

What If I Exceed the Biweekly GS Pay Cap?

deal I will take anytime, to have every other Friday off! I'm aware of dozens and dozens of readers engaging in this practice without issue at several different agencies. I've had readers email me that they made an inquiry to their agency's human resources department and were told that this was not permissible, yet I have many readers at that same agency doing it without question. The number of folks getting snared by the biweekly pay cap continues to grow as locality pay increases in large cities outpace the GS scale. We can't keep asking people to perform 10 days of work for 9 days of pay. Some official policy needs to be issued or the cap increased.

Here is an email from a long-time reader advising me of his or her LWOP strategy. Here's what he or she advised in their email:

"In your Guide you suggest there are some 1811s with earnings above the administrative pay cap who say straight LWOP (not to be confused with LWOP FMLA), as discretionary leave by a manager, is unavailable while others in the same agency are using it. Here is a test case: I plan to retire at my eligibility date on April 30, 2021 (320 more calendar days!). For the final 13 months of service, I have been/will be taking 1 day each workweek off on LWOP, working 4-day workweeks, or 3-day workweeks in conjunction with holidays (i.e., as a GS-1811-15, step 6 my over-earn equates to 20 hours each pay period so when calculating LEAP it is the equivalent of 2 workdays I don't get paid each pay period!!). This gives me an additional 56 days off over the 13-month period in exchange for reducing my A/L by 40 hours over the same time period (i.e., I don't earn 8 hours of A/L at each 80 hours of LWOP, with a reset at the beginning of the calendar year; I also have 11 odd days of S/L to use so reducing that balance by 20 hours for those foregone with the LWOP hours has no real impact)."

DISCLAIMER (NEW IN VERSION 2024.06): Not every agency processes LWOP requests in the same manner for folks that are over the pay cap and receive AUO/LEAP. One of my readers recently sent me a copy of his E&L statement with an 80-hour pay period and one with a 64-hour pay period, reflecting a 16-hour LWOP request. This employee's agency simply lowered his overall pay by 16 hours, and he got hammered. I examined both E&L statements and I simply can't figure out what the agency did. They appear to maintain the \$191,900 as the "annual salary" on the E&L statement and directly adjusted that amount. That's not what I see in practice at other agencies. My message to you is to TREAD CAUTIOUSLY! When making your first LWOP request – just request 4 or 8 hours and see the effect on your net pay before moving to 12 or 16+ hours.