**Calculating Compensable Travel Time for Non-Exempt Employees**

These guidelines are in accordance with Board Policy 3.26 – Compensable Travel Time (Non-Exempt Employees) which is based on the Fair Labor Standards Act (enforced by the U. S. Department of Labor). It is essential that there is communication between employees and their supervisors.

Pre-approvals must be obtained prior to non-exempt employees traveling for work to help prevent employees from working unnecessary overtime (due to compensable travel time). Failure to obtain pre-approval may result in disciplinary action for the employee.

**Travel during the Workday (Same Day Travel):**

The actual movement from one location to another is considered travel. Generally, all travel time within the day is compensable, even if it is outside of the employee’s normal work hours, except:

* Normal commute time
* Being a passenger in a vehicle and not performing work (i.e. checking and responding to emails)

**Example 1:**

*Two non-exempt (hourly) employees are required to drive to a one-day seminar to Lake of the Ozarks. Their regular schedules are 8 a.m. – 5 p.m. (noon – 1 p.m. for lunch). The session runs from 9 a.m. – 5 p.m. with an hour lunch break. They leave the campus at 7 am and return by 7 p.m. stopping for dinner on their way back.*

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| --- | --- | --- | --- |
| **Hours** | **Paid time for driver?** | **Paid time for passenger?** | **Why?** |
| 7 - 8 am | Yes | No | Driving time outside of normal work hours is paid for the driver only; riding in a car as a passenger outside of normal work hours is not paid. |
| 8 am - noon | Yes | Yes | Training is during normal work hours. |
| Noon - 1 pm (A) | No | No | Mealtime is not considered work time if attendees are free to leave (even if the lunch is hosted at the training) |
| Noon - 1 pm (B) | Yes | Yes | Mealtime is considered work time if the training continues during lunch, |
| 1 - 5 pm | Yes | Yes | Training is during normal work hours |
| 5 - 6 pm | No | No | Mealtime outside of normal working hours is not work time. |
| 6 - 7 pm | Yes | No | Driving time outside of normal work hours is paid to the driver only. Riding in a car as a passenger outside of normal work hours is not paid. |

**Travel Outside of Regular Workday**

On an employee’s non-workday, the travel time during regular work hours is compensable. . If an employee works M – F, 8 a.m. – 5 p.m., time working or traveling on Saturday or Sunday during the hours of 8 a.m. – 5 p.m., is also compensable, minus a mealtime.

Time spent at the location performing work, attending a conference, workshop or training session is treated as if the employee was still at their home work station. There are specific exceptions to the rule as noted below

Generally, time spent outside of the required event or conference is not considered compensable time except when required by the supervisor.

**0vernight Travel Compensable Time or Not?**

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| --- | --- |
| **Yes** | **No** |
| Working or attending required meetings during the regularly scheduled work hours | Meal periods or time spent freely like in a hotel room with freedom to use the time for personal reasons is not compensable |
| Traveling inside or outside of regular scheduled work hours if driving, regardless of day; Traveling as a passenger if during regular hours regardless of the day | Travel outside of regular scheduled work hours as a passenger in a car, plane or other form of transportation. |
| Attending required meetings, workshops, trainings outside of scheduled work hours regardless of the day | Voluntary or non-job-related meetings, workshops, or training and outside of work hours, and no other work is performed |
| Performing required work tasks outside of scheduled hours regardless of the day | Unless the supervisor specifically assigns an employee to attend or participate in a social event after hours, this is considered optional. |

**Example 2:**

*Two non-exempt staff are approved to attend a conference in Denver, CO on Thursday for a Friday meeting. They fly home Saturday. Their regular schedules are 8 a.m. – 5 p.m. (noon – 1 p.m. off for lunch). They fly from Springfield from 4 to 7 p.m. The meeting is Friday from 8 a.m. – 6 p.m. with a one hour lunch. Return flight is Saturday from Denver 8 a.m. (MST) and returns to Springfield at 10 a.m. (CST)*

**Denver Trip**

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| --- | --- | --- |
| **Hours Thursday** | **Paid Time** | **Why?** |
| 8 a.m. – 4 p.m. | Yes | Regular work schedule |
| 4 – 5 p.m. | Yes | Travel inside of regular work hours |
| 5 – 7 p.m. (Springfield time) | No | Travel as passenger outside of work hours |
| **Hours Paid** | **8** |  |
| **Hours Friday** | **Paid Time** | **Why?** |
| 8 a.m. – 6 p.m. | Yes | Meeting time matched work schedule, plus one hour. Although it was on MST time, it is still 9 hours of required meeting/work time. A session was held during the lunch hour as well. |
| **Hours Paid** | **9** |  |

|  |  |  |
| --- | --- | --- |
| **Hours Saturday** | **Paid Time** | **Why?** |
| 8 (MST) – 10 a.m. (CST) | Yes | Converting to Springfield time, the flight was from 7 - 10 am. Only the time crossing the regular 8 a.m. – 5 p.m. is compensable. Thus, time from 8 - 10 a.m. is compensable. |
| **Hours Paid** | **2** |  |

All employees must obtain appropriate approval before scheduling travel arrangements. Failure to do so may result in disciplinary action for the employee. The supervisor may adjust hours within the same workweek to offset the extra travel hours, if needed.

Not all situations are covered in this document. Call your HR staff to discuss other situations or if you have any questions.