLA paid sick leave.
   a. General information:
      (1) Employee's name;
      (2) Date(s) for which leave is requested;
      (3) Qualifying COVID-19-related reason for the leave; and
      (4) Oral or written statement that the employee is unable to work because of the qualifying COVID-19-related reason for leave.
   b. To take EPSLA paid sick leave for qualifying circumstance (1), an employee must additionally provide the employing agency with the name of the government entity that issued the quarantine or isolation order.
   c. To take EPSLA paid sick leave for qualifying circumstance (2), an employee must additionally provide the employing agency with the name of the health care provider who advised the employee to self-quarantine due to concerns related to COVID-19.
   d. To take EPSLA paid sick leave for qualifying circumstance (4), an employee must additionally provide the employing agency with either: (1) The name of the government entity that issued the quarantine or isolation order to which the individual being cared for is subject; or (2) The name of the health care provider who advised the individual being cared for to self-quarantine due to concerns related to COVID-19.
   e. To take EPSLA paid sick leave for qualifying circumstance (5), an employee must additionally provide: (1) The name of the son or daughter being cared for; (2) The name of the school, place of care, or child care provider that has closed or become unavailable due to COVID-19; and (3) A representation that no other suitable person will be caring for the employee’s son or daughter during the period for which the employee takes EPSLA paid sick leave.