

Interoffice Memorandum
Bureau of Administration
Human Resources Division

To: All DEP Managers
From: Henry H. Peck 
Date: February 1, 1995
Subject: Travel Time for Bargaining Unit Employees

Attached please find a copy of the guidelines established for travel time dated May 4, 1989.

There have been several recent questions regarding travel for employees assigned to the field. Specifically, employees have questioned whether or not they are entitled to payment from the time they enter their personal or state vehicle. Employees governed by the P-4 (Engineering, Scientific and Technical) bargaining unit are those most commonly involved in field work. There is no contractual language providing them with compensation for the time spent travelling to their first field location.

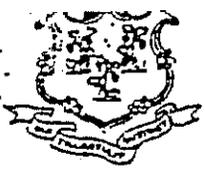
As described in the travel time guidelines, and in accordance with the Fair Standards Act, "If an employee is assigned to different work locations, compensable time starts when the employee reaches the assigned work site." However, if an employee must go to the office first, then leaves for the field assignment, the employee is paid from the time he/she starts his/her day at the office.

Please make sure that your staff is being compensated properly and in accordance with the attached guidelines.

FROM THE DESK OF...

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STATE OF CONNECTICUT
DEPARTMENT OF ENVIRONMENTAL PROTECTION



May 4, 1989

To: All DEP Unit Directors

From: Henry H. Peck, Agency Personnel Administrator
DEP Human Resources, State Office Building

Subject: Travel

Attached are guidelines concerning compensation for travel time to be used when an employee's collective bargaining contract is silent on the issue.

Exempt and non-exempt status is defined by criteria under the Fair Labor Standards Act. In general, professional staff are deemed to be exempt employees.

If you have any questions concerning your employees status or the attached guidelines, please contact my office for assistance.

Attachment

Phone:

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DEPARTMENT OF ENVIRONMENTAL PROTECTION

TRAVEL TIME

The following guidelines have been prepared regarding travel time for bargaining unit employees.

In order to determine if time spent in travel is compensable, the conditions and type of travel need to be evaluated. Unless there is specific contractual language to the contrary, the following criteria should be used:

HOME TO WORK TRAVEL, ORDINARY SITUATIONS:

An employee who travels from home before his/her regular workday and returns to his/her home at the end of the workday is engaged in ordinary home to work travel and is not compensated for such travel. Unless a contractual agreement is made regarding portal to portal pay, the employee shall not be paid for time spent traveling to and from the actual place of performance of the principal activity required of the job. If an employee is assigned to different work locations, compensable time starts when the employee reaches the assigned work site.

TRAVEL DURING THE WORKDAY

An employee will be compensated for time spent traveling from one work site to another during his/her scheduled work day. Travel from a work site back to the employer's premises is also compensable when such travel takes place during normal work hours.

CALL BACK / EMERGENCIES

The time an employee spends traveling when called back to work on an emergency after going home for the day may be considered compensable. This would not apply if an employee was called in to work prior to their regular shift and began working their regular shift without returning home.

**OUT OF TOWN TRAVEL - ONE DAY SPECIAL ASSIGNMENT
NON-EXEMPT EMPLOYEES**

When an employee is required to travel out of town (far enough away to warrant public conveyance, i.e. bus, train, plane, etc.) the employee will be compensated for all travel time on public conveyance minus time spent eating while traveling. The employee will not be compensated for travel from his/her home to the local railroad, bus depot, or plane terminal.

Employees who drive in lieu of public conveyance will be compensated for travel time. If the employee is offered public transportation but requests permission to drive his/her own car instead, compensable travel time would be the time spent driving OR the time he/she would have had to count if the employee has used the public conveyance, which ever is less. Time spent traveling if the employee uses a state vehicle is considered compensable.

The above policy applies only to non-exempt employees. Exempt employees will not be compensated for time spent traveling outside the normal hours of work.

**OUT OF TOWN TRAVEL - FOR MORE THAN ONE DAY
NON-EXEMPT AND EXEMPT EMPLOYEES**

Employees who are required to travel to an assignment which keeps them away from home overnight, will be compensated for that travel time which cuts across the employee's regular work day. This would apply to any day of the week. Regular meal period time is not considered compensable. Time spent in travel away from home outside the regular working hours on any day as a passenger on an airplane, train, boat, bus or auto, is not considered work time. However, if the employer requires the employee to perform work while traveling, such as preparing a speech on the plane, the time actually worked will be compensable regardless of when the travel took place.

NOTE: Exempt and Non-exempt status is dictated by the Federal Fair Labor Standards Act. Employees who are over the overtime cap, will receive compensatory time in lieu of payment when appropriate.