



# Travel Time as Time Worked

**For: NonAcademic Staff**

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Under the provisions of the [Fair Labor Standards Act](#), travel time is considered work time for the purposes of nonexempt hourly wage and overtime computation as outlined below.

## **One Day Work Assignment in Another City**

When a nonexempt staff member travels to another community for a one-day work assignment, all traveling is counted as time worked except travel time between home and airport, bus depot, or railroad station.

### **Example**

A nonexempt staff member who works in Ithaca with regular working hours from 8:00 a.m. to 4:30 p.m. is given a special assignment to be in Albany at 10:00 a.m. for a meeting. The staff member leaves home at 6:00 a.m. and rides or drives to Albany. The meeting concludes at 4:00 p.m. and after eating supper, the staff member leaves for Ithaca, arriving at 10:00 p.m.

The travel time in this case is counted as time worked. In addition to the normal working hours of 8:00 a.m. to 4:30 p.m., the staff member must be paid from 6:00 a.m. to 8:00 a.m. and from 4:30 p.m. to 10:00 p.m., less time for meals. (If the staff member had traveled to the bus station or airport for transportation to Albany, the travel time between home to the depot [and return] would not be counted as time worked).

## **Travel Away from the Home Community Overnight**

Travel that keeps a nonexempt staff member away from home overnight is treated differently than travel on one-day assignments, from the standpoint of identifying hours worked. Travel time (involving a required overnight stay) is viewed as work time only when it cuts across the staff member's work day. However, travel time that is outside of normal working hours is not considered work time.

### **Example**

A nonexempt staff member who works in Ithaca with regular working hours from 8:00 a.m. to 4:30 p.m. is given a special assignment to be in Rochester for two days to attend a meeting. The staff member leaves home at 6:00 a.m. on the first day and arrives at the meeting which begins at 9:00 a.m. The meeting concludes on the second day at 4:00 p.m. and the staff member leaves Rochester immediately and arrives in Ithaca at 7:00 p.m.

In this case, the travel time which is outside of the regular work hours (for the first day from 6:00 a.m. to 8:00 a.m. and for the second day from 4:30 p.m. to 7:00 p.m.) is not counted as hours worked. The staff member would be paid only for the regular number of hours worked while at the two-day meeting: from 8:00 a.m. to 4:30 p.m.

### **Special Considerations:**

#### **Travel on a Non-work Day**

Travel time that is required of a nonexempt staff member which occurs during the normal working schedule (e.g. 8:00 a.m. to 4:30 p.m.) is work time even though the travel may take place on a day, such as Sunday, other than the normal work day.

#### **Performing Required Work While Traveling**

When a nonexempt staff member does any work or is otherwise subject to the university's control and supervision while traveling, all such time is considered work time. Thus, travel time is work time when a staff member is required to drive a car, transport equipment to a worksite, or report into work before traveling. However, normal travel from home to work before the regular work day begins, and from work to home after the work day is over, is not time worked.

#### **NOTE:**

For Cornell University policy information, visit the [University Policy Office](#).