



United States Department of the Interior

OFFICE OF THE SECRETARY
Washington, D.C. 20240

FEB 11 2008

Memorandum

To: Solicitor
Inspector General
Assistant Secretaries
Heads of Bureaus and Offices

From: *Sharlyn A. Grigsby*
Sharlyn A. Grigsby
Director, Office of Human Resources

Subject: Departmental Policy on Compensatory Time Off for Official Travel

The Office of the Assistant Secretary - Policy, Management and Budget, Office of Human Resources, is issuing a revised Personnel Bulletin to all Departmental offices, establishing policy on Compensatory Time Off for Official Travel. This revised guidance provides for systematic practices and procedures across the entire Department. This guidance is intended to clarify program requirements implemented under the final regulation by the U. S. Office of Personnel Management under Title 5 of the United States Code of Federal Regulations, Part 550 – Pay Administration (General), Subpart N; Federal Workforce Flexibility Act of 2004 (Public Law 108-411, October 30, 2004).

The attached Personnel Bulletin describes to all Bureaus and equivalent offices an important employment incentive. All Department Human Resources Offices will now use this guidance when determining eligibility for acquisition and use of compensatory time off earned during official travel.

If you have any questions, please contact Michael Ballew on (202) 513-0755 or by e-mail at Michael_Ballew@ios.doi.gov.

Attachment

cc: Deputy Secretary
Chief of Staff
Bureau/Equivalent Office Human Resources Officers



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PERSONNEL BULLETIN NO: 08-01

SUBJECT: Departmental Policy on Compensatory Time Off for Official Travel

1. **Purpose.** This Personnel Bulletin establishes the Department's policy on compensatory time off for employees in a travel status away from their official duty station when such **time is not otherwise compensable**. It supersedes previous guidance issued under Personnel Management Bulletin No. 06-06, dated December 12, 2005. The revision is based on the final regulations issued by the United States Office of Personnel Management on April 17, 2007, effective Government-wide on May 17, 2007.

2. **Authorities.** Title 5 Code of Federal Regulations (CFR), Part 550 – Pay Administration (General), Subpart N; Federal Workforce Flexibility Act of 2004 (Public Law 108-411, October 30, 2004).

3. **Policy.** The Department hereby establishes a policy for an employee to earn, on an hour-for-hour basis, compensatory time off for time in a travel status away from the employee's official duty station when the travel time is not otherwise compensable. Heads of Bureaus and equivalent offices are responsible for administering this policy in accordance with this Personnel Bulletin and the regulations issued by OPM in Title 5 CFR, Part 550, Subpart N. It is critical that all Department managers monitor and approve travel arrangements for their employees in order to lessen the impact of this entitlement on the workforce. Travel on behalf of the Department must be accomplished during normal business hours. Deviations from standard itineraries need to be noted and approved by managers in advance of the travel. The employee is required to document travel times during periods when they are not otherwise compensated. The Bureaus and equivalent offices will be responsible for establishing procedure for documenting periods of travel eligible for compensatory time.

a. **Approving Officials.** The Heads of Bureaus and equivalent offices are granted authority to identify and approve hours which will be creditable toward the accrual of compensatory time off. This authority may be further delegated at the discretion of the Head of the Bureau or equivalent office to the level that best serves the interest of the organization. Managers and supervisors must be aware of his or her employees' accumulation of compensatory time off for travel, especially as the end of the leave year approaches.

b. **Documentation.** Bureaus and executive offices must track and manage compensatory time off granted under this Personnel Bulletin separately from other forms of compensatory time off. An employee must comply with his or her respective office's

procedures for requesting credit of compensatory time off under this section. Employees must file such requests within the time period established by his or her office.

c. **Creditable Travel Time.** The Bureaus and equivalent offices **must** credit an employee with compensatory time off for time in a travel status if the employee is required to travel away from the official duty station and the travel time is not otherwise compensable hours of work under legal authority. For clarity, the following definitions are established for use in this Personnel Bulletin:

- (1) **Compensatory time off** means compensatory time off for travel that is credited under the authority of this Personnel Bulletin.
- (2) **Compensable** refers to periods of time that are creditable as hours of work for the purpose of determining a specific pay entitlement, even when that work time may not actually generate additional compensation because of applicable pay limitations.
- (3) **Employee** means an employee as defined in 5 United States Code (U.S.C.) 5541(2) who is employed in an "Executive Agency", without regard to whether the employee is exempt from or covered by the overtime pay provisions of the Fair Labor Standards Act of 1938, as amended. This definition includes employees in Senior-Level and Scientific or Professional positions, but not members of the Senior Executive Service or prevailing rate (Federal Wage System) employees.
- (4) **Official duty station** means the geographic area surrounding an employee's regular work site that is the same as the area designated by the employing Bureau or equivalent office for the purpose of determining whether travel time is compensable for the purpose of determining overtime pay, consistent with the regulations in 5 CFR 550.112(j) and 551.422(d). For employees covered under telework agreements, the official duty station is the designated official work site determined by the Bureau or equivalent office in the agreement.
- (5) **Regular working hours** means the days and hours of an employee's regular hours for which the employee may be charged leave under 5 CFR part 630 when absent. Employees who are on intermittent work schedules are not eligible to earn and/or use compensatory time off for travel because they do not have a scheduled tour of duty for leave purposes.
- (6) **Travel** means officially authorized travel, i.e., travel for work purposes that is approved by an authorized agency official or otherwise authorized under established agency policies. Local

travel is not covered under these provisions. Time spent traveling in connection with union activities is excluded.

- (7) **Travel status** means travel time as described in section 550.1404 that is creditable in accruing compensatory time off for travel under this Personnel Bulletin, excluding travel time that is otherwise compensable under legal authority.
- (8) **Usual waiting time** means the time passengers are required to arrive at a transportation terminal that precedes or interrupts official travel. As used in this Personnel Bulletin usual waiting time is 2 hours prior to the scheduled departure time for domestic flights, and 3 hours prior to the departure time for international flights; however, individual Bureaus and equivalent offices may determine what is usual waiting time applicable to the application of this policy.

d. **Travel Status.** Compensatory time off will be given to employees for all time in a travel status which is not otherwise compensable¹ and includes the time an employee actually spends traveling between the official duty station and a temporary duty station, or between two temporary duty stations, along with the usual waiting time that precedes or interrupts such travel². Compensatory time off will not be given to an employee for waiting time between actual periods of travel during which the employee is free to rest, sleep, or otherwise use the time for his or her own purposes³. This extended waiting time is considered as "not usual" and is not creditable as time in a travel status. Time spent at a temporary duty station between arrival and departure is not time in a travel status. Time in a travel status ends when the employee arrives at the temporary worksite or lodging in the temporary duty station, and resumes when an employee departs from the temporary duty worksite or lodging. Travel time in connection with an employee's permanent change of duty station is not time in a travel status for the purposes of this Personnel Bulletin.

e. **Travel between home and a temporary duty station:** if an employee is required to travel directly between his or her home and a temporary duty station outside the limits of the employee's official duty station, the travel time is creditable as time in a travel status and is qualifying for compensatory time off under this Personnel Bulletin. The Bureau and equivalent office must deduct from such travel hours the time the employee would have spent in normal home-to-work or work-to-home commuting.

¹ If the employee is in a travel status during regular working hours and the travel extends beyond the time limits of the compensation, then Compensatory Time Off for Official Travel will be offered for the balance of the travel time which extends beyond the regular working hours.

² The Department has established a standard period for "usual waiting time" under paragraph c, section (8) of this document. Bureaus and equivalent offices may expand this time at their discretion when unusual or unexpected circumstances occur.

³ Department managers must approve all deviations from standard itineraries in order to document a normal delay in travel.

f. **Travel Time between permanent duty location and a temporary duty location:** if an employee is required to travel directly between his or her permanent duty location and a temporary duty station and the travel is not otherwise compensable, the travel time which occurs outside of the regular working hours is creditable as time in a travel status and is qualifying for compensatory time off under this Personnel Bulletin. In this situation, the time the employee would have spent in normal home-to-work or work-to-home commuting would not be deducted from such travel hours.

g. **Alternate Mode of Transportation.** When an employee is offered one mode of transportation by the Federal government, but is permitted by management to use an alternative mode of transportation, or the employee travels at a time or by a route other than that selected by the employing office, the agency must determine the estimated amount of time in a travel status the employee would have had if the employee had used the mode of transportation offered by the agency or traveled at the time and by the route selected by the employing office. In determining time in a travel status for compensatory time off the Bureau or equivalent office must credit the employee with the lesser of the estimated time in a travel status or the actual time in a travel status (if it can be actually determined).

h. **Multiple-Day Travel.** When a Department employee chooses not to use temporary lodging at the temporary duty station, but chooses to return to his or her home of record or permanent duty location at night on a "red-eye flight," or travel on a weekend⁴ from the temporary duty station to home, travel is credited for compensatory time off, i.e., subject to the deduction of normal commuting time. If an employee is required to travel directly between his or her temporary duty station and his or her permanent duty location at night on a "red-eye" flight or on a weekend the entire travel time is creditable as time in a travel status and is qualifying for compensatory time off under this Personnel Bulletin. The Bureau or equivalent office, at its discretion, determines that credit should be given based on the net savings to the Federal government from reduced lodging costs and the value of the labor time. Periods of time spent in travel status for transcontinental or international travel and extends beyond the regular working hours is compensable for time off. When an employee's travel involves two or more time zones, the time zone from the point of first departure must be used to determine how many hours the employee actually spent in a travel status for the purpose of accruing compensatory time off. The dollar value of an hour of compensatory time off is equal to the employee's hourly rate of basic pay.

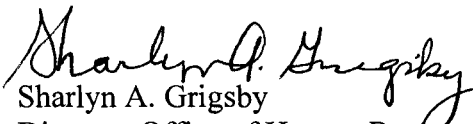
i. **Travel to a Transportation Terminal.** Time spent traveling from the employee's home to a transportation terminal as part of travel away from the official duty station is creditable for compensatory time off only if the terminal is outside the limits of the employee's official duty station. Travel time outside regular working hours to or from the terminal is considered to be equivalent to commuting time and is not creditable time in a travel status. If the transportation terminal is outside the limits of the employee's official duty station, the travel time to or from the terminal outside of regular working hours is creditable as time in a travel status, but is subject to an offset for the

⁴ Any time outside of regular working hours.

time the employee would have spent in a normal home-to-work or work-to-home commuting. If the employee travels between a worksite and a transportation terminal outside the limits of the employee's official duty station and the travel time outside regular working hours is creditable as time in a travel status, no commuting time offset applies.

j. Usage and/or Forfeiture of Accrued Compensatory Time Off. An employee must comply with the established policies and procedures of his or her Bureau or equivalent office for requesting credit for and usage of compensatory time off under this Personnel Bulletin. The Bureaus and equivalent offices may authorize credit in increments of one-tenth of an hour (6 minutes) or one-quarter of an hour (15 minutes). Bureaus and equivalent offices must charge compensatory time off in the chronological order in which it was earned, with compensatory time off earned first being charged first. All employees must use accrued compensatory time off by the end of the 26th pay period after the pay period during which it was earned. In rare cases, the Bureau or equivalent office may grant an exception based on an exigency. If an employee fails to use his or her compensatory time earned under 550.1404(a) by the end of the 26th pay period after the pay period during which it was earned, an authorized official of the Bureau or equivalent office, at his or her sole and exclusive discretion, may extend the time limit for using such compensatory time off for travel for up to an additional 26 pay periods. When an employee separates from Federal service, any unused compensatory time off credited under this Personnel Bulletin is forfeited. If the employee has been called to active duty or placed on the long-term rolls for an on-the-job-injury and later returns to service with the Department the compensatory time off will be re-credited and the employee will be obligated to use all of the compensatory time off by the end of the 26th pay period following the pay period in which the employee returns to duty, or such compensatory time off will be forfeited.

k. Cash Payment for Compensatory Time Off. An employee of a Bureau or equivalent office may not receive cash payment under any circumstances for any unused compensatory time off earned under this Personnel Bulletin. This prohibition against cash payment applies to surviving beneficiaries in the event of the employee's death.


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