

## Travel Time Reporting for Non-Exempt Employees

**Effective Date:** February 1, 2017  
**Function:** Human Resources  
**Contact:** VP, Human Resources

### Basis for Procedure

There are times when nonexempt Research Foundation (RF) employees may be required to travel to different locations other than the main work site as part of the normal work duties. The purpose of this document is to state the pay rules that apply to non-exempt employees when traveling on company business.

In determining whether time spent in travel is working time, the kind of travel involved must be examined. In addition, the normal work hours of the employee must be defined and on record in the Human Resources department. There are four categories of travel time:

- Home to Work Travel
- Travel during the workday
- Single-Day Travel – Special One Day Assignment
- Overnight Travel

### Eligibility

This procedure applies to non-exempt employees.

## Procedure Summary

### Home to Work Travel

Employees are not compensated for commuting time (time spent traveling between home and the work site). Generally, an employee is not at work until he or she reaches the work site and begins working.

If the employee is required to report to a location where he or she is to pick up materials, equipment, or other employees, or to receive instructions before traveling to the work site, the RF will compensate employees for time once the employee reports to the first location. Employees who do not have a regular work site should follow the requirements in the following section *Travel During the Workday*.

### Travel During the Workday

The RF will compensate an employee for any portion of work-related travel that occurs within an employee's normal work schedule. If an employee travels from work site to work site during the workday, then the employee will be compensated for time spent traveling between sites. As noted above, employees generally will not be compensated for travel time from home to the first work site or from the last work site to home. There may be special

circumstances when this home to work or work to home time is compensable. In these circumstances, the RF Human Resources office on campus will determine if this time is compensable.

**Example 1:** If an employee normally finishes work on the main work site premises at 5 pm. and is sent to another job which is finished at 8 pm and goes home, the employee is compensated up to 8 pm.

**Example 2:** An employee travels to multiple work sites during the day. The employee is compensated for the travel time between work sites but is not compensated for travel to the first work site or from the last worksite. The employee must take and record a regular meal period.

### **Single-Day Travel – Special One-Day Assignment**

If the RF assigns an employee to work in another city for one day, the travel is compensable. However, the employee is not compensated for travel time between the employee's home and the airport, bus or railway station, which is considered commuting time.

For example, an employee who works in Albany, New York with regular working hours from 9 am to 5 pm may be given a special assignment in New York City with instructions to take the 8 am train. The employee arrives at 12:30, ready for work. The assignment is completed at 4 pm and the employee arrives back in Albany at 7 pm. Single day out of town travel is considered hours worked and all of the hours from 8 am to 7 pm are compensable, excluding the meal period. In this example, the employee would not be compensated for commuting between home and the train station.

### **Overnight Travel**

Travel that keeps an employee away from home overnight is travel away from home. There are two types of travel hours when an employee is traveling overnight.

**Outside travel hours:** Any portion of work-related overnight travel (with the exception of driving time) that takes place outside of normal work hours. This includes normal work hours that fall on days the employee is not regularly scheduled to work.

**Travel inside normal work hours:** Any portion of work-related overnight travel that occurs within normally scheduled work hours. This includes normal work hours that fall on days the employee is not regularly scheduled to work.

**Example:** If an Employee regularly works from 9 am to 5 pm from Monday through Friday, the travel time during these work hours is worktime on Saturday and Sunday as well as on the other days. Regular meal period time is not counted. In this instance, if the employee arrives at the airport at 1 pm for a 3 pm flight which arrives at the destination at 7 pm, the 4 hours from 1 – 5 pm are considered travel inside normal hours. The 2 hours from 5 – 7 pm are considered outside travel hours.

Generally, employees are compensated for the time spent traveling whether that time is considered travel inside normal hours or travel outside normal hours. There may be times that projects may set a travel rate for outside travel hours or create a specific travel program for employees based on business operational need, campus practice and budget availability. Specific travel programs must be applied consistently and authorized by campus and central office Human Resources.

An employee will not be compensated for time spent at a hotel, motel or conference center where the employee is not performing work and has freedom to use time for the employee's own purposes.

**Time Zone Changes –** If the time zone changes between first point of departure and last point of arrival locations, departure and arrival time should be calculated using the time zone associated with departure. Employees will be compensated as appropriate for actual hours of travel. The time zone of departure will be used to determine whether travel falls outside of normal work hours.

**Waiting time/layovers -** Employees will generally be paid up to 2 hours for waiting time that occurs during outside travel hours prior to departure of the plane, bus, or train. If additional time is required, the employee should consult in advance with their supervisor. HR will determine whether employees will be compensated for layovers (planned or unplanned) on a

case by case basis.

Meal periods - Employees are not compensated for regular meal period time during which the employee is completely relieved of duties.

### **Work Performed While Traveling**

Any work which an employee performs while traveling (i.e. answering e-mails, business related discussions, or taking business related phone calls) must be counted as hours worked and paid at the employee's regular rate.

### **Reporting Travel Time**

Employees are responsible for accurately tracking, calculating and reporting travel time on their timesheets. Only time counted as time worked is considered in calculating overtime.

Unpaid meal periods should be noted on timesheets.

### **Definitions**

*Non-Exempt*- Non-exempt employees are those employees entitled to minimum wage and overtime. Non-exempt employee must be paid for all hours the employee is either required or allowed to work.

### **Related Information**

None

### **Forms**

None

### **Change History**

Date	Summary of Change
February 1, 2017	New document.

### **Feedback**

Was this document clear and easy to follow? Please send your feedback to [webfeedback@rfsuny.org](mailto:webfeedback@rfsuny.org).

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