



# WHITMAN COLLEGE

## **Travel time compensation for nonexempt staff (student employees)**

For nonexempt employee travel time compensation, Whitman College follows state and federal law. The state of Washington defines their law as more favorable than federal law. Whether an employee is nonexempt depends largely on the duties of the job and the level of compensation and is defined by Washington law.

For nonexempt staff employees, all travel time related to work is compensable regardless of the number of hours or when the travel takes place. It also includes any time necessary to get to an airport, train station or other transit center necessary to complete out of town travel. Once an employee arrives at their lodgings, the employee is no longer on duty and that time is not compensable as hours worked so long as the employee is free to engage in personal activities.

Prior to sending a nonexempt employee on business travel, the supervisor should meet with the employee to discuss how their hours should be recorded, what hours are compensable, and what records should be kept.

Nonexempt staff employees may accrue overtime during periods of business travel. However, in advance of the travel, the supervisor and employee should first consider an alternate work schedule for the work week that minimizes the accrual of overtime. This might include an alternate day off or reduced work hours before/after travel. The work week is Sunday through Saturday, and overtime is paid for work in excess of 40 hours per week.

The following are some examples of how this policy should be applied.

### Example:

A nonexempt staff member drives themselves to campus for a team meeting prior to an out of town athletics competition. After the meeting ends, they travel on the team bus to the athletics competition. They help lead the team through pre-competition warm ups, help coach the team and participate in a team meeting following the competition. The staff member then returns to campus on the team bus.

*In this example, the compensable time begins when the nonexempt staff member arrives on campus and includes the pre- and post-competition team meetings, the bus trip to and from the athletic competition, and the warm ups. The time spent driving from home to campus is not compensable.*



# WHITMAN COLLEGE

## Example:

A nonexempt staff member is approved to attend a conference out of town. The staff member leaves for the training directly from their home and goes to the airport and parks their vehicle. The staff member flies directly to the city where the conference is, picks up a rental car, and drives the rental car directly to the hotel. The staff member attends all required conference sessions daily, but is free each evening to engage in personal activities, although the staff member spends half an hour each evening responding to emails. After the staff member completes the training, they drive the rental car back to the airport, catch a flight home, and then pick up their car at the airport parking lot to drive directly home.

*In this example, the time from when the nonexempt staff member leaves home until they arrive at the hotel is compensable time. This time is compensable because the travel is considered a work assignment; so long as the supervisor approves the means of travel, the staff member is authorized to be on duty at a prescribed workplace throughout the active travel time.*

*Once the staff member arrives at the employee's lodgings and is free to engage in personal activities, they are no longer "on duty" and that time is not compensable as "hours worked."*

*Any time spent in the conference is compensable as is time responding to email. The time from when the staff member leaves the remote city until they arrive home is also compensable.*

## Example:

Using the scenario above, the nonexempt staff member remains in the remote city after the conference has ended. They spend the weekend exploring the city. At the end of the weekend, they leave their hotel to travel to the airport to return their rental car, catch a flight home, and then pick up their car at the airport parking lot to drive directly home.

*In this example, the time spent exploring the city is considered free time and is not compensable. However, when the employee leaves the hotel to return to the airport, all of that travel time until they get home is compensable.*

## Example:

A student is in a class and agrees to drive a van to for a field trip. The class leaves from campus and drives to the field trip site. They spend several hours at the field trip site, and then they leave the site to return to campus



## WHITMAN COLLEGE

*In this scenario, the compensable time includes the time driving the van to the field trip site and then the time spent driving the van back to campus. The time at the field trip is not compensable because the student is a member of the class. If the student is not a member of the class and has the freedom to choose to engage in the field trip or stay in the van and do homework, that time is not compensable. If the student is not a member of the class and is asked to pick up lunch during the field trip or engage in some other kind of work responsibility, that is “work,” and they would be compensated for that time.*