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United States Department of Agriculture
Research, Education, and Economics
Agricultural Research Service

SUBJECT: Compensatory Time Off for Travel

TO: Administrator's Council
Administrative and Financial Management Council

FROM: Joon Park, Director 
Human Resources Division

It has come to our attention that the administration of comp-time for travel is not consistent within ARS. This has been documented through "Your Two Cents" submissions, calls to the HRD Pay and Leave Staff, feedback from AO and timekeeper training sessions, site visits, and location written policies.

What we are seeing are varying interpretations on the extent of authority that supervisors have to approve/deny comp-time for travel; and what category of employee is allowed to receive comp-time for travel or under what travel circumstances.

For ARS, only two categories of employees cannot earn comp-time for travel. They are Senior Executive Service (SES) employees and employees on an intermittent appointment. All other employees have an entitlement to comp-time for travel for any official travel time that is not otherwise compensated. With that said, there are some times (e.g., unusual waiting time) and situations (e.g., travel by a different mode of transportation) where the number of travel hours that may be claimed by the employee is restricted. These restrictions and a few others are fully explained in the REE Policies and Procedures (P&P) 402.3 (Premium Pay).

One incorrect interpretation that has surfaced has been applied to scientist's travel, and in particular traveling to conferences. The incorrect interpretation is based on the premise that there are two types of travel, one type of travel being required or mandatory and the other type being not required or elective. The required travel (which was viewed as a rare occurrence) would qualify for comp-time for travel, whereas the not-required travel would not. This distinction of two types of travel is not supported by the regulations. Whenever an employee has travel paid for by government funds, or the travel is in conjunction with government business, it is travel that is covered by comp-time for travel unless superseded by some other form of compensation.

The other prominent misconception stems from the wording in P&P 402.3 where the following statement with the word "may" has been incorrectly construed so as to give supervisors the discretion on whether or when comp travel may be approved. The



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statement is “Comp time off for travel “may” be earned by an employee for time spent in a travel status away from the employee’s official duty station when such time is not otherwise compensable.” In actuality, the “may” was placed in the statement to allow for the fact that there are times and situations where the rules restrict the amount of comp-time for travel that may be accrued (e.g., unusual waiting times, alternate mode of transportation, etc). The “may” in the P&P will be changed to “must” (the actual wording used in the Code of Federal Regulations (CFR), for clarity sake.

While comp-time for travel is an entitlement linked to the approval of the travel itself, supervisors still have a role to play in determining when travel takes place so as to minimize the travel comp-time and in ensuring that the comp-time is recorded accurately. Often comp-time for travel can be over or under reported due to the difficulty of keeping track of such variables as time zone changes, waiting time limitations, meal breaks, etc. So even though comp-time for travel cannot be denied, it does need to be managed and monitored and the rules applied consistently throughout the Agency.

In conclusion the following needs to be communicated to all management/supervisory personnel:

- That comp-time for travel is an employee entitlement.
- That no type of government travel is excluded from being eligible for comp-time for travel.
- That earned comp-time for travel must be used before annual leave; except at leave year end when it would result in the forfeiture of use or lose annual leave.

For questions, please contact Mr. Ted Nykiel, HRD Pay & Leave Team Leader at (301) 504-4426 or Ted.Nykiel@ars.usda.gov.

