

## **Travel Pay Policy**

### **I. PURPOSE**

This policy is to identify what wages will be paid for time spent during travel for official Tribal purposes.

### **II. SCOPE**

This policy applies to all programs, entities and departments that are subject to the Tribe's Employee Handbook provisions.

### **III. POLICY**

It is the Tribe's intent to pay wages for all employees' compensable time. Whether or not travel time is compensable depends upon a number of factors such as:

- The employee's classification (Exempt, Non-Exempt)
- Nature of the travel, such as Home to Work, Same Day Local Travel, Overnight Travel, etc.
- The employee's usual and customary assigned work hours

#### **Exempt Employees:**

Employees who are classified as exempt from the Tribe's overtime policies will not be given any extra compensation for travel time. The exempt employee's salary is considered full compensation for all hours worked, regardless of whether those hours were greater than the employee's normal working hours or outside the employee's normal workweek. No extra compensation, whether wages or "comp" time, will be provided for exempt employees whose travel exceeds their normal work schedule.

#### **Non-Exempt Employees**

All non-exempt employee compensable hours spent in traveling for Tribal business will be paid at the employee's regular rate of pay, unless those hours cause the total hours for the workweek (Wednesday through Tuesday) to exceed 40 for the workweek in which the travel occurred. All hours, including compensable travel hours, in excess of 40 in the current workweek will be paid at the employee's overtime rate.

#### **Travel Categories**

- **Travel from Home To Work Time or Work to Home Time** will be considered commuting time and will not be compensable time.
- **Same-Day Local Travel Time** that is a part of the employee's assigned work duties and does not require the employee to be away from home overnight will be considered compensable time. Travel time will be considered to be all hours between departure from the assigned workplace and the return to that workplace.

- **Overnight Travel Time** is time spent in actual attendance at the event, training or program that is the reason for the travel. Pay for Overnight Travel Time may be awarded when the training or event is held more than a 60-mile radius from the Tribal Center and requires the employee to be away from home for one or more nights. Each day's Overnight Travel Time will be limited to the employee's actual time in attendance at the event or the length of employee's regular shift, whichever is less, up to a maximum of 8 hours per day. Pay for Overnight Travel Time is only available when overnight travel is made necessary by the scheduling of the event and is approved in advance by the employees' Director.
- **In-Transit Travel Time** is the time spent traveling from home to the event or program on airplanes, trains, automobiles, buses or other conveyances, or returning from the event to home, when such travel requires the employee to be away from home for one or more nights. It is limited to a maximum of 8 hours per day

In-Transit Travel pay will not be limited to the employee's usual scheduled working days, however. If the scheduling of the event or program requires the employee to attend or travel on a normally unscheduled day, such as a Saturday, Sunday or other scheduled day off (not including holidays that are eligible for holiday pay), the employee will be paid for actual travel time or the length of the employee's regular shift, whichever is less, up to a maximum of 8 hours per day.

Supervisors, Managers, or Directors have the authority to avoid some or all of any overtime caused by travel time by scheduling the employee to not work other ordinarily scheduled hours or days either before or after the travel, thereby reducing the number of hours actually worked in the workweek for the overtime calculation. Because each workweek stands alone for the purposes of the overtime calculation, these unscheduled hours and days off must be within the same Wednesday-to-Tuesday workweek as the travel itself.

### **Chaperone Duty**

Hours worked by non-exempt employees assigned to chaperone youth or elders for special overnight events will not be considered travel time. Because of the unique nature of the function and the higher levels of responsibility involved, employees assigned to chaperone duties will be paid wages for all hours during which they are assigned to be actively on duty. "Actively on duty" does not include scheduled meal or any other unassigned periods, for which no pay will be provided. These on-duty hours will not be limited to the employee's regularly scheduled shift length or work week, on the condition that they are specifically scheduled and approved in advance by the Manager or Director of the program sponsoring the event. Any approved hours that cause the employee to exceed 40 hours in the workweek will be paid at the employee's OT rate.

All compensable travel time will be calculated on Pacific Time, even though the actual event might take place in another time zone or the travel might cross multiple time zones.

## **IV. PROCEDURE**

All employees, both exempt and non-exempt, must record all travel hours in their time records and by way of the paid time off request process in the automated time and attendance

system. Exempt employees must document their travel hours for attendance, scheduling and budgetary approval purposes. Non-exempt employees can only be paid for fully documented and authorized hours.