

TRAVEL PAY – NONEXEMPT EMPLOYEES

The purpose of this policy is to outline pay rules that apply to nonexempt employees when traveling on company business.

Employees in positions classified as nonexempt (overtime eligible) under the Fair Labor Standards Act may be eligible for compensation for the time they spend traveling. The compensation an employee receives depends on the kind of travel and whether the travel time takes place within normal work hours.

“Normal work hours,” for the purposes of this policy, are defined as an employee’s regularly scheduled work hours (e.g., 7:30 a.m. to 4:30 p.m.). Scheduled hours may vary at the manager’s discretion (i.e. flex scheduled work hours to 8:00 am to 5:00 pm). This definition applies to normal workdays (Monday through Friday) and to weekends (Saturday and Sunday).

“Travel time” is defined according to the type of travel involved:

Travel for a one-day assignment in another city: An employee who regularly works at a fixed location and is given a special one-day assignment in another city and returns home the same day will be paid for the time spent traveling to and from the other city, except for the time the employee would normally spend commuting to and from the regular worksite.

Travel during the workday: Time spent by an employee traveling as part of his or her regular job duties, such as travel from jobsite to jobsite during the workday, is work time and will be paid as such.

Travel away from home: Travel that keeps an employee away from home overnight is travel away from home. Travel time that takes place within normal work hours, regardless of the day of the week, is treated as work hours. When an employee travels between time zones, the time zone associated with the point of departure should be used to determine whether the travel falls within normal work hours. Time spent traveling from home to an airport terminal or train station is considered commute time and is not treated as hours worked. Time spent waiting at a terminal until arrival at the destination is compensable when it falls during normal work hours.

Travel time as the driver of an automobile: All authorized travel time spent driving an automobile (as the driver, not as a passenger) is treated as work hours, regardless of whether the travel takes place within normal work hours or outside normal work hours.

If an employee requests a specific travel itinerary or mode of transportation that is different from the one authorized by the company, only the estimated travel time associated with the itinerary and mode of transportation that has been authorized will be eligible for compensation. For example, if an employee drives a car as a matter of personal preference when an authorized flight or other travel mode is available, and the travel time by car would exceed that of the authorized mode, only the estimated travel time associated with the authorized mode will be compensated.

Travel time as a *passenger* in an automobile is not automatically treated as work hours. Travel as a passenger in an automobile is treated the same as all other forms of travel. If travel time as a passenger is outside normal working hours, and they are not required to work, this time is not compensable.

Calculating and Reporting Travel Time

Employees are responsible for accurately tracking, calculating and reporting travel time on their time sheets in accordance with this policy.

Meal periods should be deducted from all travel time.