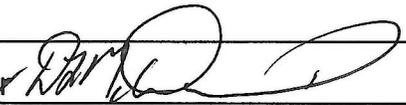




**CITY OF DUBLIN  
ADMINISTRATIVE ORDERS  
OF THE CITY MANAGER**

<b>ADMINISTRATIVE ORDER 2.58</b>
<b>TO:</b> All Department/Division Heads
<b>FROM:</b> Dana L. McDaniel, City Manager 
<b>SUBJECT:</b> Policy Regarding Travel Time Compensation for Non-Exempt Personnel
<b>DATE:</b> December 20, 2016
<b>New Administrative Order</b>

**I. PURPOSE**

The purpose of this Administrative Order is to establish and formally communicate the City's policy regarding Travel Time Compensation for non-exempt personnel when traveling (actually in transit) away from home overnight. (Non-exempt personnel are those employees who are eligible for formal overtime compensation or formal compensatory time.). Questions regarding this Administrative Order should be directed to the Office of the City Manager or the Division of Human Resources.

**II. LEGISLATIVE BACKGROUND**

Minimum requirements regarding the issue of Travel Time Compensation for non-exempt personnel is governed by the Fair Labor Standards Act and the corresponding Code of Federal Regulations (CFR 29, Part 785, Section 785.39). Section 785.39 of the CFR covers travel away from home overnight and establishes a minimum standard with which employers must comply. Section 785.39 of the CFR establishes that travel away from home overnight is worktime when it occurs during the employee's normal working hours on normal working days. (The employee is simply substituting travel for other duties.) In addition and again as a minimum, travel away from home overnight, when it occurs on other than the employee's normal working day is also worktime if it

occurs between the employee's normal working hours (e.g. 8:00 am – 5:00 pm).

### **III. POLICY**

Above and beyond the minimum standard set in the previously identified Section of the Code of Federal Regulations, the City of Dublin's policy is as follows:

It is the policy of the City of Dublin that travel time (time in transit), when it involves travel away from home overnight, is clearly worktime regardless if it occurs during the non-exempt employee's regularly scheduled workday during normal working hours or not. Travelling to properly authorized training, conferences or other activities deemed beneficial to the City of Dublin which the City funds is considered the performance of duty. Travel and training not deemed beneficial to the City will not be funded and time engaged in such travel or training is not compensable. Travel must be executed in a fiscally responsible manner that minimizes cost to the taxpayers of the City of Dublin

To that end, supervisors will ensure all employee's travel arrangements are made to the greatest extent possible to conduct travel during normal working days and hours. Supervisors are authorized to alter or flex the start and stop times of the normal work day to encompass travel within the normal 8-hours allotted to a workday. If the normal workday cannot be altered due to operational needs and travel needs to occur after the normal work day, overtime is authorized, but supervisors are charged with ensuring this is kept to an absolute minimum.

If travel is required to be executed on a non-regular workday, typically a Saturday or Sunday, only the time spent in transit is compensable. Transit time is defined as that time needed to travel from home to the final destination without deviation from the approved itinerary and route. Delays which are beyond the control of the traveler, like unexpected flight delays or traffic delays, will be taken into consideration.

Meals on the first and last day of travel will be reimbursed at  $\frac{3}{4}$  the per diem rate pursuant to Administrative Order 5.2.

Actual participation while at a training conference/seminar (i.e. work sessions as identified in the conference or seminar brochure), is worktime for compensation purposes. Leisure time and sleep time are not worktime and, therefore, not compensable.

Supervisors will review ALL travel arrangements to ensure they are safe, properly meet the needs of effective travel to the given event, are most cost effective to the City and make sense. For further guidance regarding authorized travel expenses see Administrative Orders 5.2 and 5.10