

SEC. 2. The regulations prescribed under Section 1 shall be consistent with Article VII(4) of the Agreement in Implementation of Article IV of the Panama Canal Treaty and with all other relevant provisions of the Panama Canal Treaty and related agreements.

RONALD REAGAN.

### § 3658. Benefits based on basic pay

For the purpose of determining—

- (1) amounts of compensation for disability or death under chapter 81 of title 5, relating to compensation for work injuries;
- (2) benefits under subchapter III of chapter 83 or chapter 84 of title 5, relating to retirement;
- (3) amounts of insurance under chapter 87 of title 5, relating to life insurance;
- (4) amounts of overtime pay or other premium pay;
- (5) annual leave benefits; and
- (6) any other benefits related to basic pay;

the basic pay of each employee shall include the rate of basic pay established for his position under section 3642 of this title plus the amount of any additional compensation provided under section 3657(a)<sup>1</sup> of this title.

(Pub. L. 96-70, title I, §1218, Sept. 27, 1979, 93 Stat. 466; Pub. L. 104-201, div. C, title XXXV, §3534, Sept. 23, 1996, 110 Stat. 2863; Pub. L. 105-85, div. C, title XXXV, §3523(c)(2), Nov. 18, 1997, 111 Stat. 2065.)

#### REFERENCES IN TEXT

Section 3657(a) of this title, referred to in text, was repealed by Pub. L. 105-261, div. C, title XXXV, §3507(a), Oct. 17, 1998, 112 Stat. 2269.

#### AMENDMENTS

1997—Pub. L. 105-85, in concluding provisions, substituted “section 3642” for “section 3655” and “section 3657(a)” for “section 3657”.

1996—Par. (2). Pub. L. 104-201 amended par. (2) generally. Prior to amendment, par. (2) read as follows: “benefits under subchapter III of chapter 83 of title 5, relating to civil service retirement;”.

#### COORDINATION OF PAY AND EMPLOYMENT PRACTICES

For provisions requiring consultations with the Secretary of Defense for agencies under this subpart with respect to the establishment of rates of pay and other matters deemed appropriate by the Secretary in order to develop compatible or unified systems of basic pay and employment practices, see section 1-201 of Ex. Ord. No. 12215, May 27, 1980, 45 F.R. 36043, set out as a note under section 3601 of this title.

### § 3659. Repealed. Pub. L. 105-85, div. C, title XXXV, §3523(a)(2), Nov. 18, 1997, 111 Stat. 2064

Section, Pub. L. 96-70, title I, §1219, Sept. 27, 1979, 93 Stat. 466, related to salary protection upon conversion of pay rate.

### § 3660. Review and adjustment of classifications, grades, and pay level

An employee may request at any time that the employee's agency—

- (1) review the classification of the employee's position or the grade or pay level for the employee's position, or both; and

- (2) revise or adjust that classification, grade or pay level, or both, as the case may be.

The request for review and revision or adjustment shall be submitted and adjudicated in accordance with the regularly established appeals procedures of the agency.

(Pub. L. 96-70, title I, §1220, Sept. 27, 1979, 93 Stat. 466.)

### § 3661. Panama Canal Board of Appeals; duties

(a) Subject to the provisions of this part, the Commission shall prescribe regulations establishing a Panama Canal Board of Appeals. The regulations shall provide for the number of members of the Board and their appointment, compensation, and terms of office, the selection of a Chairman of the Board, the appointment and compensation of the Board's employees, and other appropriate matters relating to the Board.

(b) The Board shall review and determine the appeals of employees in accordance with section 3662 of this title. The decisions of the Board shall conform to the provisions of this subpart.

(Pub. L. 96-70, title I, §1221, Sept. 27, 1979, 93 Stat. 466; Pub. L. 105-85, div. C, title XXXV, §3548, Nov. 18, 1997, 111 Stat. 2073.)

#### AMENDMENTS

1997—Subsec. (a). Pub. L. 105-85 substituted “Commission” for “President”.

### § 3662. Appeals to Board; procedures

#### (a) Persons entitled to appeal; form; time

An employee may appeal to the Panama Canal Board of Appeals from an adverse determination made by an agency under section 3660 of this title. The appeal shall be made in writing within a reasonable time (as specified in regulations prescribed by, or under the authority of, the Commission) after the date of the transmittal by the agency to the employee of written notice of the adverse determination.

#### (b) Personal appearance

The Board may authorize, in connection with an appeal pursuant to subsection (a) of this section, a personal appearance before the Board by the employee, or by a representative of the employee designated for that purpose.

#### (c) Consideration of evidence; decision

After investigation and consideration of the evidence submitted, the Board shall—

- (1) prepare a written decision on the appeal;
- (2) transmit its decision to the agency concerned; and
- (3) transmit copies of the decision to the employee concerned or to the designated representative.

#### (d) Finality of decision

The decision of the Board on any question or other matter relating to an appeal is final and conclusive. The agency concerned shall take action in accordance with the decision of the Board.

(Pub. L. 96-70, title I, §1222, Sept. 27, 1979, 93 Stat. 467; Pub. L. 105-85, div. C, title XXXV, §3548, Nov. 18, 1997, 111 Stat. 2073.)

<sup>1</sup> See References in Text note below.