

For: FFAS Employees

Compensatory Time Off for Travel

Approved by: Deputy Administrator, Management



1 Overview

A Background

Section 203 of the Federal Workforce Flexibility Act of 2004, Pub. L. 108-411, dated October 30, 2004, authorized a new form of compensatory time off for time spent by an employee in a travel status away from the employee’s official duty station, when time is not otherwise compensable.

B Purpose

Compensatory time off for travel is a new form of compensatory time off that may be earned by an employee for time spent in a travel status away from the employee’s official duty station, when time is not otherwise compensable. The new compensatory time off provision applies to employees without regard to exemption status. Compensatory time off for travel provisions are applicable only after all other appropriate regular guidance has been applied.

C Effective Dates

The effective date for implementation of the regulations providing the new form of compensatory time off for travel was January 28, 2005. Any qualifying compensatory time for travel since January 28, 2005, will be retroactive.

2 Coverage

A Covered Employees

The new compensatory time off provision applies to an “employee” as defined in 5 U.S.C. 5541(2) who is employed in an “executive agency” as defined in 5 U.S.C. 105, without regard to whether the employee is exempt from or covered by the overtime pay provisions of the Fair Labor Standards Act of 1938, as amended. This includes GS and GM employees. This benefit is being extended to all FSA County Office employees and Foreign Service Officers.

Disposal Date	Distribution
January 1, 2006	All FAS, FSA, and RMA employees; State Offices relay to County Offices

2 Coverage (Continued)

B Employees Not Covered

Senior Executive Service, Senior Foreign Service Officers, and Federal Wage System employees are excluded from this provision.

C Rules

To qualify for this new pay provision, travel must be:

- officially authorized
- for work purposes
- approved by an authorized agency official or authorized under agency policies.

The term “travel status” is defined to mean travel as described in 5 CFR 550.1404, which is creditable for the purpose of accruing compensatory time off. See 32-PM for further guidance.

D Creditable Travel Time

Employees will be credited with compensatory time off for time in a travel status if:

- employees are required to travel away from their official duty station
- travel time is not otherwise compensable hours of work under other legal authority.

Compensatory time off for travel provisions are applicable only after all other appropriate regular guidance has been applied.

Employees may not earn compensatory time for travel during basic (nonovertime) holiday hours. Employees are already being paid their rate of basic pay for those hours.

Travel status time includes the time an employee actually spends traveling between the official duty station and a temporary duty station or between 2 temporary duty stations; and the usual waiting time that precedes or interrupts this travel. Time spent at a temporary duty station between arrival and departure is not time in a travel status. The term “usual waiting time” is the time airline travelers arrive at the airport before their scheduled departure time, which is 1 hour for domestic travel and 2 hours for international travel. The waiting time for connecting domestic travel flights is 2 hours or less. If the wait time is longer than 2 hours, this time should be reviewed by the supervisor; however, waiting time for connecting flights for international travel will be longer. Travel with connecting flights should be made to include the least amount of wait time as possible.

If an employee experiences an extended (that is not usual) waiting time between actual periods of travel during which the employee is free to rest, sleep, or otherwise use this time for his or her own purposes, the extended waiting time is not creditable as time in travel status.

2 Coverage (Continued)

D Creditable Travel Time (Continued)

Bona fide meal periods during actual travel time or waiting time are not creditable as time in a travel status. A bona fide meal time is any period of uninterrupted time that the employee spends eating a meal.

Examples: If an employee spends an uninterrupted 30 minutes eating a meal at an airport restaurant, while waiting for a connecting flight, this time is **not** considered time in a travel status.

If an employee is on a 5 hour flight and is served dinner, the employee is responsible for reporting the amount of time the meal took. This time is **not** creditable regardless if it is 15 minutes or 30 minutes.

Traveling outside of regular working hours to or from a transportation terminal, within the limits of an employee's official duty station, is considered equivalent to and from commuting time and is **not** creditable time in a travel status for the purpose of earning compensatory time off.

Supervisors and management officials are encouraged to schedule training and meetings on days that will allow employees to travel within regularly scheduled tours of duty.

E Credit for Compensatory Time Off for Travel

FFAS must credit employees with compensatory time off for creditable time in a travel status as provided in 5 CFR 550.1404. Employees must request credit for compensatory time off through their supervisors or follow your applicable bargaining unit contract procedures. FFAS authorizes credit in increments of 15 minutes. Timekeepers must track and manage compensatory time off separately from other forms of compensatory time off. This compensatory time off will be recorded into the time and attendance system under TC 32, Prefix 78, Compensatory Travel Earned. See NFC Bulletin TNAINST 05-01, Compensatory Time for Travel for further Time and Attendance Guidance.

A separate line will be displayed in the Earnings and Deductions portion of the employee's AD-334 and the Employee Personal page to reflect compensatory time for travel accrual and usage information. Compensatory time for travel balance information, however, will be combined with the regular compensatory time balance on AD-334.

F Using Accrued Compensatory Time Off for Travel

An employee must request permission from his or her supervisor to schedule the use of his or her accrued compensatory time off according to FFAS's established policies and procedures (17-PM) or follow their applicable bargaining unit contract procedures. Compensatory time off may be used when the employee is granted time off from their scheduled tour of duty for leave purposes. To use this compensatory time off, the timekeeper will record hours used in the time and attendance system under TC 64, Prefix 78, Compensatory Travel.

2 Coverage (Continued)

G Forfeiting Unused Compensatory Time Off for Travel

Accrued compensatory time off must be used within 26 pay periods after the pay period that it was earned. If an employee fails to use the compensatory time off within 26 pay periods after it was earned, they must forfeit this compensatory time off. Employees are responsible for keeping track of the 26 pay period limit. The Agency will **not** remind employees of the 26 pay period limit. NFC will automatically delete any balances after 26 pay periods. Upon separation of Federal employment or transfer to another Agency outside of the Department, the employee must forfeit their unused compensatory time off.

H Prohibition Against Payment for Unused Compensatory Time Off for Travel

As provided by 5 U.S.C. 5550b (b), employees may not receive payment under any circumstances for any unused compensatory time off for travel earned. This prohibition against payment applies to surviving beneficiaries in the event of the individual's death.

I Inapplicability of Premium Pay and Aggregate Pay Caps

Accrued compensatory time off under this subject is not considered in applying the premium pay limitations established under 5 U.S.C. 5547 and 5 CFR 550.105 through 550.107, or the aggregate limitation on pay established under 5 U.S.C. 5307 and 5 CFR Part 530, Subpart B. These pay limitations are defined in 32-PM, paragraph 142.

J Guidance

To review a list of questions and answers, go to the HRD web site at <http://hr.ffas.usda.gov/policies/gsatravel.doc>. There is also a list of examples for applying compensatory time for travel at this web site.

K Labor Management Obligations

Where exclusive representation exists, bargaining may be requested to the extent allowed by applicable statutes. Where contract language addresses these policies and procedures for bargaining unit employees, contract language prevails.

L Contacts

Following is a list of contacts.

Office	Contact
County Office	State Office
State Office	Omega Edwards at 202-418-8988
Kansas City	Michele Badger at 816-926-3569
National Office	Lisa Flores at 202-418-9024

3 Examples of Compensatory Time Off for Travel

A Example 1

An employee leaves their hotel at 8 a.m. on a nonworkday, for an hour commute to the airport, to allow the 1 hour pre-flight wait time for a 10 a.m. flight. In route, the hotel shuttle breaks down and the employee misses the flight. The employee catches the next flight out at 2 p.m. and arrives at the employee’s home airport at 4:30 p.m. The employee’s regular commute to work time is 30 minutes. The commute from the airport to home is 1 hour. The employee’s work hours are 8 a.m. to 4:30 p.m.

Time of Day	Time Usage	Determination of Travel Time Creditability
8 a.m. - 9 a.m.	Ride the hotel shuttle to the airport. Shuttle breaks down.	Creditable travel time.
9 a.m. - 10 a.m.	Waiting for new shuttle transportation.	Creditable travel time.
10 a.m. - 2:15 p.m.	Wait in airport.	Note: The employee could not control the circumstances.
2:15 p.m. - 4:30 p.m.	Plane departs and lands.	Creditable travel time.
4:30 p.m. - 5:30 p.m.	Drive home.	4:30 to 5 p.m. is normal commute time. Time is noncreditable.
		5 to 5:30 p.m. is creditable travel time.

B Example 2

District Director regularly travels on a workday directly from home to a Service Center (temporary duty station) that is outside the limits of the official duty station and returns home the same day after the normal work day hours. A deduction of the normal home-to-work then work-to-home commuting time is required from the additional creditable travel time. The employee’s work schedule is 8 a.m. to 4:30 p.m. with a normal commute time of 30 minutes.

Time of Day	Time Usage	Determination of Travel Time Creditability
7 a.m. - 8 a.m.	Leave home and drive to temporary duty station.	7 to 7:30 a.m. is normal commute time. Time is noncreditable.
		7:30 to 8 a.m. is creditable travel time.
8 a.m. - 4:30 p.m.	Attend a meeting.	Normal work hours. Time is noncreditable.
4:30 p.m. - 5:30 p.m.	Leave meeting and travel home.	4:30 to 5 p.m. is normal commute time. Time is noncreditable.
		5 to 5:30 p.m. is creditable travel time.

Notice PM-2467

3 Examples of Compensatory Time Off (Continued)

C Example 3

An employee travels on a nonworkday from home to the airport flying to Paris, France (temporary duty station). The employee’s normal commute time is 1 hour.

Note: Flying times are calculated based on the originating departure standard time zone, Eastern, Central, Mountain, Pacific, Alaska, or Hawaii.

Time of Day	Time Usage	Determination of Travel Time Creditability
2 p.m. - 3 p.m.	Drive to airport.	Normal commute time. Time is noncreditable.
3 p.m. - 5 p.m. Eastern Standard Time (EST)	Wait time in airport for departure.	Creditable travel time.
6:30 a.m. Greenwich Mean Time (GMT) (12:30 a.m. EST)	Land in Paris, France.	
6:30 - 7 a.m. GMT (12:30 - 1 a.m. EST)	Travel to hotel.	