

## 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.

<b>Regulation:</b>	<b>Fair Labor Standards Act (FLSA)</b>
<b>Covered Employees:</b>	<b>1) University Staff Employees – “Student” and “non-student”</b> employees; whose jobs are designated as “Non-Exempt” ( <i>not exempt</i> from the obligations and requirements for the accurate recording of working time, right to a minimum wage and overtime pay provisions of the FLSA.) <b>2) Faculty and Staff Supervisors</b> – Any employee who directly supervises other employees whose jobs, by virtue of the work they are performing, are designated as “non-Exempt.”
<b>Definitions:</b>	The underlined words below are defined here: <a href="#">good2know.def.pdf</a>

### 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](mailto:univhr@auburn.edu).