

For: FFAS Employees

Extending the Authority for Compensatory Time Off for Travel

Approved by: Deputy Administrator, Management



1 Overview

A Background

Federal Workforce Flexibility Act of 2004, Section 203, Pub. L. 108-411, dated October 30, 2004, authorized compensatory time off for time spent by employees in travel status away from employee’s official duty station, when time is not otherwise compensable. Notice PM-2536 authorized compensatory time off for travel for FFAS employees.

Compensatory time off for travel:

- may be earned by employees for time spent in a travel status away from employee’s official duty station, when time is not otherwise compensable
- applies to employees regardless of exemption status
- is applicable only after all other appropriate regular guidance has been applied.

B Purpose

Notice PM-2536 is obsolete. This notice extends the authority for compensatory time for travel.

Note: Permanent procedures will be included in 32-PM when the Department’s regulations are issued in final.

C Effective Date

The effective date for implementing the compensatory time off for travel regulations was January 28, 2005.

Disposal Date

October 1, 2007

Distribution

All FAS, FSA, and RMA employees; State Offices relay to County Offices

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2 Coverage

A Covered Employees

The 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 provision 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.

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 the pay provision, travel must be all of the following:

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

The term “travel status” is defined in 5 CFR 550.1404, to mean travel that is creditable for 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 provision is applicable only after all other appropriate regular guidance has been applied. Employees may not earn compensatory time for travel during basic (non-overtime) holiday hours. Employees are already being paid their rate of basic pay for those hours.

2 Coverage (Continued)

D Creditable Travel Time (Continued)

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.

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.

2 Coverage (Continued)

E Credit for Compensatory Time Off for Travel

FFAS must credit employees with compensatory time off for travel for creditable time in a travel status according to 5 CFR 550.1404. Employees must request credit for compensatory time off for travel through their supervisors or follow their applicable bargaining unit contract procedures. FFAS authorizes credit in increments of 15 minutes. Timekeepers must track and manage compensatory time off for travel separately from other forms of compensatory time off. This compensatory time off for travel 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 employee's AD-334, Earnings and Deductions Section, and the Employee Personal Page, to reflect compensatory time for travel accrual and usage information. Compensatory time off for travel balance information; however, will be combined with the regular compensatory time off 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 17-PM, or follow their applicable bargaining unit contract procedures. Compensatory time off for travel may be used when the employee is granted time off from their scheduled tour of duty for leave purposes. To use compensatory time off for travel, the timekeeper will record hours used in the time and attendance system under TC 64, Prefix 78, Compensatory Travel Used.

G Forfeiting Unused Compensatory Time Off for Travel

Accrued compensatory time off for travel 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 for travel within 26 pay periods after it was earned, they must forfeit this compensatory time off for travel. 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 for travel.

H Prohibition Against Payment for Unused Compensatory Time Off for Travel

According to 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.

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2 Coverage (Continued)

I Inapplicability of Premium Pay and Aggregate Pay Caps

Accrued compensatory time off for travel under Premium Pay and Aggregate Pay Caps, 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

Go to HRD's web site at <http://hr.ffas.usda.gov/policies/gsatravel.doc> for:

- a list of questions and answers
- examples for applying compensatory time off for travel.

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 for compensatory time off for travel.

Office	Contact
County Office	State Office
State Office	Lisa Flores at 202-401-0516
Kansas City	Michele Badger at 816-926-3569
National Office	Lisa Flores at 202-401-0516

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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

DD 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.

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3 Examples of Compensatory Time Off for Travel (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.	