

# Compensable Travel Time

## A. Overnight Travel for Non Exempt Employees

<b>Example:</b> <b><u>An employee is required to attend a 2-day conference in Dallas on Saturday and Sunday.</u></b>	
<b>Regular work schedule:</b>	8:00 a.m. to 5:00 p.m., Monday through Friday
<b>Work week:</b>	Monday (12:01 a.m.) through Sunday (12:00 a.m.)

	<b>Travel Time</b>	<b>Compensable Time</b>	<b>Conference Work Time</b>	<b>Compensable Time</b>	<b>Total Compensable Hours</b>
Saturday	7:30 am to 1:30 pm	8 am to 1:30 pm (5.5 hrs*)	3 pm to 7 pm	3 pm to 7 pm (4 hrs)	9.5 hours
Sunday	1 pm to 7:30 pm	1 pm to 5 pm (4 hrs*)	8 am to 12 pm	8 am to 12 pm (4 hrs)	8 hours

### According to the DOL:

- *Travel away from home is clearly work time when it cuts across the employee's workday. The time is not only hours worked on regular working days during normal working hours but also during corresponding hours on nonworking days.*

**Note:** The time the employee spends waiting around before the conference 1:30 – 3:00 p.m. on Saturday (1 hour and a half) is not compensable because he or she performed no work.

\* The hours spent driving between 7:30 a.m. and 1:30 p.m. on Saturday are considered hours worked because it cuts across the employee's normal work hours.

\*\* The hours spent driving between 1 p.m. and 5 p.m. on Sunday are considered hours worked because it cuts across the employee's normal work hours on a corresponding nonworking day (Sunday). The remaining two and half hours (from 5 p.m. to 7:30 p.m. on Sunday) are not compensable because they fall outside the normal working hours (8 a.m. to 5 p.m.). Lunch hour is to be excluded.

**Calculating compensable hours:**

Monday through Friday:	40.00 hours worked
Saturday:	9.50 hours (worked and traveled)
Sunday:	8.00 hours (worked and traveled)
<b>Total hours worked:</b>	<b>57.50 hours</b>
<b>Overtime:</b>	17.5 hours paid @ 1.5 x rate

**B. Overnight Travel Time for Classified Exempt Employees**

Same assumptions and scenario as noted in the example above:

- Federal requirements: None
- State requirements: None; discretion given to state agency
- University Policy: Limits compensable travel time to two (2) hours to and from destination.

**C. Same Day Travel to Another City for Non Exempt Employees:**

A non-exempt employee who regularly works at a fixed location in one city is given a one-day assignment in another city and returns home the same day. **The time spent in traveling to and returning from the other city is work time, except that the employer may deduct (not count) that time the employee would normally spend commuting to the regular work site.**

<b>Example:</b>	
An employee is required to attend a meeting in Austin . The meeting begins at 8 a.m. and ends at 5 p.m.	
<b>Regular work schedule:</b>	8:00 a.m. to 5:00 p.m., Monday through Friday
<b>Work week:</b>	Monday (12:01 a.m.) through Sunday (12:00 a.m.)

	<b>Travel time to conference</b>	<b>Conference work time</b>	<b>Travel time from conference to home</b>	<b>Compensable time (Minus 1 hour for lunch)</b>
Monday	6 am to 8 am (2 hours)	8 am to 5 pm (8 hours)	5 pm to 8 pm (3 hours)	6 am to 8 pm (13 hours)

<b>M</b>	<b>T</b>	<b>W</b>	<b>TH</b>	<b>F</b>	<b>Total Hours Worked</b>
13	8	8	8	8	45

$$45 - 40 = 5 \text{ hrs } \underline{\text{Overtime}} \text{ paid @ } 1.5 \times \text{rate}$$

**D. Same Day Travel to Another City for Classified Exempt Employees**

Same assumptions and scenario as noted in the example (C.) above.

- Federal requirements: None
- State requirements: None; discretion given to state agency
- University Policy: Count travel time as hours worked. Entitled to State Comp time.

<b>M</b>	<b>T</b>	<b>W</b>	<b>TH</b>	<b>F</b>	<b>Total Hours Worked</b>
13	8	8	8	8	45

$$45 - 40 = 5 \text{ hrs } \underline{\text{State Comp Time}}$$