University Staff (non-exempt) Business Travel

Information on this page was current as of the day of publication. For the latest information visit the Auburn University FLSA page.

“To be, or not to be, that is the question”… and that answer, for University Staff travel, can be costly in terms of pay and legal compliance risk. Your decision to ask a non-exempt employee to travel on business cannot be made lightly. Understanding the University’s obligation to protect both the employees’ legal rights and the University’s risk exposure can reinforce your well-informed decision.

Regulation: Fair Labor Standards Act (FLSA)
Covered Employees:
1) University Staff Employees – “Student” and “non-student” employees; whose jobs are designated as “Non-Exempt” (not exempt from the obligations and requirements for the accurate recording of working time, right to a minimum wage and overtime pay provisions of the FLSA.)
2) Faculty and Staff Supervisors – Any employee who directly supervises other employees whose jobs, by virtue of the work they are performing, are designated as “non-Exempt.”

Definitions:
The underlined words below are defined here: good2know.def.pdf

Accounting for University Staff (non-exempt) Travel Time

1. Any time spent while in Travel Status where the employee is performing Principal Activities or related Incidental Activities is accounted for as Working Travel Time, whether or not on a Regular Working Day, and regardless of the time of day those activities are being performed.

2. All time spent while in Travel Status that coincides with the employee’s Regular Working Hours, whether or not it occurs on a Regular Working Day, less the employee’s normal Home to Work Travel Time, is accounted for as Working Travel Time.

3. Time spent while in Travel Status, which does not coincide with the employee’s Regular Working Hours, will be accounted for according to the type of trip Day or Away:
   a. Day As a driver or a passenger: All time spent (less the employee’s normal Home to Work Travel) is accounted for as Working Travel Time.
   b. Away As a driver: All time spent while driving, less the employee’s Home to Work Travel is accounted for as Working Travel Time.
      As passenger: All time spent as a passenger is not considered Working Travel Time

No Exceptions Permitted
As this is a federal law requirement, no exception can be granted regarding this obligation. The following link provides additional Department of Labor information regarding this requirement:

http://www.dol.gov/whd/regs/compliance/whdfs22.htm

Questions or comments regarding this “Good to Know!” bulletin can be directed to your Human Resources Liaison or our office at 844-4145 or univhr@auburn.edu.