

BPA Human Resources Desk Reference

Compensatory Time Off for Travel

HR Desk Reference: 410-05-03

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1. Purpose & Background

This HR Desk Reference implements BPA HR Directive 410-05: Employee Pay and Compensation Initiatives.

A. Introduction

1. **Governance model:** This HR Desk Reference is part of a tiered approach to BPA’s Human Resources governance model. The first tier is the BPA Human Resources Policy, which provides broad BPA-wide guidelines and standards for making specific human resources-related decisions and specifies who in BPA is delegated the authority to make them.

The second tier consists of HR Desk References covering more detailed instructions concerning program administration and processes. These second tier documents will be authorized in the “Related HR Desk References” section of the BPA HR Directive when they are published as an extension of a specific HR Policy.

The third tier consists of Standard Operating Procedures applicable to a specific business process. Standard Operating Procedures may stand alone or be encompassed in a HR Desk Reference.

2. **Design of the HR Desk Reference:** In order to support the overarching guidance contained in the relevant HR Policy, this Reference provides a standardized and consistent approach to HCM’s and BPA Management’s administration of the programs and processes contained in this Reference.
3. **Using the HR Desk Reference:** Recorded information is an integral part of all business functions at BPA and as such, is an asset of the agency that is handled and managed based upon content and the circumstances surrounding the function. Users of this HR Desk Reference are likely to reference a specific function or procedure rather than reading it in its entirety and it is therefore structured to reflect this type of use.

- B. **Purpose/Objectives:** This chapter of the HR Desk Reference covers rules, policies, and procedures for *annual* employees required to travel outside their regularly scheduled tour-of-duty, and may be eligible to earn compensatory time off for such travel if it is not otherwise compensable.

- C. **Background:** Compensatory time off for travel became effective January 28, 2005, and added to the Code of Federal Regulations (CFR) as Subpart N. This type of compensatory time off for travel applies to both exempt and non-exempt employees, when travel is not otherwise compensable under the guidance cited in BPA Human Resources Policy 005, and HR Desk References for overtime and compensatory time listed above.

2. Applicability

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- A. Applies to all BPA annual employees regardless of FLSA exemption status, except those in the Senior Executive Service (SES).
- B. Compensatory time off for travel is not applicable to annual employees who are on intermittent work schedules.
- C. Hourly employees may not earn compensatory time off for travel outside duty hours under the provisions of this HR Desk Reference.

3. Terms & Definitions

- A. **Compensable:** Periods of time creditable as hours of work for purposes of determining a specific pay entitlement, even when work time may not actually generate additional compensation due to applicable pay limitations.
- B. **Compensatory time off for travel:** Time credited under authority of 5 CFR Part 550, Subpart N.
- C. **Creditable time:** When the term “creditable” is used in this guidance, it assumes the time period to which it refers is outside an employee’s normal tour-of-duty.
- D. **Non-duty hours:** Hours outside employee’s regularly scheduled tour-of-duty.
- E. **Official duty station:** The city/town, county, and state in which employee works and the surrounding area within a 35-mile radius used to determine when travel is outside employee’s official duty station for purposes of earning compensatory time off for travel.
- F. **Rate of basic pay:** The rate of pay fixed by law or administrative action for the position held by an employee, including any applicable locality payment under 5 CFR Part 531, Subpart F; special rate supplement under 5 CFR Part 530, Subpart C; or similar payment or supplement under other legal authority, before any deductions, and exclusive of additional pay of any other kind.
- G. **Regularly scheduled administrative workweek:** For full-time employees, the period within which they are regularly required to be on duty (normally Monday through Friday, but it can be any 5 or 6 consecutive days of the administrative workweek, and may include regularly scheduled overtime). For part-time employees, the officially prescribed days and hours within an administrative workweek when they are regularly scheduled to work as reflected on their current Notification of Personnel Action, Standard Form (SF) 50.
- H. **Regularly scheduled tour-of-duty (regular working hours):** Hours of a day (a daily tour-of-duty) and days of an administrative workweek (a weekly tour-of-duty) constituting an employee’s regularly scheduled administrative workweek.
- I. **Scheduled tour-of-duty for leave purposes:** Employee’s regular duty hours for which he or she may be charged leave under 5 CFR Part 630 when absent.

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J. **Travel for work purposes:** Officially authorized travel approved by an authorized agency official or otherwise authorized under BPA policy. Travel in connection with union activities is excluded.

K. **Acronyms**

1. **CFR:** Code of Federal Regulations
2. **GS:** General Schedule
3. **HCM:** Human Capital Management
4. **HRD:** Human Resources Director
5. **IGLM:** Information Governance and Lifecycle Management
6. **OPM:** U.S. Office of Personnel Management
7. **PCS:** Permanent Change of Duty Station
8. **SES:** Senior Executive Service
9. **TRC:** Time Reporting Code
10. **U.S.C. :** United States Code

4. Responsibilities

A. **BPA Human Resources Director or his/her assignee:** Provides expert advice and guidance on earning and using compensatory time off for travel under Office of Personnel Management (OPM) regulations and Federal statutes.

B. **BPA Managers and Supervisors:**

1. Orders, schedules, and approves official travel for employees under their administrative jurisdiction;
2. Ensures that compensatory time travel is approved, earned and used is recorded in accordance with BPA’s time and labor reporting instructions; and
3. Maintains documentation and approval of compensatory time travel request and leave requests for the use of compensatory time travel and any supportive documentation. These records must be maintained in official electronic or paper files.

C. **Employees:**

1. Request managerial approval to schedule the use of earned compensatory time for travel in a timely manner and in accordance with leave requesting procedures; and

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2. Follow any request, approval, and/or documentation procedures specific to their units or the instructions of their supervisors.

5. Program Administration Requirements & Guidance

A. General:

1. Managers must credit an employee with compensatory time off for time spent in a travel status away from his/her official duty station when:
 - a) The employee is required to travel away from the official duty station during non-duty hours; and
 - b) The travel time is not otherwise compensable as hours of work under overtime pay provisions outlined in HR Desk References listed in Section 6.G below.
2. Time spent traveling that qualifies as “hours of work” under overtime and/or premium pay regulations, but for which an employee cannot be compensated because of the statutory pay cap may NOT be credited under the “compensatory time off for travel” regulations. Even if payment cannot be made because of the statutory pay cap, the travel time is still regarded as “otherwise compensable” and is therefore disallowed.

B. Creditable time:

1. Creditable travel time must be for work purposes and be authorized and approved by an official with authority to make such decisions. Travel in connection with internal union activities or in conjunction with a PCS move, is not considered “for work purposes” and is not creditable for compensatory time off under the regulations.
2. Only time spent traveling outside an employee’s regularly scheduled tour-of-duty is creditable for compensatory time off for travel. For purposes of compensatory time off for travel time in a travel status includes:
 - a) Time spent traveling between the employee’s official duty station and a temporary duty station;
 - b) Time spent traveling between two temporary duty stations; and
 - c) The “usual waiting time” preceding or interrupting travel.
3. A part-time employee is also eligible for compensatory time for hours of travel outside his/her regularly scheduled administrative workweek. For example, if a part time employee’s regularly scheduled tour-of-duty is Monday through Friday, 8:00 a.m. to 2:00 p.m., and the employee is required to travel on a Friday from 2:30 p.m. to 4:30 p.m. the employee would be entitled to 2 hours of compensatory time assuming the travel period from 2:30 p.m. to 4:30 p.m. was not otherwise compensable, i.e., as “hours of work”.

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4. Travel should be scheduled to occur within an employee’s regularly scheduled tour-of-duty whenever possible. However, a manager may not adjust an employee’s regularly scheduled administrative workweek (part-time or full-time) solely for the purpose of including planned travel time not otherwise considered compensable hours of work.
5. Travel directly between home and a temporary duty station outside the official duty station radius of 35 miles, e.g., driving to a multiple-day meeting in another city requires deduction of the employee’s normal commuting time from the creditable travel time. Also, travel between an employee’s home and a transportation terminal outside the limits of the official duty station also requires deduction of the employee’s normal commuting time from the creditable compensatory time off computation.
6. Time spent traveling between home and a transportation terminal within the limits of the official duty station is considered equivalent to commuting time and is not creditable.
7. Travel time between a worksite and a transportation terminal within or outside limits of the official duty station is creditable and no commuting time offset applies. For example, if after completing his/her daily tour-of-duty an employee travels from the office to the airport to attend an out-of-town meeting the next morning, travel to the airport is creditable with no deduction for normal commute time.
8. “Usual waiting time” is actual waiting time up to 2 hours for a domestic flight or travel by train, or up to 3 hours for an international flight. Any hours of “usual waiting time” that are within the normal tour-of-duty are deducted from creditable time. Usual waiting time begins when the employee physically arrives at the terminal to check in and includes time spent waiting in line, checking bags, going through security, etc. It does not include time spent parking, taking a shuttle from parking, etc. Time spent at an intervening transportation terminal waiting for a connection is also creditable time subject to the “usual waiting time” guidelines.
9. An “extended waiting period”, e.g., more than 2 hours between actual periods of travel, i.e., when waiting for a connecting flight during which an employee is free to rest, sleep, or use the time for his/her own purposes, such as shopping in the terminal, is not creditable as time in a travel status.
10. An employee is no longer in a travel status once he/she has arrived at a temporary duty worksite or place of lodging, whichever occurs first. When an employee departs from the temporary duty worksite or his/her place of lodging whichever occurs last, he/she is once again in a travel status for purposes of compensatory time off for travel.
11. When travel involves two or more time zones, the time zone from point of first departure must be used to determine how many hours the employee actually spent

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in a travel status. For example, if an employee travels from Portland, OR to Washington, D.C., the Pacific Time zone is used for the outbound leg and the Eastern Time zone is used for the return leg of the trip. In each case, the recorded time traveled shall be the actual hours of travel.

C. Special travel circumstances:

1. If a flight or train is delayed or cancelled after the employee has arrived at the departure point or at an intermediate point between departure and arrival at the temporary duty station, waiting time spent up to the point of notification (including making alternative arrangements) is creditable. Supervisors have the sole and exclusive discretion to determine, based on the employee’s documentation, what time is creditable and what time is not creditable.
2. When cancellation of transportation occurs at the initial departure terminal within the official duty station and the employee returns home, the return home is considered equivalent to normal commuting time. If the departure terminal is outside the official duty station and the employee returns home, the time spent returning home is creditable but must be adjusted for the employee’s normal commute time.
3. When cancellation or delay occurs while the employee is at a transportation terminal at the temporary duty station, time spent returning to the hotel is creditable if it occurs outside duty hours.
4. If an employee returns “early”, i.e., the night before authorized travel during regular duty hours, travel during non-duty hours is creditable for compensatory travel time off if such travel is authorized.
5. When an employee travels at a time other than the time selected by BPA, BPA must determine the estimated amount of time in a travel status the employee would have had if the employee had traveled at the time selected by BPA. BPA must credit the employee with the *lesser of*:
 - a) The estimated time in a travel status the employee would have had if the employee had traveled at the time selected by BPA; or
 - b) The employee's actual time in a travel status at a time other than that selected by BPA.
6. Time spent traveling that meets the conditions for earning credit hours per HR Desk Reference, Hours of Duty that meets the definition of “otherwise compensable” and is therefore not creditable for earning compensatory time off for travel, unless the employee is unable to claim credit hours, e.g., balance already maxed out.
7. Time spent traveling on a Federal holiday or a day designated as an “in lieu of holiday” is “otherwise compensable.” That time which is compensable is not creditable for earning compensatory time off for travel. An employee is paid at

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his/her regular rate of basic pay on a holiday whether or not he/she travels that day. In cases where travel is considered “hours of work”, as applicable in HR Desk References 410-05-02: Overtime and Compensatory Time for Exempt Annual Employees; or Overtime and Compensatory Time under the Fair Labor Standards Act), an employee who travels on a holiday is entitled to holiday premium pay. In either case, the employee is compensated for that time.

8. An employee on a multiple-day travel assignment who chooses for personal reasons not to use temporary lodging and returns home at night or on a weekend must be given compensatory time off only for travel to the temporary duty station on the first day and the return home on the last day under the regulations. However, under BPA policy the employee’s manager may approve compensatory time for travel for the return home each night outside of duty hours or over the weekend if such travel results in a net cost-savings to BPA. These arrangements must be approved in advance and the savings must be calculated in terms of reduced lodging costs balanced against the value of lost labor time resulting from the compensatory time off (i.e., as calculated at employee’s regular hourly rate of basic pay).

D. Limitations for earning compensatory time for travel:

1. There is no limitation on the total travel compensatory time off an employee may accumulate or on the number of hours an employee may earn for an individual trip.
2. The premium pay and aggregate pay caps associated with other forms of compensatory time are not applicable to compensatory time for travel.

5.2 Compensatory time off for travel procedures

A. Documenting, crediting, and using compensatory time for travel:

1. Please use Compensatory Time for Travel Worksheet for Non-local Travel to help calculate compensatory time-travel earned (see Sample in Attachment 1).
2. Compensatory time for travel must be requested and approved on form BPA F 2220.15e, Overtime/Comp Time Request and Justification, on the employee’s time sheet, or on other time and labor reporting forms designated by line organizations.
3. Compensatory Time for travel must be recorded in BPA’s Time and Labor System under the appropriate Time Reporting Code (TRC). Compensatory time for travel is earned and used in 15-minute increments.
4. Earned compensatory time off for travel must be used before using compensatory time earned in lieu of overtime or annual leave, unless use of accrued compensatory time for travel would result in forfeiture of use-or-lose annual leave. There is no legal authority to restore forfeited annual leave because the employee used earned compensatory time off for travel instead of over-ceiling annual leave.

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5. Earned compensatory time for travel must be used by the end of the 26th pay period after the pay period in which it was earned or it will be forfeited. To avoid forfeiture, employees are encouraged to request approval to use this time well in advance of the date of forfeiture.
6. Unused compensatory time for travel will be forfeited if an employee separates from Federal service, voluntarily moves to another agency covered by 5 CFR Part 550, or moves to a position that is not covered by 5 CFR Part 550 except for unused compensatory time off that is held in abeyance by Payroll Disbursement for an employee who separates or is placed in a leave without pay status and later returns following:
 - a) Separation or leave without pay to perform service in the uniformed services and a return to Federal service through the exercise of a reemployment right; or
 - b) Separation or leave without pay due to an on-the-job injury with entitlement to Worker’s Compensation under 5 U.S.C. Chapter 81.

In these cases, the employee must use all the compensatory time off by the end of the 26th pay period after the pay period he/she returned to duty. Under no circumstances can payment be made for this type of unused compensatory time off.

6. Authorities & References

- A. BPA HR Directive 410-05: Employee Pay and Compensation Initiatives
- B. Public Law 108-411, Section 203
- C. 5 U.S.C., Chapter 55, Subchapter V, Premium Pay
- D. 5 U.S.C., Chapter 61, Hours of Work
- E. 5 CFR, Part 550, Pay Administration (General)
- F. 5 CFR, Part 610, Hours of Duty
- G. BPA Human Resources Policy 005, “Employee Pay and Compensation Incentives.”
- H. Related HR Desk References:
 1. 410-05-01: Pay and Compensation for Non-Exempt Annual Employees
 2. 410-05-02: Pay and Compensation for Exempt Annual Employees
 3. 410-05-04: Religious Compensatory Time
 4. 410-05-05: Premium Pay

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7. Revision History

Version Number	Issue Date	Description of Change or Review
1.0	4/18/2016	Initial publication

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Appendix A: Compensatory Time Non-Local Travel Worksheet

The sample worksheet below may be used for calculating compensatory time for non-local travel.

Employee Name: Joe Travel Effective Pay Period: 14-05

Date(s) Comp. Time Earned-Travel: 2/10/15

(Compensatory Time-Travel will be forfeited by the end of the 26th pay period after the pay period in which it was earned).

TIME PERIODS	# OF HOURS
Total time spent in travel status*	11.00
Minus the amount(s) listed below (if not applicable, enter "0")	
Any travel time within regular working hours (includes normal home-to-work and work-to home travel time)	8.00
Travel time to/from terminal or temporary duty station, within limits of official duty station**	1.00
<i>Other deductions (brief description)</i>	0.00
Total Compensatory Time Earned for Travel (should be recorded in 15 minute increments)	2.00

*If total time spent in a travel status includes any *usual waiting time* that preceded or interrupted such travel during non-duty hours, generally up to 2 hours is allowed before the scheduled departure.

** Travel within the limits of the official duty station is considered normal home-to-work/work-to-home commuting time, and is not creditable time in a travel status.

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