



TRAVEL COMP TIME

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BACKGROUND

- Federal Workforce Flexibility Act of 2004
 - Public Law 108-411, Section 203, October 30, 2004
 - Amended 5 U.S.C. chapter 55, subchapter V by adding a new section 5550b
 - Established a new form of compensatory time
 - Credit given to covered employees for time in a travel status away from their PDS *when such time is not otherwise compensable*
 - Entitlement for federal employees
 - Effective date of amendment was January 28, 2005
 - Delayed to give OPM time to issue implementing regulations
- Interim implementation regulations issued by OPM
 - Federal Register, Vol. 70, No. 17, January 27, 2005
 - Instituted a 60-day comment period
- Final implementation regulations issued by OPM
 - Federal Register, Vol. 72, No. 73, April 17, 2007



APPLICABLE DEFINITIONS

- Agency – Executive Branch (5 U.S.C. 105)
- Compensable – Periods of time that are creditable as hours of work for the purpose of determining a specific pay entitlement even when that work time may not actually generate additional compensation because of applicable pay limitations
- Compensatory Time Off – Compensatory time off for travel that is credited under the authority of these regulations
- Official Duty Station – The geographic area surrounding an employee's regular work site that is the same as the area designated by the employing agency for the purpose of determining overtime pay (5 CFR 550.112(j) and 551.442(d))



APPLICABLE DEFINITIONS

(continued)

- Regular Working Hours – The days and hours of an employee’s regularly scheduled administrative workweek (5 CFR part 610)
- Scheduled Tour of Duty for Leave Purposes – An employee’s regular hours for which he or she may be charged leave when absent; For full-time employees, it is the 40-hour basic workweek (5 CFR, part 630; 5 CFR 610.102)
- Travel – Officially authorized travel; i.e., travel for work purposes that is approved by an authorized agency official or otherwise authorized under established agency policies
- Travel Status – Travel time as described in subsection 550.1404 that is creditable in accruing compensatory time off for travel, excluding travel time that is otherwise compensable under other legal authority



CREDITABLE TRAVEL TIME

- Employee must be on official travel away from the official duty station
- Time in a travel status is outside the scheduled tour of duty
 - Time in a travel status that is within the scheduled tour of duty is already compensable
 - Includes federal holidays but not SDOs/RDOs
- Travel status includes:
 - Time spent traveling between the PDS and a temporary duty station
 - Time spent traveling between two temporary duty stations
 - “Usual” waiting time that precedes or interrupts such travel
 - Excludes any extended waiting time during which the employee is free to rest, sleep, or otherwise use the time for his or her own purposes (for example, offered overnight accommodations by an airline)
 - Does not include the time spent at the temporary duty station
 - Time worked at the temporary duty station outside of the scheduled tour of duty would be compensable with either overtime or regular comp time



CREDITABLE TRAVEL TIME

(Continued)

- Other factors in calculating creditable travel time
 - If the employee leaves from their residence, the time that the employee would have spent in their normal commute to work must be subtracted; if the employee leaves from their official duty station, no commuting offset applies
 - If the employee uses an alternative mode of transportation, route, or time of travel, the creditable travel time should be calculated using the offered scenario used as creditable travel time
 - For example, driving vice flying may take more time for the employee to arrive at the TDY site. The employee would only be entitled to the travel status time of the offered mode of transportation, route, or time of travel.
 - If the employee chooses to return to their residence each evening during a multi-day TDY rather than stay in a hotel, only travel status time on the first and last days of the TDY is mandatory under this entitlement. The agency may *at its discretion* grant travel comp time for the remaining trips.



CREDITABLE TRAVEL TIME

(Continued)

- Travel utilizing a transportation terminal (e.g., airport)
 - If the employee departs from residence and transportation terminal is *within the limits* of the PDS, travel time is considered equivalent to commuting time and is **not** creditable travel time
 - If the employee departs from residence and transportation terminal is *outside the limits* of the PDS, travel time is considered creditable travel time, but is subject to the offset for the employee's normal commuting time.
 - If the employee departs from the worksite, travel time is considered creditable travel time and is **not** subject to the offset for the employee's normal commuting time.
- Per Memorandum, AMSRD-CG, 30 Oct 09, subject: Aberdeen Proving Ground Local Commuting Area Policy the area defined as *within the limits* of our PDS includes "...the Maryland counties of Harford, Cecil, and Baltimore as well as the city of Baltimore, Maryland."
 - Since this memorandum excludes Anne Arundel County, Maryland, Baltimore/Washington International Thurgood Marshall Airport (BWI) is considered *outside the limits* of our PDS.



REQUESTING/USING TRAVEL COMP TIME

- Procedures not dictated by the implementing regulations
 - Each organization's procedures may be different (request forms, required documentation, etc.)
 - Credit may be in increments of 1/10 (6 minutes) or ¼ hour (15 minutes)
- ATAAPS utilizes increments of ¼ hour
 - Code used for travel comp earned is CB
- Procedures for using accrued travel comp time are usually the same as your organization's procedures for using other types of accrued leave
- ATAAPS utilizes increments of ¼ hour
 - Code used for travel comp taken is CF
 - Ensure that the amount of travel comp taken is NOT more than travel comp earned; DCPS converts these mistakes to LWOP



USE IT OR LOSE IT

- Accrued travel comp time must be used within one year (26 pay periods) of earning it
- Unused travel comp time is FORFEITED
 - Limited exceptions
- Accrued travel comp time is forfeited if the employee transfers to another agency (e.g., Army to Navy)
- Accrued travel comp time is forfeited if the employee separates from the federal government or moves to a non-covered position (SES)
- By law (5 U.S.C. 5550b(b)), an employee may not receive payment under any circumstances for any unused travel comp time
 - This includes surviving beneficiaries in the event of the employee's death.
- Travel comp time is NOT considered when applying the biweekly or annual premium pay limitations



FINAL VS. INTERIM

- Additions:
 - Definition of authorized agency official and accrued compensatory time off
- Subtractions:
 - Removed section regarding the subtraction of bona fide meal periods from the travel status calculations
- Clarifications:
 - Allowing an employee to upgrade travel to business class does not eliminate eligibility to earn compensatory time off for travel
 - Compensatory time off for travel may not be earned for travel in connection with union activities
 - Travel time in conjunction with an employee's PCS is not eligible for compensatory time off for travel.
 - Compensatory time off for travel applies to both domestic and foreign travel



FINAL VS. INTERIM

(Continued)

- Calculations Clarifications

- To calculate travel time when the travel involves multiple time zones, use the time zone of first departure
 - For example, if travel is from Washington, D.C. to San Diego, CA the travel status time would be based upon the Washington, D.C. time zone for the TDY to CA and based upon the San Diego, CA time zone for the return trip to Washington, D.C.
- Time in a travel status ends when the employee arrives at the TDY worksite or lodging at the TDY station, wherever the employee arrives first.
- Time in a travel status resumes when an employee departs from the TDY worksite or lodging at the TDY station, from whichever the employee departs last.