TRAVEL PAY FOR HOURLY EMPLOYEES

TRAVEL TIME IS CONSIDERED PAYABLE WHEN:

1. Travel is to various locations, from job site to job site, and is necessary to the work role.
2. It is overnight travel occurring on a workday or non-workday, such as a weekend, and work occurs within the employee’s normal work hours.

EXAMPLE: The employee drives to the airport to attend training with three co-workers as passengers. If the trip is made before or after normal work hours, only the driver is working. If the trip occurs during normal business hours, all four employees are compensated for the travel time.

3. An employee’s trip takes place in a single day.

EXAMPLE: If an employee has to travel to a meeting in a town 60 miles from campus, all of the time spent traveling would be included in the hours worked by the employee.

4. An employee is working while traveling, such as preparing notes for a presentation on an early flight.
5. An employee is on call for emergencies overnight, and may not leave the building or hotel, or is required to stay within so many minutes or miles of the facility and be accessible by telephone or by pager.
6. An employee’s attendance at an evening event is not voluntary.

TRAVEL TIME IS NOT PAYABLE WHEN:

1. An employee travels on a plane, train, boat, bus or vehicle as a passenger, outside of regular work hours on regular workdays and non-workdays.

EXAMPLE: An employee’s normal work hours are from 8-5. If the travel begins at 1pm and ends at 7pm, the employee would only be compensated from 1-5pm. If the employee spends 2 hours unloading all the luggage off the bus for everyone once they get home Sunday night, that time would be compensable.

2. Employee is on call but can leave a phone number where they can be reached, and the employee will be able to respond by phone. However, if the employee is actually called in to work, that work time is compensable.
3. Rest and meal breaks where employees are completely relieved of work.
4. Employee is sleeping, unless on call.

EXAMPLE: Assuming an 8-5 work schedule, if an employee is out of town on a Saturday, resting in his room and is not required to report for work until 11am, then compensable hours do not begin until 11am and last until he is off work again. He does not get compensated for sleeping away from home unless he is on call at night.

5. Lectures, meetings or trainings that are outside normal hours, voluntary and not job-related.
6. Regular travel to and from home and work or home and the airport.

COMPENSATION FOR OVERNIGHT TRAVEL: Admission Recruiter

QUESTION: Sarah is a nonexempt employee whose normal work hours are from 8-5, M-F. Sarah must travel to Texas to meet with potential students. She leaves on a 5pm flight on Friday and prepares her notes while on the plane. She arrives in Texas that evening and continues her file review in her hotel room in order to feel prepared for her meetings. At 8am on Saturday, Sarah meets with the prospective students. At 3pm she leaves the airport to go home. How is Sarah compensated?

Friday 5pm
Sarah’s flight left Oklahoma at 5pm. According to the FLSA, an employer is only responsible for paying an employee for travel time which is within his/her normal work hours. Sarah normally works 8-5. Therefore, the employer is not required to pay Sarah for travel time after 5pm.

While in flight, Sarah finished her presentation for her morning meeting. According to the FLSA, if an employee performs work related duties while traveling, the employer must compensate the person for this work time.

All overnight travel time is not necessarily compensable. Any non-business meal periods or times when an employee is permitted to sleep, such as in a hotel, would not be considered hours worked and therefore, are non-compensable.

Even though Sarah finished her presentation outside of normal work hours, the employer is required to compensate her for hours worked.

Saturday 3pm
According to the FLSA, since Sarah’s flight was scheduled during her normal work hours, even though she was flying on a day she would normally not work (Saturday), the employer is still required to pay her for her travel time until 3pm. Such time would count towards hours worked for the purpose of calculating overtime.

Sarah took a taxi at 7:30am to her 8am meeting. Since the travel time was outside her normal work hours, she was not compensated for her time until she arrived at the meeting place. However, when she left the meeting at 1:30pm, her travel time was within her normal work hours and she would be compensated for her travel time back to the airport.

Contact HR for questions or more information at ohr@ou.edu