

## **US Code**

*(Unofficial compilation from the Legal Information Institute)*

### **TITLE 2 - THE CONGRESS**

#### **CHAPTER 10—CLASSIFICATION OF EMPLOYEES OF HOUSE OF REPRESENTATIVES**

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## TITLE 2 THE CONGRESS

NB: This unofficial compilation of the U.S. Code is current as of Jan. 7, 2011 (see <http://www.law.cornell.edu/uscode/uscp.html>).

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## CHAPTER 10—CLASSIFICATION OF EMPLOYEES OF HOUSE OF REPRESENTATIVES

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### § 291. Congressional declaration of purpose

It is the purpose of this chapter to provide a classification system for the equitable establishment and adjustment of rates of compensation for, and for the efficient utilization of personnel in, certain positions under the House of Representatives to which this chapter applies, through—

- (1) the creation and maintenance of orderly and equitable compensation relationships for such positions—
  - (A) in accordance with the principle of equal pay for substantially equal work, and
  - (B) with due regard to
    - (i) differences in the levels of difficulty, responsibility, and qualification requirements of the work,
    - (ii) the kind of work performed,
    - (iii) satisfactory performance, and
    - (iv) length of service;
- (2) the application of appropriate position standards and position descriptions for such positions; and
- (3) the adoption of organization and position titles in the House which accurately reflect the respective functions, duties, and responsibilities of those organizations and positions in the House to which this chapter applies.

(Pub. L. 88–652, § 2, Oct. 13, 1964, 78 Stat. 1079.)

#### References in Text

This chapter, referred to in text, was in the original “this Act”, meaning Pub. L. 88–652, Oct. 13, 1964, 78 Stat. 1079, known as the House Employees Position Classification Act, which enacted this chapter and amended sections 88c and 123b of this title. For complete classification of this Act to the Code, see Short Title note set out below and Tables.

#### Effective Date

Section 17 of Pub. L. 88–652 provided that: “This Act [enacting this chapter and amending sections 88c and 123b of this title] shall become effective on January 1, 1965.”

**Short Title**

Section 1 of Pub. L. 88-652 provided that: "This Act [enacting this chapter and amending sections 88c and 123b of this title] may be cited as the 'House Employees Position Classification Act'."

**Savings Provision**

Section 15 of Pub. L. 88-652 provided that:

"(a) Notwithstanding any provision of this Act [this chapter], the aggregate (gross) rate of compensation of any employee immediately prior to the effective date of this Act [Jan. 1, 1965] shall not be reduced by reason of the enactment of this Act.

"(b) For the purposes of applicable law relating to the payment to any individual of compensation from more than one civilian office or position, each employee of the House to whom this Act applies who, immediately prior to the effective date of this Act—

"(1) is receiving basic compensation from more than one civilian office or position and

"(2) is in compliance with such law

shall be held and considered to be in compliance with such law on and after such effective date, notwithstanding the enactment of this Act, so long as such employee continues to receive, without break in service of more than thirty days, the same or lower rate of basic compensation in a position to which this Act does not apply."

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**§ 292. Positions affected**

This chapter shall apply to—

- (1) all positions under the Clerk, the Sergeant at Arms, the Chief Administrative Officer, and the Inspector General of the House of Representatives, except the positions of telephone operator and positions on the United States Capitol Police force;
- (2) the position of minority pair clerk in the House;
- (3) all positions under the House Recording Studio; and
- (4) all positions under the House Radio and Television Correspondents' Gallery and the House Periodical Press Gallery.

(Pub. L. 88-652, § 3, Oct. 13, 1964, 78 Stat. 1079; Pub. L. 104-53, title I, § 108(1), Nov. 19, 1995, 109 Stat. 522.)

**References in Text**

This chapter, referred to in text, was in the original "this Act", meaning Pub. L. 88-652, Oct. 13, 1964, 78 Stat. 1079, known as the House Employees Position Classification Act, which enacted this chapter and amended sections 88c and 123b of this title. For complete classification of this Act to the Code, see Short Title note set out under section 291 of this title and Tables.

**Amendments**

1995—Par. (1). Pub. L. 104-53 substituted "Chief Administrative Officer, and the Inspector General" for "Doorkeeper, and the Postmaster,".

.....

**§ 293. Compensation schedules**

- (a) (1) The Committee on House Oversight of the House of Representatives (hereinafter referred to as the "committee") shall establish and maintain, and, from time to time, may revise, for positions to which this chapter applies (other than positions within the purview of subsection (b) of this section the compensation for which is fixed and adjusted from time to time in accordance with prevailing rates), a compensation schedule of per annum rates, which shall be known as the "House Employees Schedule" and for which the symbol shall be "HS", subject to the following provisions:

(A) Such schedule shall be composed of such number of compensation levels as the committee deems appropriate.

(B) Each compensation level shall consist of twelve compensation steps.

(C) The per annum rate of compensation for each compensation step of each compensation level shall be in such amount as the committee deems appropriate, except that the per annum rate of compensation for the maximum compensation step of the highest compensation level shall not exceed the maximum rate of compensation authorized by chapter 51 and subchapter III of chapter 53 of title 5.

(2) The rates of compensation for such positions shall be in accordance with such schedule.

(b) The committee shall establish and maintain, and, from time to time, may revise, for positions under the Clerk, the Sergeant at Arms, the Chief Administrative Officer, and the Inspector General of the House of Representatives, the compensation for which, in the judgment of the committee, should be fixed and adjusted from time to time in accordance with prevailing rates, a compensation schedule providing for per annum or per hour rates, or both, established in accordance with prevailing rates and consisting of such number of compensation levels and steps as the committee deems appropriate, which shall be known as the “House Wage Schedule” and for which the symbol shall be “HWS”. The rates of compensation for such positions shall be in accordance with such schedule. Notwithstanding any other provision of this chapter, for purposes of applying the adjustment made by the committee under this subsection for 2002 and each succeeding year (other than any period during which a memorandum of understanding described in section 2168 (a) of this title is in effect), positions under the Chief Administrative Officer shall include positions of the United States Capitol telephone exchange under the Chief Administrative Officer.

(Pub. L. 88–652, § 4, Oct. 13, 1964, 78 Stat. 1079; Pub. L. 104–53, title I, § 108(2), Nov. 19, 1995, 109 Stat. 522; Pub. L. 104–186, title II, § 209(1), Aug. 20, 1996, 110 Stat. 1743; Pub. L. 107–68, title III, § 310, Nov. 12, 2001, 115 Stat. 592; Pub. L. 108–447, div. G, title II, § 215(d), Dec. 8, 2004, 118 Stat. 3198.)

## References in Text

This chapter, referred to in text, was in the original “this Act”, meaning Pub. L. 88–652, Oct. 13, 1964, 78 Stat. 1079, known as the House Employees Position Classification Act, which enacted this chapter and amended sections 88c and 123b of this title. For complete classification of this Act to the Code, see Short Title note set out under section 291 of this title and Tables.

## Amendments

2004—Subsec. (b). Pub. L. 108–447 in last sentence substituted “succeeding year (other than any period during which a memorandum of understanding described in section 2168 (a) of this title is in effect),” for “succeeding year.”

2001—Subsec. (b). Pub. L. 107–68 inserted at end “Notwithstanding any other provision of this chapter, for purposes of applying the adjustment made by the committee under this subsection for 2002 and each succeeding year, positions under the Chief Administrative Officer shall include positions of the United States Capitol telephone exchange under the Chief Administrative Officer.”

1996—Subsec. (a)(1). Pub. L. 104–186 substituted “House Oversight” for “House Administration”.

1995—Subsec. (b). Pub. L. 104–53 substituted “Chief Administrative Officer, and the Inspector General” for “Doorkeeper, and the Postmaster.”

## Change of Name

Committee on House Oversight of House of Representatives changed to Committee on House Administration of House of Representatives by House Resolution No. 5, One Hundred Sixth Congress, Jan. 6, 1999.

## Effective Date of 2004 Amendment

Amendment by Pub. L. 108–447 applicable with respect to fiscal year 2005 and each succeeding fiscal year, see section 2168 (f) of this title.

### **Increases in Compensation**

Increases in compensation for House officers and employees under authority of Federal Salary Act of 1967 (Pub. L. 90–206), Federal Pay Comparability Act of 1970 (Pub. L. 91–656), and Legislative Branch Appropriations Act, 1988 (Pub. L. 100–202), see sections 60a–2 and 60a–2a of this title, and Salary Directives of Speaker of the House, set out as notes under those sections.

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### **§§ 293a to 293c. Omitted**

Section 293a, Pub. L. 89–301, § 11(c), Oct. 29, 1965, 79 Stat. 1120, required compensation of employees of House of Representatives whose compensation is fixed under this chapter to be increased by amounts equal to increases provided by section 60e–12 (a) of this title.

Section 293b, Pub. L. 89–504, title III, § 302(c), July 18, 1966, 80 Stat. 295, required compensation of employees of House of Representatives whose compensation is fixed under this chapter to be increased by amounts equal to increases provided by section 60e–13 (a) of this title.

Section 293c, Pub. L. 90–206, title II, § 214(c), Dec. 16, 1967, 81 Stat. 636, required compensation of employees of House of Representatives whose compensation is fixed under this chapter to be increased by amounts equal to increases provided by section 60e–14 (a) of this title.

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### **§ 294. Position standards and descriptions**

- (a) (1) It shall be the duty of the committee to prescribe, revise, and (on a current basis) maintain position standards which shall apply to positions (in existence on, or established after, January 1, 1965) under the House of Representatives to which this chapter applies.
- (2) The position standards shall—
  - (A) provide for the separation of such positions into appropriate classes for pay and personnel purposes on the basis of reasonable similarity with respect to types of positions, qualification requirements of positions, and levels of difficulty and responsibility of work, and
  - (B) govern the placement of such positions in their respective appropriate compensation levels of the appropriate compensation schedule.
- (b) (1) Subject to review and approval by the committee, the Clerk, the Sergeant at Arms, the Chief Administrative Officer, and the Inspector General of the House of Representatives, shall prepare, revise, and (on a current basis) maintain, at such times and in such form as the committee deems appropriate, position descriptions of the respective positions (in existence on, or established after, January 1, 1965) under the House of Representatives to which this chapter applies which are under their respective jurisdictions, including—
  - (A) with respect to the Clerk, positions under the House Recording Studio,
  - (B) with respect to the Sergeant at Arms, the position of minority pair clerk in the House, and
  - (C) with respect to the Chief Administrative Officer, positions under the House Radio and Television Correspondents' Gallery and the House Periodical Press Gallery.
- (2) The position descriptions shall—
  - (A) describe in detail the actual duties, responsibilities, and qualification requirements of the work of each of such positions,
  - (B) provide a position title for such position which accurately reflects such duties and responsibilities, and
  - (C) govern the placement of such position in its appropriate class.
- (c) The Clerk, the Sergeant at Arms, the Chief Administrative Officer, and the Inspector General of the House of Representatives, shall transmit to the committee, at such times and in such form as the

**TITLE 2 - Section 295 - Placement of positions in compensation schedules**

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committee deems appropriate, all position descriptions required by subsection (b) of this section to be prepared, provided, and currently maintained by them, together with such other pertinent information as the committee may require, in order that the committee shall have, at all times, current information with respect to such position descriptions, the positions to which such descriptions apply, and related personnel matters within the purview of this chapter. Such information so transmitted shall be kept on file in the committee.

(d) Notwithstanding any other provision of this chapter, the committee shall have authority, which may be exercised at any time in its discretion, to—

- (1) conduct surveys and studies of all organization units, and the positions therein, to which this chapter applies;
- (2) ascertain on a current basis the facts with respect to the duties, responsibilities, and qualification requirements of any position to which this chapter applies;
- (3) prepare and revise the position description of any such position;
- (4) place any such position in its appropriate class and compensation level;
- (5) decide whether any such position is in its appropriate class and compensation level;
- (6) change any such position from one class or compensation level to any other class or compensation level whenever the facts warrant; and
- (7) prescribe such organization and position titles as may be appropriate to carry out the purposes of this chapter.

All such actions of the committee shall be binding on the House officer and organization unit concerned and shall be the basis for payment of compensation and for other personnel benefits and transactions until otherwise changed by the committee.

(Pub. L. 88–652, § 5, Oct. 13, 1964, 78 Stat. 1080; Pub. L. 104–53, title I, § 108(3), (4), Nov. 19, 1995, 109 Stat. 522; Pub. L. 104–186, title II, § 209(2), Aug. 20, 1996, 110 Stat. 1743.)

**References in Text**

This chapter, referred to in text, was in the original “this Act”, meaning Pub. L. 88–652, Oct. 13, 1964, 78 Stat. 1079, known as the House Employees Position Classification Act, which enacted this chapter and amended sections 88c and 123b of this title. For complete classification of this Act to the Code, see Short Title note set out under section 291 of this title and Tables.

**Amendments**

1996—Subsec. (b)(1)(C). Pub. L. 104–186 substituted “Chief Administrative Officer” for “Doorkeeper”.

1995—Subsec. (b)(1). Pub. L. 104–53 substituted “Chief Administrative Officer, and the Inspector General” for “Doorkeeper, and the Postmaster”.

Subsec. (c). Pub. L. 104–53 substituted “Chief Administrative Officer, and the Inspector General” for “Doorkeeper, and the Postmaster,”.

**Transfer of Functions**

Certain functions of Recording Studio and Officers of House of Representatives transferred to Director of Non-legislative and Financial Services by section 7 of House Resolution No. 423, One Hundred Second Congress, Apr. 9, 1992. Director of Non-legislative and Financial Services replaced by Chief Administrative Officer of House of Representatives by House Resolution No. 6, One Hundred Fourth Congress, Jan. 4, 1995.

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**§ 295. Placement of positions in compensation schedules**

The committee shall place each position (in existence on, or established after, January 1, 1965) under the House of Representatives to which this chapter applies in its appropriate class, and in its appropriate compensation level of the appropriate compensation schedule, in accordance

with the position standards and position descriptions provided for in section 294 of this title. The committee is authorized, when circumstances so warrant, to change any such position from one class or compensation level to another class or compensation level. All actions of the committee under this section shall be binding on the House officer and organization unit concerned and shall be the basis for payment of compensation and for other personnel benefits and transactions until otherwise changed by the committee.

(Pub. L. 88-652, § 6, Oct. 13, 1964, 78 Stat. 1081.)

### References in Text

This chapter, referred to in text, was in the original “this Act”, meaning Pub. L. 88-652, Oct. 13, 1964, 78 Stat. 1079, known as the House Employees Position Classification Act, which enacted this chapter and amended sections 88c and 123b of this title. For complete classification of this Act to the Code, see Short Title note set out under section 291 of this title and Tables.

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## **§ 296. Step increases; waiting periods; service in Armed Forces; automatic advancement**

(a) Each employee in a compensation level of the House Employees Schedule (HS), who has not attained the highest scheduled rate of compensation for the compensation level (HS level) in which his position is placed, shall be advanced successively to the next higher step of such HS level, as follows:

- (1) to steps 2, 3, and 4, respectively—at the beginning of the first pay period following the completion, without break in service of more than thirty months, of one year of satisfactory service in the next lower step;
- (2) to steps 5, 6, and 7, respectively—at the beginning of the first pay period following the completion, without break in service of more than thirty months, of two years of satisfactory service in the next lower step;
- (3) to steps 8, 9, and 10, respectively—at the beginning of the first pay period following the completion, without break in service of more than thirty months, of three years of satisfactory service in the next lower step; and
- (4) to steps 11 and 12, respectively—at the beginning of the first pay period following the completion, without break in service of more than thirty months, of five years of satisfactory service in the next lower step.

(b) The receipt of an increase in compensation during any of the waiting periods of service specified in subsection (a) of this section shall cause a new full waiting period of service to commence for further step increases under such subsection.

(c) Any increase in compensation granted by law, or granted by reason of an increase made by the committee in the rates of compensation of the House Employees Schedule, to employees within the purview of subsection (a) of this section shall not be held or considered to be an increase in compensation for the purposes of subsection (b) of this section.

(d) The benefit of successive step increases under subsection (a) of this section shall be preserved, under regulations prescribed by the committee, for employees whose continuous service is interrupted by service in the Armed Forces of the United States.

(e) The committee shall establish and maintain, and, from time to time, may revise, a system of automatic advancement, by successive step increases in compensation, on the basis of satisfactory service performed, without break in service of more than thirty months, for employees subject to the House Wage Schedule (HWS). In the operation of such system of step increases the committee may prescribe regulations to the effect that—

- (1) the receipt of an increase in compensation during any of the waiting periods of service required for advancement by step increases under such system shall cause a new full waiting period of service to commence for further step increases under such system;
- (2) any increase in compensation granted by law, or granted by reason of an increase made by the committee in the rates of compensation of the House Wage Schedule, to employees within the purview of such system of step increases shall not be held or considered to be an increase in compensation for the purposes of subparagraph (1) of this subsection; and
- (3) the benefit of successive step increases under such system of step increases shall be preserved, under regulations prescribed by the committee, for employees whose continuous service is interrupted by service in the Armed Forces of the United States.

(Pub. L. 88-652, § 7, Oct. 13, 1964, 78 Stat. 1081.)

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**§ 297. Appointments and reclassifications to higher compensation levels**

(a) Each employee in a compensation level of the House Employees Schedule (HS), who is appointed to a position in a higher compensation level of such schedule, or whose position is placed in a higher compensation level of such schedule pursuant to a reclassification of such position, shall be paid compensation in such higher compensation level, in accordance with the following provisions, whichever is first applicable in the following numerical order of precedence:

- (1) at the rate of the lowest step for which the rate of compensation equals the rate of compensation for that step, in the compensation level from which he is appointed, which is two steps above the step in such level which he had attained immediately prior to such appointment;
- (2) at the rate of the lowest step for which the rate of compensation exceeds, by not less than two steps of the compensation level from which he is appointed, his rate of compensation immediately prior to such appointment; or
- (3) at the rate of the highest step of such higher compensation level, or at his rate of compensation immediately prior to such appointment, whichever rate is the higher.

(b) The committee may provide by regulations for the payment of compensation, at an appropriate compensation step determined in accordance with such regulations, to each employee subject to the House Wage Schedule (HWS) who is appointed to a position in a higher compensation level of such schedule or whose position is placed in a higher compensation level of such schedule pursuant to a reclassification of such position.

(Pub. L. 88-652, § 8, Oct. 13, 1964, 78 Stat. 1082.)

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**§ 298. Reductions in compensation level**

Each employee in a position of a compensation level of the House Employees Schedule (HS) or the House Wage Schedule (HWS), whose employment in such position and level is terminated and who is reemployed, with or without break in service, in a position in a lower compensation level (HS level or HWS level) of such schedule, or whose position is placed in a lower compensation level of such schedule pursuant to a reclassification of such position, shall be placed by the committee in such step of such lower compensation level as the committee deems appropriate.

(Pub. L. 88-652, § 9, Oct. 13, 1964, 78 Stat. 1083.)

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**§ 299. Repealed. Pub. L. 106–554, § 1(a)(2) [title I, § 102(a)], Dec. 21, 2000, 114 Stat. 2763, 2763A–100**

Section, Pub. L. 88–652, § 10, Oct. 13, 1964, 78 Stat. 1083, related to compensation level of individual appointed to position subject to House Employees Schedule or House Wage Schedule.

**Effective Date of Repeal**

Pub. L. 106–554, § 1(a)(2) [title I, § 102(b)], Dec. 21, 2000, 114 Stat. 2763, 2763A–100, provided that: “The amendment made by subsection (a) [repealing this section] shall apply with respect to employees appointed on or after October 1, 2000.”

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**§ 300. Establishment of positions; payment from applicable accounts**

The committee may authorize the establishment of additional positions of the kind to which this chapter applies, on a permanent basis or on a temporary basis of not to exceed six months’ duration, whenever, in the judgment of the committee, such action is warranted in the interests of the orderly and efficient operation of the House of Representatives. The compensation of each such position may be paid out of the applicable accounts of the House of Representatives until otherwise provided by law. An additional position of the kind to which this chapter applies shall not be established without authorization of the committee.

(Pub. L. 88–652, § 11, Oct. 13, 1964, 78 Stat. 1083; Pub. L. 104–186, title II, § 209(3), Aug. 20, 1996, 110 Stat. 1743.)

**References in Text**

This chapter, referred to in text, was in the original “this Act”, meaning Pub. L. 88–652, Oct. 13, 1964, 78 Stat. 1079, known as the House Employees Position Classification Act, which enacted this chapter and amended sections 88c and 123b of this title. For complete classification of this Act to the Code, see Short Title note set out under section 291 of this title and Tables.

**Amendments**

1996—Pub. L. 104–186 substituted “applicable accounts” for “contingent fund”.

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**§ 301. Preservation of existing appointing authorities**

This chapter shall not be held or considered to change or otherwise affect—

- (1) any authority to establish positions under the House of Representatives which are not within the purview of this chapter, or
- (2) any authority to make appointments to positions under the House of Representatives, irrespective of whether such positions are within the purview of this chapter.

(Pub. L. 88–652, § 12, Oct. 13, 1964, 78 Stat. 1083.)

**References in Text**

This chapter, referred to in text, was in the original “this Act”, meaning Pub. L. 88–652, Oct. 13, 1964, 78 Stat. 1079, known as the House Employees Position Classification Act, which enacted this chapter and amended sections 88c and 123b of this title. For complete classification of this Act to the Code, see Short Title note set out under section 291 of this title and Tables.

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**§ 302. Regulations**

The committee is authorized to prescribe such regulations as may be necessary to carry out the purposes of this chapter.

(Pub. L. 88–652, § 13, Oct. 13, 1964, 78 Stat. 1084.)

**References in Text**

This chapter, referred to in text, was in the original “this Act”, meaning Pub. L. 88–652, Oct. 13, 1964, 78 Stat. 1079, known as the House Employees Position Classification Act, which enacted this chapter and amended sections 88c and 123b of this title. For complete classification of this Act to the Code, see Short Title note set out under section 291 of this title and Tables.

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**§ 303. Dual compensation**

For the purposes of applicable law relating to the payment to any employee subject to the House Employees Schedule or the House Wage Schedule of compensation from more than one civilian office or position, the rate of basic compensation of each employee subject to any such schedule shall be held and considered to be that rate which, when increased by additional compensation then currently authorized by law for House employees generally, equals or most nearly equals the per annum rate of compensation of such employee under such schedule.

(Pub. L. 88–652, § 14, Oct. 13, 1964, 78 Stat. 1084.)