



This information is provided only as a general guideline for out of town travel time. Prior to the business travel, the supervisor should meet with the employee to discuss how his or her hours should be recorded and what records should be kept. Specific travel time compensation and reporting is done in accordance with current state and federal laws and regulations and questions should be directed to Human Resources (438-8311).

Information needed to determine compensable travel time:

1. What are the employee's regular working hours?
2. Will the travel be conducted in one day or overnight?
3. What is the means of transportation (driving a vehicle; riding as a passenger in a vehicle, plane, train; etc.)?
4. Will the employee be expected to work during travel to or from the destination or will he/she be free to relax as a passenger?
5. What are the departure and return times?
6. What is the duration of the employee's normal to/from work commute?
7. What are the hours of work related activities during the trip? (Include afterhours events if attendance is required or work is conducted at the event.)
8. Will meal times be personal time for the employee, or will they be working during meal times? If personal time, what is the duration of "personal" time they will have for meals?

## **General Rules**

- 1) In an ordinary situation where an employee commutes to and from the work site, the employee is not entitled to additional compensation for such travel time.
- 2) Generally, an employee is not at work until he or she reaches the work site, but if an employee is required to report to a meeting place where he or she is to pick up materials, equipment or other employees, or to receive instructions before traveling to the work site, compensable time starts at the meeting place.
- 3) For out of town, same day travel, all time spent traveling is compensable.
- 4) For out of town, multiple day travel, time spent traveling during normal working hours or while actually conducting work (driving is considered work) is compensable. Travel outside regular working hours is not compensable unless work is actually being conducted (either driving or working as a passenger).
  - a. If the employee's regular working hours are 8:00 am – 4:30 pm Monday through Friday, travel between 8:00 am and 4:30 pm any day of the week (including Saturday and Sunday) is considered travel during regular working hours and is compensable.
  - b. When traveling by motor vehicle, the driver is considered to be working. Passengers who are free to relax are not considered to be working unless actual work is being conducted.
  - c. Regardless of travel time, if work is being conducted during travel, the time is compensable.
- 5) If an employee is offered the option of public transportation but chooses to drive, the employer may count as hours worked either the time spent driving or the time that would have been compensable if public transportation had been taken.
- 6) If the employee departs from home, rather than the workplace, the employer can deduct the employee's normal commute time from the travel time.

7) Employers can deduct bona fide meal breaks from compensable travel time.

## Examples

### Example 1 – Out of Town/Same Day Travel

Two employees travel to attend a professional conference in Chicago. Both employees' normal working hours are 8:00 am – 4:30 pm and both have a normal commute time to work of 30 minutes. Employee A leaves home at 7:00 am, arrives to pick up a university vehicle at 7:15 am, and then picks up employee B at the office at 7:30 am. The employees arrive at the conference at 9:30 am. Lunch is provided from 12:00 pm – 1:00 pm and no work is conducted during the meal. The conference concludes at 4:00 pm. Employee A drops employee B off at the office at 6:00 pm and drops the university car off at 6:15 pm.

#### Calculating Compensable Time

Employee A

- 1) Compensable time begins at 7:15 am.
  - a) All travel time is compensable for out of town, same day travel.
  - b) Normal commute time can be deducted.
  - c) The employee was required to pick up a university car; therefore, compensable time begins when he/she arrives to pick up the car.
- 2) Non-working lunch is not compensable – deduct 1 hour from the day's total.
- 3) Compensable time ends at 6:15 pm.
  - a) The employee was required to return the university car; therefore compensable time does not end until he/she returns to his/her personal car to drive home.

**Total compensable hours – 10 hours (7:15 am – 6:15 pm minus 1 hour)**

Employee B

- 1) Compensable time begins at 7:30 am.
  - a) All travel time is compensable for out of town, same day travel.
- 2) Non-working lunch is not compensable – deduct 1 hour from the day's total.
- 3) Compensable time ends at 6:00 pm.

**Total compensable hours – 9.5 hours (7:30 am – 6:00 pm minus 1 hour)**

### Example 2 – Out of Town/Multiple Day Travel

An employee with normal working hours of 8:00 am to 4:30 pm and a normal commute time of 15 minutes, leaves home at 3:00 pm on Sunday afternoon. He arrives at the airport at 3:30 pm and boards a plane for Texas at 4:15 pm. The employee spends the first hour of the flight reviewing notes to prepare for his donor meetings over the next several days. The rest of the flight is spent relaxing. After the plane lands at 6:15 pm, the employee stops for dinner and then spends the rest of the night relaxing in the hotel. Monday through Wednesday, the employee spends his regular working hours of 8:00 am to 4:30 pm preparing for donor meetings, meeting with donors, and responding to work emails and phone calls, apart from taking one hour each day for a personal meal time. Additionally, he spends Wednesday evening (6:00 pm to 9:00 pm) attending a charity event networking with several donors. On Thursday morning, he eats breakfast at

the hotel and then shuttles to the airport at 7:00 am. He boards at plane at 8:15 am and relaxes on the flight. After landing at 10:15 am, the employee drives to the office, where he works until 4:30 pm.

### Calculating Compensable Time

#### Sunday

- 1) Compensable time begins at 3:15 pm.
  - a) Travel is during normal working hours (day of the week does not matter)
  - b) Normal commute time can be deducted
- 2) Compensable time ends at 5:15 pm.
  - a) Once the employee stops working, compensable time ends because the travel is outside of normal working hours at this point.
- 3) Total compensable time for Sunday is 2 hours.

#### Monday

- 1) Compensable time begins and ends with normal working hours (8:00 am – 4:30 pm).
- 2) Non-working lunch is not compensable – deduct 1 hour from the day's total.
- 3) Total compensable time for Monday is 7.5 hours.

#### Tuesday

- 1) Compensable time begins and ends with normal working hours (8:00 am – 4:30 pm).
- 2) Non-working lunch is not compensable – deduct 1 hour from the day's total.
- 3) Total compensable time for Tuesday is 7.5 hours.

#### Wednesday

- 1) Compensable time begins and ends with regular working hours (8:00 am – 4:30 pm).
- 2) Non-working lunch is not compensable – deduct 1 hour from the day's total.
- 3) Additional compensable time for networking event is earned from 6:00 pm to 9:00 pm.
- 4) Total compensable time for Wednesday is 10.5 hours.

#### Thursday

- 1) Compensable time begins and ends with regular working hours (8:00 am – 4:30 pm).
- 2) The employee is a passenger while shuttling to the airport prior to regular working hours; therefore, that travel time is not compensable.
- 3) All travel during normal working hours is compensable.
- 4) Non-working lunch is not compensable – deduct 1 hour from the day's total.
- 5) Total compensable time for Thursday is 7.5 hours.

***Total Compensable Hours (Sunday – Thursday) – 35 hours***

### **Example 3 – Conducting Work While On Vacation**

An employee is on vacation for an entire week. While she is on vacation, she makes a side trip to visit with a donor who lives in the area. She travels on a train for 1 hour in each direction to meet the donor and spends 2 hours visiting with the donor.

- 1) All travel time is compensable for out of town, same day travel out of town. She would record 4 hours as work time instead of vacation.

***Total compensable time – 33.5 hours of vacation and 4 hours of regular work***

## Quick Resource

This chart is intended to provide general guidance for determining compensable travel time for non-exempt employees. It may be necessary to consider portions of travel time individually when reviewing this chart. Specific circumstances may also have special rules. Please contact Human Resources (438-8311) for specific questions and/or guidance.

