

Compensating Nonexempt Employees for Travel

University Human Resources

Introduction: The principles which apply in determining whether time spent in travel is compensable time depends upon the kind of travel involved. Generally speaking, excluding normal commuting time, employees should be compensated for all travel unless it is: (a) overnight; (b) outside of regular work hours; (c) on a common carrier or the employee is a passenger; or (d) where no work is done.

Travel compensation is often based on the employee's "normal work schedule". If an employee is normally required to work 8-5 then that schedule is used to determine what the travel compensation is based upon for certain modes of transportation. An employer may rearrange the work schedule within ISU's [workweek](#) (Sunday – Saturday) to avoid additional compensation of hours that may occur as a result of travel time or compensable commuting time as described below. A shift in the work schedule for this workweek, does not impact the "normal work schedule" definition. Whenever possible, the employer and employee should discuss the possibility of rearranging the work schedule prior to departure. However, special rules apply to special situations. Many of the common types of travel issues facing ISU nonexempt employees at ISU are described below.

| Type of Travel | Compensable Time | Non-compensable Time |
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| Commuting | <ul style="list-style-type: none">• Performing authorized work-related tasks while commuting between home and work (<i>e.g.</i>, dropping off a report across town, picking up supplies, making work phone calls)• Transporting or delivering materials or equipment to a job site prior to the start of the work day and/or returning materials or equipment after the end of the work day (<i>e.g.</i>, dropping off a projector and handouts for a colleague's presentation at the Alumni Center before coming to work)• Transporting other employees to work sites, to the office, or to their homes either before or after the workday <u>at management request</u> (<i>i.e.</i>, not just to be nice) (<i>e.g.</i>, driving a guest back to their hotel at the end of the day; driving an interviewee to another building) | <ul style="list-style-type: none">• Ordinary travel from home to work (<i>e.g.</i>, the employee's daily commute) |

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| Travel within the Work Day | <ul style="list-style-type: none"> • Time spent in travel as part of the employee’s assigned job duties (<i>e.g.</i>, driving from main campus to Vet Med for a meeting) | <ul style="list-style-type: none"> • Running personal errands during lunch hour (<i>e.g.</i>, dropping off dry-cleaning, going to the bank) |
| One-Day Assignment Off-Campus | <ul style="list-style-type: none"> • Time spent traveling to and returning from a one-day required assignment in another city or town regardless of whether employee is the driver or the passenger, regardless of whether the travel cuts across the normal work schedule (<i>e.g.</i>, driving to and from a day-long conference in Des Moines) • Time spent at required conference, meeting (<i>e.g.</i>, attending the day-long conference in Des Moines) | <ul style="list-style-type: none"> • Time not worked even if it cuts across the employee’s regular work schedule (<i>e.g.</i>, employee goes sightseeing instead of attending a conference session; or the conference sessions are only from 9 a.m. to 3 p.m., etc.) • Meal periods and social activities where attendance is not required and work is not performed |
| Overnight Travel | <ul style="list-style-type: none"> • Any portion of authorized travel, including time spent waiting at an airport, bus station, etc., cutting across the employee’s normal work schedule, including non-work days • Riding as a passenger when the employee is required to perform work (for example, to serve as an assistant or helper, respond to email, take business-related phone calls, etc.) • Driving a vehicle, regardless of whether the travel takes place within or outside normal work hours • If an employee travels between two or more time zones, the time zone associated with the point of departure determines whether the travel falls within normal work hours. A department may wish to use Central Standard Time (CST) for travel days to assist in determining work hours. Local time should be used for all other days of the travel • Time spent attending authorized conferences, meetings, etc. • Required attendance at meals or meal breaks where work is performed • Required attendance at social functions | <ul style="list-style-type: none"> • Any portion of authorized travel, including time spent waiting at an airport, bus station, etc., that falls <u>outside</u> of normal work hours • Riding as a passenger outside of normal work hours where work is not required • Travel between hotel and meeting site is considered normal commuting time • If an employee drives a car as a matter of personal preference when an authorized flight or other travel mode is available and paying for travel by car would exceed the cost of the authorized mode, only the estimated travel time associated with the authorized mode will be counted as hours worked • If the University authorizes hotel accommodations for overnight travel but the employee prefers to drive home each evening, the commute to the event is not compensable • Regular meal periods of 30 minutes or more where work is not performed and attendance is not required |

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| | | <ul style="list-style-type: none"> • Voluntary attendance at social functions • Time spent outside of the conference or meeting (<i>e.g.</i>, employee goes sightseeing instead of attending a conference session, the conference sessions are only from 9a.m. to 3 p.m., etc.) • Time spent sleeping does not count as hours worked <u>unless</u> the employee has the primary responsibility for the safety and welfare of students |
| Miscellaneous | <p>Attendance at Receptions, Dinners, and Other Social Events</p> <ul style="list-style-type: none"> • If employee is required to attend a reception, dinner, happy hour, or other social event, that time is treated as compensable time, even if the employee is not performing work that he or she usually performs in the office • Travel time to and from such events would be compensable | <p>One-Day Voluntary Off-Campus Not compensable if <u>all</u> of the requiring are true:</p> <ol style="list-style-type: none"> 1. Attendance is outside the employee's regular working hours 2. Attendance is voluntary 3. The course, lecture, or meeting is not directly related to the employee's job, <u>and</u> 4. The employee does not perform any productive work during such attendance <p>Note: Under such circumstances, the employee should be taking a vacation day to attend such an event</p> |

Questions: If you have questions please contact University Human Resources, ER/LR, call 515-294-4800 or 877-477-7485, or email us at: hrrshelp@iastate.edu

References:

UHR, [Fair Labor Standards Act \(FLSA\)](#)

ISU Policy, [Travel Reimbursement](#)

Dept. of Labor, Fact Sheet #22: [Hours Worked Under the Fair Labor Standards Act \(FLSA\)](#)

Dept. of Labor, [Travel Time](#)