Hourly Employees: Compensation During Business Travel

While a non-exempt, hourly employee is generally not entitled to additional compensation for commuting to and from MIT or a related local work site, if the employee is traveling for business, he/she must be compensated in accordance with the guidelines on this page.

Overview

A non-exempt, hourly employee is generally not entitled to additional compensation for commuting to and from MIT or a related local work site.

- Example: A non-exempt employee who normally works on campus is assigned to work at Lincoln Laboratory for the day. He/she is not entitled to compensation for time spent commuting between home and Lincoln Laboratory.

However, if the employee is traveling for business, as opposed to commuting, he/she must be compensated in accordance with the guidelines on this page.

- Example: A non-exempt employee who normally works on campus attends a mid-day meeting at Lincoln Laboratory. Time spent travelling to and from Lincoln can be compensated.
- Example: A non-exempt employee who normally works on campus is asked to attend a conference in Chicago. He/she is entitled to compensation under the "Hourly Travel" guidelines.
- In general, an employee should not lose or gain regular (base) earnings as a result of travel.
- "Travel status", as used in these guidelines, refers to the time between leaving home or the regular workplace to begin business travel and returning home or to the regular workplace. It includes all time an employee is working and not working, including sleeping and socializing with colleagues.
- "In transit" refers to traveling from the point of departure to the destination and returning, or traveling between points on an itinerary. It does not include travel to and from a Boston-area airport, railroad, or bus station.
- Applying these guidelines in specific situations can be difficult. Managers and administrators are encouraged to consult their Human Resources Officer for guidance before travel occurs.

Travel Not Involving an Overnight Stay

- With certain exceptions, hours spent in authorized travel on official business, when an overnight stay is not required, is considered time worked for pay purposes.
- Exceptions: No compensation is needed for meal times and commuting time between an employee's home and the airport, railroad, or bus station.
- Example: A non-exempt employee flies to New York to attend a meeting and returns home the same day. He/she should be compensated for travel time to and from the meeting (e.g., flight time and cab rides), but not for commuting time between home and the airport.
• All time spent in "travel status," including time spent "in transit," during the employee's regular working hours and in the regular workweek, is considered hours worked for pay purposes.

• Example: A non-exempt employee, who is regularly scheduled to work Monday through Friday from 9 a.m. to 5 p.m., flies to Washington, D.C. on Tuesday on an 8 a.m. flight, for a two-day conference.

Day One: He/she is entitled to compensation for time spent traveling to the conference after 9 a.m. and all time at the conference or elsewhere until 5 p.m. Meal times at the conference need not be counted as hours worked unless the employee is required to attend the meal, in which case that time is counted as hours worked.

Day Two: He/she should be compensated for all conference-related activities between 9 a.m. and 5 p.m., but not for the time spent flying home after 5 p.m. If the conference does not end until 6 p.m., he/she should be paid until 6 p.m. but not for the time flying home in the evening.

Travel Involving Weekends and Holidays

• Time spent "in transit" on Saturdays, Sundays, and holidays during hours that correspond to the employee's regular working hours should be counted as time worked for pay purposes.

• Example: An employee who regularly works Monday through Friday, 7 a.m. to 3 p.m., takes the train home on Saturday from a three-day business trip to New York. He/she should be paid for hours on the train between 7 a.m. and 3 p.m. If the employee took the train home on Saturday after 3 p.m., he/she would not be paid for hours on the train. However, if the employee drove to New York and drove home on Saturday after 3 p.m., he/she would need to be paid for hours spent driving home.

• However, time spent on personal activities (e.g., eating or sleeping) on Saturdays, Sundays, and holidays, but not while "in transit," is not counted as time worked for pay purposes, provided the employee has no work duties or responsibilities.

Sleeping Periods While "In Transit"

• Time required to be "in transit" during the customary sleeping period (typically 11 p.m. to 7 a.m.) is counted as time worked, unless the employee has adequate sleeping accommodations and can occupy the accommodations for an uninterrupted period of no less than 6 hours.

• Example: An employee should be compensated for time spent taking the "red-eye" from Los Angeles to Boston.

Travel Time Compensation and Overtime

• A non-exempt, hourly employee who is compensated for travel time in connection with any of the scenarios noted on this "Hourly Travel" page will be paid at his/her normal wage rate.

• If this travel time causes the employee to work more than 40 hours in a work week (or over 8 hours in a day, if required by an applicable collective bargaining agreement), the employee is entitled to overtime.