

FLSA: Compensable Time Guidelines

Department of Labor guidelines note that employers must pay for work permitted to be performed. The university must manage non-exempt employees to ensure that only the work desired is being performed.

- Remote Access
 - Time spent outside of normal work hours to access work networks remotely or use cell/smart phones to check email or communicate with others is considered work and must be compensated.
- Lectures, Meetings, and Training Programs:
 - In general, meetings, lectures and training are included in work hours, and can be excluded only when the following criteria are met: it is outside normal hours, it is voluntary, it is not job related, and no other work is concurrently performed.
- On-Call Time
 - An employee who is required to be available for future work within a reasonable time period is on-call. Refer to Scheduling Work and Overtime Policy 6.10 [Frequently Asked Questions](#) for examples of on-call pay.
- Meal and Break Periods
 - Meal and break periods need not be paid if the employee is fully relieved from duty. For example, an employee who remains at his/her desk while on break or eating lunch and answers work questions is working. This time is compensable as the employee has not been completely relieved from duty.

Determining whether time spent in travel is compensable time depends upon the type of travel:

- Overnight Travel
 - Travel away from home is work time when it cuts across the employee's workday. The time is not only hours worked on regular working days during normal working hours but also during corresponding hours on nonworking days.
 - Travel time spent away from home outside of regular work hours as a passenger on a plane, train, boat, bus or car is not considered work time, unless he/she is preparing notes or otherwise performing work.
- One-Day Travel
 - Time spent traveling to a one-day assignment is work time, and may result in an employee working more than a standard work day, in which case the additional hours are compensable. The employer may deduct time the employee would normally spend commuting to the regular work site.
- On-the-Job Travel
 - Time spent in travel as part of an employee's principal activity, such as moving from job site to job site during the workday, must be counted as hours worked.



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