

**§ 304. Public Printer: vacancy in office**

In case of the death, resignation, absence, or sickness of the Public Printer, the Deputy Public Printer shall perform the duties of the Public Printer until a successor is appointed or his absence or sickness ceases; but the President may direct any other officer of the Government, whose appointment is vested in the President by and with the advice and consent of the Senate, to perform the duties of the vacant office until a successor is appointed, or the sickness or absence of the Public Printer ceases. A vacancy occasioned by death or resignation may not be filled temporarily under this section for longer than ten days, and a temporary appointment, designation, or assignment of another officer may not be made except to fill a vacancy happening during a recess of the Senate.

(Pub. L. 90-620, Oct. 22, 1968, 82 Stat. 1239.)

## HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., §32 (Jan. 12, 1895, ch. 23, §36, 28 Stat. 606; May 27, 1908, ch. 200, §1, 35 Stat. 382.)

**§ 305. Public Printer: employees; pay**

(a) The Public Printer may employ journeymen, apprentices, laborers, and other persons necessary for the work of the Government Printing Office at rates of wages and salaries, including compensation for night and overtime work, he considers for the interest of the Government and just to the persons employed, except as otherwise provided by this section. He may not employ more persons than the necessities of the public work require nor more than four hundred apprentices at one time. The minimum pay of journeymen printers, pressmen, and bookbinders employed in the Government Printing Office shall be at the rate of 90 cents an hour for the time actually employed. Except as provided by the preceding part of this section the rate of wages, including compensation for night and overtime work, for more than ten employees of the same occupation shall be determined by a conference between the Public Printer and a committee selected by the trades affected, and the rates and compensation so agreed upon shall become effective upon approval by the Joint Committee on Printing. When the Public Printer and the committee representing the trade fail to agree as to wages, salaries, and compensation, either party may appeal to the Joint Committee on Printing, and the decision of the Joint Committee is final. The wages, salaries, and compensation so determined are not subject to change oftener than once a year.

(b) The Public Printer may grant an employee paid on an annual basis compensatory time off from duty instead of overtime pay for overtime work.

(Pub. L. 90-620, Oct. 22, 1968, 82 Stat. 1240; Pub. L. 91-167, Dec. 26, 1969, 83 Stat. 453; Pub. L. 91-369, July 31, 1970, 84 Stat. 693.)

## HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., §40 (Jan. 12, 1895, ch. 23, §§39, 49, 50, 28 Stat. 607, 608; June 6, 1900, ch. 791, §1, 31 Stat. 643; Mar. 4, 1909, ch. 299, §1, 35 Stat. 1021, 1024; Aug. 24, 1912, ch. 355, §1, 37 Stat. 482; July 8, 1918, ch.

139, §1, 40 Stat. 836; Aug. 2, 1919, ch. 30, 41 Stat. 272; Feb. 20, 1923, ch. 98, 42 Stat. 1278; June 7, 1924, ch. 354, §1, 43 Stat. 658).

Last sentence of this section was deleted as executed.

## AMENDMENTS

1970—Pub. L. 91-369 designated existing provisions as subsec. (a) and added subsec. (b).

1969—Pub. L. 91-167 substituted “four hundred” for “two hundred” as the number of apprentices which the Public Printer may employ at one time.

## REPEALS

General repealer of provisions inconsistent with Pub. L. 92-392 as not repealing or affecting this section, see section 13 of Pub. L. 92-392, set out as a note under section 5341 of Title 5, Government Organization and Employees.

## VOLUNTARY SEPARATION INCENTIVES

Pub. L. 105-275, title III, §309, Oct. 21, 1998, 112 Stat. 2454, as amended by Pub. L. 107-68, title II, §210(a), Nov. 12, 2001, 115 Stat. 590; Pub. L. 112-10, div. B, title IX, §1926(a), Apr. 15, 2011, 125 Stat. 172, provided that:

“(a) SEVERANCE PAY.—[Amended section 5595 of Title 5, Government Organization and Employees.]

“(b) EARLY RETIREMENT.—(1) This subsection applies to an employee of the Government Printing Office who—

“(A) voluntarily separates from service on or after the date of enactment of this Act [Oct. 21, 1998] and before October 1, 2004; and

“(B) on such date of separation—

“(i) has completed 25 years of service as defined under section 8331(12) or 8401(26) of title 5, United States Code; or

“(ii) has completed 20 years of such service and is at least 50 years of age.

“(2) Notwithstanding any provision of chapter 83 or 84 of title 5, United States Code, an employee described under paragraph (1) is entitled to an annuity which shall be computed consistent with the provisions of law applicable to annuities under section 8336(d) or 8414(b) of title 5, United States Code.

“(c) VOLUNTARY SEPARATION INCENTIVE PAYMENTS.—(1) In this subsection, the term ‘employee’ means an employee of the Government Printing Office, serving without limitation, who has been currently employed for a continuous period of at least 12 months, except that such term shall not include—

“(A) a reemployed annuitant under subchapter III of chapter 83 or chapter 84 of title 5, United States Code, or another retirement system for employees of the Government;

“(B) an employee having a disability on the basis of which such employee is or would be eligible for disability retirement under any of the retirement systems referred to in subparagraph (A); or

“(C) an employee who is employed on a temporary when actually employed basis.

“(2) Notwithstanding any other provision of law, in order to avoid or minimize the need for involuntary separations due to a reduction in force, reorganization, transfer of function, or other similar action affecting the agency, the Public Printer shall establish a program under which voluntary separation incentive payments may be offered to encourage eligible employees to separate from service voluntarily (whether by retirement or resignation) during the period beginning on the date of the enactment of this Act [Oct. 21, 1998] through September 30, 2004.

“(3) Such voluntary separation incentive payments shall be paid in accordance with the provisions of section 5597(d) of title 5, United States Code. Any such payment shall not be a basis of payment, and shall not be included in the computation, of any other type of Government benefit.

“(4)(A) Not later than January 15, 1999, the Public Printer shall submit a plan described under subpara-