

UNITED STATES DEPARTMENT OF AGRICULTURE
FOOD SAFETY AND INSPECTION SERVICE
WASHINGTON, DC

FSIS DIRECTIVE	4610.9	1/19/10
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TRAVEL COMPENSATORY TIME (TCT)

I. PURPOSE

This directive:

A. Informs employees of the current TCT provisions provided under the Federal Workforce Flexibility Act (FWFA) of 2004.

B. Supplements or supersedes current FSIS directives and notices on compensation for travel time.

C. Provides time and attendance (T&A) instructions for documenting the accrued and used TCT under the FWFA.

II. (RESERVED)

III. (RESERVED)

IV. REFERENCES

5 CFR 550, Subpart N, Compensatory Time Off for Travel
5 CFR 551, Pay Administration Under the Fair Labor Standards Act
5 CFR 610, Hours of Work

5 U.S.C. 5307, Senior Executive Service
5 U.S.C. 5542, Fair Labor Standards Act (FLSA), Overtime Pay
5 U.S.C. 5547, Pay Administration
5 U.S.C. Chapter 55, Subchapter V, Section 550(b), Comp Time Off for Travel
5 U.S.C. Chapter 81, Compensation for Work Injuries
38 U.S.C. 4303, Veterans Benefits

DISTRIBUTION:
Electronic

OPI:
HRP – Performance, Compensation
and Policy Branch

Federal Register Interim Regulations, Vol. 70, No.17, 3855-3858, dated 1/27/05
Federal Workforce Flexibility Act of 2004, Section 203
OPM Letter, Compensatory Time Off for Travel, dated 1/27/05
<http://www.opm.gov/oca/compmemo/2005/2005-03.asp>

V. **ABBREVIATIONS AND FORMS**

FLSA	Fair Labor Standards Act
FWFA	Federal Workforce Flexibility Act
FWS	Federal Wage Service
GS	General Schedule
NFC	National Finance Center
ODS	Official Duty Station
OT	Overtime
PHRS	Public Health Human Resources System
SES	Senior Executive Service
SL	Senior Level
T&A	Time and Attendance
TC	Transaction Code
TCT	Travel Compensatory Time

FSIS Form 3500-4, Work Schedule Time Sheet
FSIS Form 3530-5, Time and Attendance Report
FSIS Form 4550-6, Authorization for Extension to Use Compensatory Time Off
for Travel (TCT) Under P.L. 108-411

SF-50, Notification of Personnel Action

VI. **DEFINITIONS**

A. **Creditable Travel Time.** Time spent traveling that is:

1. Outside the hours of a scheduled tour of duty.
2. Outside the ODS.
3. Not otherwise compensable.
4. Officially ordered and approved by a supervisor.
5. In accordance with the criteria outlined in this directive. See
subparagraph IX. A. for additional information.

B. **Exempt Employee.** An employee who is not covered by the OT pay
provisions of FLSA. (**NOTE:** Exempt employees other than SES may earn TCT.)

C. **Intermittent Employee.** An employee who works on an as needed basis.
(**NOTE:** Intermittent employees cannot earn TCT.)

D. **Non-exempt Employee.** An employee who is covered by the OT pay provisions of FLSA. (**NOTE:** Non-exempt employees may earn TCT.)

E. **ODS.** The corporate limits of the city, town, or other established area with definite boundaries where an employee is stationed on a permanent basis.

1. If an employee is stationed in a city which is completely within the corporate limits of a larger city, the employee's ODS includes the corporate limits of the larger city.

2. If an employee is not stationed in an incorporated city or town, the ODS is determined in the following order of precedence:

a. The reservation, station, or established area where the primary duty station is located.

b. The area covered by a 25-mile radius around the duty point designated as the employee's primary duty location. (**NOTE:** An employee's ODS is shown on the SF 50, Notification of Personnel Action. The General Services Administration assigns a geographic location code for the nearest location to the ODS. The location can differ from the actual ODS. If the ODS and primary duty location differ, the employee will be notified in writing of the primary duty location and the fact that the ODS is defined in terms of a 25-mile radius.)

F. **Regular Working Hours.** The days and specific clock hours of an employee's regularly scheduled tour of duty, as established under 5 CFR 610, Hours of Work.

G. **TCT.** An hour-for-hour credit for official Government travel that is earned when no other form of compensation can be applied. As the compensation of last resort, TCT is not interchangeable with holiday, OT, credit hours, or regular compensatory time. For additional information, see paragraph X.

H. **Travel.** Official authorized travel for work purposes.

I. **Unusual or Extended Waiting Time.** The time spent when an employee experiences an unusually long wait period before the initial departure or between actual periods of travel caused by weather or mechanical delays, flight changes, cancellations, or other uncontrollable events (normally more than 3 hours).

J. **Usual Waiting Time.** The time that precedes or interrupts travel. (**NOTE:** Creditable time includes the time that a traveler has for arrival and check-in at the airport, train station, or other transportation terminal.) This is usually up to 3 hours before the scheduled departure. Per the approved itinerary, creditable time also includes the time spent at an intervening airport or other carrier terminal waiting for a connecting flight or other connections.

1. Whenever applicable, guidance on preboarding time issued by local, regional, or national transportation authorities will be used to make specific determinations on the amount of creditable time acceptable for TCT.

2. In most cases, the waiting time beyond the usual waiting time, which is identified in subparagraph VI. J., is excluded from creditable waiting time.

VII. **BACKGROUND**

Section 203 of the FWFA amended 5 U.S.C. Chapter 55, Subchapter V, by adding Section 550(b). Section 550(b) established a category of compensatory time off for time that an employee spends in a travel status outside their ODS when such time is not otherwise compensable. Employees with accrued TCT are now eligible for extensions on the timeframes for using TCT, subject to the criteria outlined in this directive. For additional information see Attachments 1 and 2.

VIII. **APPLICABILITY**

This directive applies to SL, FWS, and FLSA exempt and non-exempt GS employees (or employees in equivalent positions covered by PHRS). SES employees are not eligible to accrue TCT.

IX. **COMPENSATORY TIME FOR TRAVEL PROVISIONS**

This paragraph outlines provisions for creditable and non-creditable time during travel.

A. Creditable travel time includes:

1. The airline travel with the usual waiting time for preboarding check-in and boarding, which is normally 3 hours. (**NOTE:** This timeframe could be longer for international travel.) Supervisors can exercise reasonable discretion in approving additional waiting time for international travel, depending on the circumstance of the employee's travel. Consult local, regional, or national transportation authorities for appropriate predeparture arrival times to determine creditable waiting times.

2. All waiting time as depicted on the travel itinerary for connecting flights or other modes of transportation.

3. The unusual or extended waiting time if the employee is:

a. Arranging, rescheduling, or otherwise actively involved in efforts to continue or resume travel.

b. Traveling for official business. Creditable time is not for employees to use for their own purposes (**examples:** rest, relaxation, or sleep). (**NOTE:** See Attachments 3 and 4 for questions, answers, and scenarios about creditable TCT during unusual or extended waiting periods.)

4. The time spent traveling, **during off-duty hours**, from a duty point within the ODS to an airport or other transportation terminal outside the ODS.

5. The time spent traveling from home to a transportation terminal outside the ODS (minus the normal home-to-work commuting time) and the time spent traveling from a transportation terminal outside the ODS to home (minus the normal work-to-home commuting time).

6. The time spent traveling, **during off-duty hours**, directly from home to a **single** temporary duty location outside the employee's ODS and the return trip, minus the normal home-to-work and work-to-home commuting time.

7. The time spent traveling, **during off-duty hours**, between **two or more** temporary duty locations outside the employee's ODS when the travel time is not otherwise compensable. (**NOTE:** There is no subtraction of home-to-work commuting time.)

B. Non-creditable travel time includes:

1. Any travel time that is compensable as hours of work under the FLSA or CFR, Title 5, Administrative Personnel, including:

- a. Travel that occurs within the employee's normal tour of duty.
- b. Travel hours occurring outside an employee's regular working hours that meet the definition of hours of work under 5 CFR 550, Subpart N, Compensatory Time Off for Travel, or 5 CFR 551, Pay Administration Under the Fair Labor Standards Act.
- c. Travel by a non-exempt employee during hours on a non-workday that corresponds to the hours of the regularly scheduled workday.
- d. Travel during tour-of-duty hours on a holiday.
- e. Unusual or extended waiting time that occurs during an employee's regular working hours.

2. The unusual or extended waiting time (normally, more than 3 hours) in the course of travel occurring outside the employees' regular working hours. During such time, employees are free to rest, relax, sleep, or otherwise use the time for their own purposes.

3. The normal home-to-work and work-to-home commuting time, whether during normal duty hours or outside normal duty hours.

4. The roundtrip time spent traveling, outside regular working hours, from home to a transportation terminal or any other point within the boundaries of the employee's ODS.

C. Time for meals during periods of creditable travel time does not need to be deducted from the amount of TCT claimed.

D. The employee's time traveling should be scheduled during the employee's normal tour of duty hours whenever possible.

X. **EARNING, USING, AND RECORDING TCT**

A. **Earning TCT.**

1. TCT is earned on an hour-for-hour basis in 15-minute increments.
2. There is no limit on the amount of TCT that an employee can earn.
3. Employees must claim credit for TCT hours via a "Premium Pay Request" in webTA.

B. **Using Accrued TCT.**

1. An employee can request to use accrued TCT in 15-minute increments.
 2. An employee has 26 PPs, following the PP in which the TCT was earned, to use the accrued TCT hours. (**EXAMPLE:** If an employee earns 6 hours of TCT in PP 22 of 2009, the employee has until the end of PP 22 of 2010 to use the TCT before it is forfeited). **EXCEPTIONS:**
 - a. An employee can request and the supervisor may approve an extension (see Attachment 5) of the forfeiture date up to an additional 26 PPs if the employee was unable to use accrued TCT due to mission emergencies. (**NOTE:** Hours claimed for an extension cannot be extended a second time. If the accrued TCT is not used by the end of the extension period (if granted), it is forfeited.)
 - b. If an employee separates for service in the uniformed services or because of a worker's compensation claim due to an on-the-job injury, the employee's TCT is held in abeyance until the employee returns to work. Upon return to work, the employee's 26-PP timeframe for using TCT restarts, giving the employee another 26 PPs from the PP in which the employee returns to use the accrued TCT.
 3. TCT cannot be used until the NFC has credited it to the employee's account, which normally occurs during the PP following the one in which the TCT was earned. Attempting to use the TCT before it is credited can result in the employee being charged annual leave or leave without pay for the absence.
 4. Accrued TCT is forfeited when an employee:

- a. Does not use the accrued TCT within the 26-PP window.
(**NOTE:** TCT is never converted to monetary compensation under any circumstances.)
 - b. Moves from a GS (or equivalent position under PHRS), SL, or FWS to an SES position.
 - c. Transfers voluntarily to another agency outside USDA.
 - d. Retires or otherwise separates from Federal service.
5. TCT is not included when calculating biweekly or annual premium pay limitations or the aggregate limitation on pay. For travel purposes, the dollar value of TCT is used in calculating cost comparisons.
6. A need to schedule and use TCT that is subject to forfeiture will not be an acceptable justification for restoring forfeited “use or lose” annual leave. In this situation, the employee must use their “use or lose” annual leave prior to using accrued TCT.
7. TCT cannot be advanced to an employee.
8. Intermittent employees cannot earn TCT.

C. Recording TCT.

1. The NFC provides two prefixes linked to established TC to record TCT on the T&A and in webTA.
- a. **Prefix 78 and Code 32** (TC 78-32) to record TCT **earned**.
 - b. **Prefix 78 and Code 64** (TC 78-64) to record TCT **used**.
2. TCT must be recorded during the pay period in which it was earned via webTA or on the appropriate FSIS Form 3530, Time and Attendance Report, which is available at Outlook Public Folders/All Public Folders/OM/FMD/FPC. TCT can also be recorded on FSIS Form 3500-4, Work Schedule Time Sheet, which is available at Outlook Public Folders/All Public Folders/Agency Issuances/Forms/FSIS/3000 Series or on *Inside FSIS* at <http://inside.fsis.usda.gov/fsis/public/static/index.jsp>.

XI. ADDITIONAL INFORMATION

- A. Refer to Attachments 1–5 for:
- 1. Information on how to request an extension for using TCT.
 - 2. Information on what situations qualify for an extension.

3. Questions and answers addressing the accrual and use of TCT.
 4. Examples of travel scenarios illustrating creditable and non-creditable time.
 5. A sample of FSIS Form 4550-6, Authorization for Extension to Use Compensatory Time Off for Travel (TCT) Under P.L. 108-411.
- B. Direct TCT policy questions to the Performance and Compensation Policy Branch, Human Resources Policy, at 202-720-6287.



Assistant Administrator
Office of Management

Attachments

- 1 Travel Compensatory Time (TCT) Extension Request Roles and Responsibilities
- 2 Criteria for Granting a TCT Extension
- 3 Compensatory Time Off For Travel Questions and Answers
- 4 Travel Scenarios—Examples of Creditable and Non-Creditable Time
- 5 Sample FSIS Form 4550-6, Authorization for Extension to Use Compensatory Time Off for Travel (TCT) Under P.L. 108-411

TCT EXTENSION REQUEST ROLES AND RESPONSIBILITIES

Requesting Employee:

- Completes FSIS Form 4550-6, Authorization for Extension to Use Compensatory Time Off for Travel (TCT) Under P.L. 108-411.
- Furnishes written documentation showing that the use of accrued TCT was officially requested and subsequently canceled or denied due to mission exigencies.
- Provides an accurate account of the total number of TCT hours for which an extension is requested.
- Records TCT hours and uses them within the approved extension window.
- Submits a completed and signed FSIS Form 4550-6 at least one PP prior to the forfeiture of the employee's TCT. (**EXAMPLE:** John has 6 hours of TCT that will expire at the end of PP 13 of 2009. If John would like to file for an extension to use his TCT, he must submit a completed FSIS Form 4550-6 no later than the end of PP 12 of 2009.)

Requesting Employee's Supervisor/Authorizing Official:

- Signs and certifies the accuracy and authenticity of all information contained within FSIS Form 4550-6, submitted by the requesting employee. As part of ensuring the accuracy and authenticity of the employee's claim, the supervisor must complete an audit of the employee's time and attendance records to validate the total number of TCT hours claimed for extension.
- Documents the mission exigency (emergency) that prevented the employee from using accrued TCT.
- Approves the extension and length of the extension.
- Makes the determination for an extension based on the criteria for granting an extension. (See Attachment 2.)
- Ensures that all documentation (Form 4550-6, audit paperwork, etc.) is stored in the employee's T&A folder.

- Forwards the approved FSIS Form 4550-6 to the processing official.
Submits FSIS Form 4550-6 to:

USDA/HUMAN RESOURCES OPERATIONS (HRO)
100 NORTH SIXTH STREET
BUTLER SQUARE WEST SUITE 420C
MINNEAPOLIS MN 55403

Processing Official (HRO):

- Processes FSIS Form 4550-6 in Minneapolis, MN.
- Ensures that the TCT hours approved for extension are electronically reinserted into the requesting employee's TCT balance.

CRITERIA FOR GRANTING A TCT EXTENSION

Condition For Extension:

A supervisor or other authorizing management official may grant an extension of up to 26 PPs to an employee who was prevented from using accrued TCT due to exigencies (emergencies) associated with the FSIS mission. It must be shown that the use of such TCT was formally requested in writing by the employee at least three biweekly PPs prior to the 26-PP forfeiture date.

Qualifying Criteria:

Mission emergencies may occur any time during the year. Therefore, managers and supervisors must manage their employee's leave, including TCT, throughout the year to avoid forfeiture. If the use of leave, including TCT, has to be canceled due to workload, managers and supervisors must make every effort to allow employees to reschedule their leave in writing prior to the applicable forfeiture dates.

- Only a bona fide operational emergency of such significance that the Agency mission cannot be effectively conducted or accomplished will support cancellation of formally requested use of TCT during the requested time period.
- The specifics of the emergency must be documented in writing by the supervisor.
- There must be no reasonable alternative to canceling approved or requested use of TCT (**example:** the reassignment of work to another employee in order to avoid forfeiture of accrued TCT due to the emergency).
- The emergency must be of such importance that employees cannot be excused from work for the duration.
 - Whenever possible the decision to deny or cancel the request to use accrued TCT should be made in advance.
 - The emergency must be approved by the employee's supervisor before taking action with regard to the employee's scheduled or requested use of accrued TCT.
 - When declaring an emergency, specific beginning and ending dates must be fixed in advance, if possible, by an appropriate management official. If not, they should be determined as soon as possible.

COMPENSATORY TIME OFF FOR TRAVEL QUESTIONS AND ANSWERS

Q1. What is Compensatory Time Off for Travel (TCT)?

- A. TCT is time off that an employee can earn for time spent in a travel status away from the employee's ODS when such time is not otherwise compensable.

Q2. What employees are covered by the TCT provision?

- A. This provision applies to all employees, regardless of whether the employee is exempt or non-exempt from the OT pay rules of the FLSA, as amended. GS (or employees in equivalent positions under PHRS), SL, and FWS employees are covered, but employees in the SES are not.

Q3. An employee receives TCT only for those hours spent in a travel status not otherwise compensable. What qualifies as time in a travel status?

- A. Travel status includes only the time actually spent traveling between the employee's residence or ODS and a temporary duty station outside the ODS, or between two temporary duty locations, and the usual waiting time that precedes or interrupts such travel. In some cases, the deduction of normal commuting time will apply. See **Q8**.

Q4. What is the meaning of "usual waiting time?"

- A. Airline travelers generally are required to arrive at the airport at a designated pre-departure time (**example**: up to 3 hours before the scheduled departure, depending on whether the flight is domestic or international). Such waiting time at the airport is considered usual waiting time and is creditable time in a travel status. In addition, time spent at an intervening airport waiting for a connecting flight (**example**: up to 3 hours) is also creditable time in a travel status, as well as meal periods occurring during creditable travel time.

Q5. What if an employee experiences an unusually long or extended waiting period?

- A. Extended waiting time for a delayed or canceled flight or train is credited for **non-duty hours** up to the time that the employee is notified of the cancellation, but normally no more than 3 hours. Additional waiting time can be credited if the employee **actively pursues** alternative travel accommodations (**examples:** working with airline or train personnel to identify or book alternative means of travel or to make arrangements for hotel accommodations if alternative travel is not available at that time, or if instructed by the airline to remain in the gate area) and that time is not available for personal use. When employees are free to rest, sleep, or use the time for **their own purposes** during an unusually long or extended waiting period before the initial departure or between periods of travel, this time is not compensable as TCT. In addition, when this occurs during the employee's regular working hours the time is compensable as part of employee's regularly scheduled tour of duty. Also when this occurs outside the employee's regular working hours the time is not compensable.

Q6. Do meal periods count as time in a travel status?

- A. Yes. Meal periods during creditable travel time do count as time in a travel status. (**EXAMPLE:** If an employee spends an hour, or other increment of time, eating a meal at an airport restaurant during a period of usual waiting time, that hour is considered compensable time in a travel status.)

Q7. What happens once an employee reaches a temporary duty station?

- A. Once an employee arrives at the temporary duty location (**example:** the hotel or temporary worksite), the employee is no longer in a travel status for purposes of earning TCT. Any time spent at a temporary duty location between arrival and departure is not creditable travel time for earning TCT.

Q8. When is it appropriate to offset creditable time in a travel status by the time the employee spends in normal commuting between home and work?

- A. Normal home-to-work or work-to-home commuting time is deducted from creditable travel time if the employee must travel outside of regular work hours:
- Directly between the employee's home and a temporary duty location **outside** the limits of the employee's ODS (**example:** drives to and from a 3-day training).
 - Between home and a transportation terminal outside the limits of the employee's ODS (**example:** drives to an airport or train station).

Q9. What if an employee travels from home to a transportation terminal *within* the limits of the ODS?

- A. The time spent traveling outside of regular working hours to or from a transportation terminal **within** the limits of an employee's ODS is equivalent to commuting time and is not creditable time in a travel status for earning TCT.

Q10. What if an employee travels from a temporary duty (TDY) to a transportation terminal *outside* the limits of the ODS?

- A. When an employee travels between a worksite and a transportation terminal **outside** the limits of the ODS, the travel time **outside** regular working hours is considered creditable time due to being in a travel status, for TCT purposes, and no commuting time offset applies.

Q11. How is TCT earned and used?

- A. TCT is earned for qualifying time in a travel status. It is earned and used in 15-minute increments.

Q12. Is there a limit on the hours of TCT that an employee can earn?

- A. No, there is no limit or cap on the amount of TCT that an employee can earn.

Q13. How does an employee use accrued TCT?

- A. An employee must request permission from their supervisor to schedule the use of accrued TCT. Requests to use TCT are made by submitting leave requests in webTA. Bargaining unit employees should refer to Article 14 of the Labor-Management Agreement for additional guidance.

Q14. How long does an employee have to use accrued TCT?

- A. An employee has 26 PPs, following the PP in which it was earned, to use accrued TCT or it is forfeited, except in certain circumstances (**see Q15**).

Q15. Under what circumstances is credit for accrued TCT kept beyond the 26-PP window?

- A. If an employee separates for service in the uniformed services or files a worker's compensation claim as a result of an on-the-job injury, the employee's TCT is held in abeyance until the employee returns to work.

Upon return to work, the employee's 26-PP timeframe for using TCT starts over and the employee will have 26 PPs from the PP in which the employee returns to use the accrued TCT. If not used in the 26-PP window, the TCT is forfeited.

However, situations in which emergencies associated with the mission of the Agency prevent an employee from using accrued TCT, a supervisor can grant up to an additional 26 PPs in which to use the accrued TCT.

Q16. Can unused TCT be restored if an employee does not use it by the end of the 26-PP window?

- A. Except in certain circumstances (**see Q15**), any TCT not used by the end of the 26-PP window is forfeited.

Q17. What happens if I cannot use my accrued TCT even after a 26-PP extension?

- A. If accrued TCT cannot be used, even after a 26-PP extension, it is forfeited. There is no provision for a second extension.

Q18. What happens to an employee's unused TCT if the employee separates from Federal service?

- A. Except in certain circumstances (**see Q15**), an employee forfeits all unused TCT on separation from Federal service.

Q19. Can an employee receive a lump-sum payment for accrued TCT if the employee separates from an agency?

- A. No. The FWFA, under which TCT was established, explicitly prohibits payment for unused TCT under any circumstances.

Q20. What happens to an employee's accrued TCT if the employee is transferred to another Department or agency (outside USDA)?

- A. When an employee voluntarily transfers to another non-USDA Department or agency (including a promotion or change to lower grade action), the employee forfeits all unused TCT.

Q21. What happens to an employee's accrued TCT when the employee moves to a position that is not covered by 5 CFR 550, Subpart N?

- A. When an employee moves to a position that is not covered by TCT provisions (**example:** SES), the employee forfeits all unused TCT.

Q22. If an employee must travel on a Federal holiday (or an "in lieu of" holiday), is the employee entitled to receive TCT?

- A. No. Employee cannot earn TCT during basic (non-OT) holiday hours because they are entitled to holiday leave (TC 66) for those hours. Employees earn TCT only for travel time spent in a travel status away from the ODS, outside normal tour of duty hours, and not otherwise compensated. Employees who travel during normal tour of duty hours on a holiday are compensated the same as if they had not worked.

Q23. If an employee's regularly scheduled tour of duty is Sunday through Thursday and the employee is required to travel on a Sunday during regular working hours, is the employee entitled to earn TCT?

- A. No. TCT is earned only for the time spent in a travel status away from the employee's ODS when such time is not otherwise compensable. TCT cannot be earned for traveling on a workday during regular working hours because the employee receives the basic rate of pay for those hours.

Q24. If an employee is eligible to receive OT pay for a period of travel because the travel meets one of the four criteria in 5 CFR 550.112(g)(2), but cannot receive the OT pay because it exceeds the biweekly pay cap limitation, is the employee then eligible to earn TCT for any portion of this travel time?

- A. No. Even though an employee cannot receive OT pay for some or all of the travel hours because the earnings would exceed the biweekly pay cap, all of the travel time qualifies for compensation under 5 CFR 550.112(g)(2). Under these circumstances, the employee has been compensated fully under the law for all of those travel hours. Therefore, the employee cannot earn TCT for any portion of such travel that could not be paid as OT.

Q25. Are intermittent employees eligible to earn TCT?

- A. No. Employees who are on intermittent work schedules are not eligible to earn and use TCT because they do not have a scheduled tour of duty for leave purposes.

Q26. How is an employee's travel time calculated for the purpose of earning TCT when the travel involves two or more time zones?

- A. Time in a travel status includes the time an employee actually spends traveling and the usual waiting time that precedes or interrupts the travel, subject to certain exclusions. 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 TCT. The same must be done on the return trip.

Q27. Can an employee earn TCT when traveling in conjunction with the performance of Union representational duties?

- A. No. The term "travel" is defined in 5 CFR 550.1403 to mean officially authorized travel (example: travel for work purposes that is approved by an authorized agency official or otherwise authorized under established agency policies). The term "travel for work purposes" is intended to mean travel for Agency-related work purposes. Thus, employees who travel in connection with Union activities are not entitled to earn TCT because they are traveling for the benefit of the Union and not for Agency-related work purposes.

**TRAVEL SCENARIOS—EXAMPLES OF CREDITABLE AND
NON-CREDITABLE TIME**

Example 1: Travel to a temporary duty station on a workday.

Outbound Travel: From home to a business meeting via airline.			
6 – 7 a.m.	7 – 8 a.m.	8 – 11:30 a.m.	11:30 a.m. – 12:30 p.m.
Drive to airport which is within official duty station (ODS) limits	Wait at airport	Plane departs/lands	Drive to worksite
Non-creditable travel time	Creditable travel time	Regular working hours	

Return Travel: From business meeting to home.			
5 – 6 p.m.	6 – 7:30 p.m.	7:30 – 10:30 p.m.	10:30 – 11:30 p.m.
Drive to airport	Wait at airport/Dinner	Plane departs/lands	Drive home from airport which is within ODS limits
Creditable travel time	Creditable travel time 6 - 10:30 p.m.		Non-creditable travel time

On a workday, an employee is required to travel to a temporary duty location for an afternoon meeting. The employee’s regular working hours are 8 a.m. to 4:30 p.m. The employee spends 13 hours (6 a.m. to 12:30 p.m. and 5 p.m. to 11:30 p.m.) total time traveling to and from the worksite.

The time between 8 a.m. and 12:30 p.m. is compensable as part of the employee’s regular working hours. Also, an employee’s time spent traveling outside of regular working hours to or from a transportation terminal (**example:** an airport or train station) within the limits of the ODS is considered to be the equivalent to commuting time and is not creditable travel time.

The employee spends 2 hours traveling to and from an airport within the limits of the ODS. Bona fide meal periods during actual travel or usual waiting time are considered creditable travel time.

The employee’s TCT entitlement is:

Total travel time	13 hours
Minus	
Travel time within regular working hours	4.5 hours
Travel to and from airport within limits of ODS	2 hours
TCT	6.5 hours

Example 2: Travel to a temporary duty location on a nonworkday.

Outbound Travel: Travel on Sunday from home to training.			
5 – 6 p.m.	6 – 7:30 p.m.	7:30 – 10 p.m.	10 – 10:30 p.m.
Drive to airport	Wait at airport	Plane departs/lands	Drive to hotel
Non-creditable travel time	Creditable travel time		

Return Travel: Travel from training to home on the following Friday.			
11:30 a.m. – 12:00 p.m.	12 – 3:30 p.m.	3:30 – 6:00 p.m.	6 – 7 p.m.
Drive to airport	Wait at airport (2-hour delay)	Plane departs/lands	Drive home
Regular working hours Non-creditable travel time		Creditable travel time 4:30 – 6 p.m.	Non-creditable travel time

An FLSA-exempt employee is required to travel to a temporary duty location for week-long training. The employee's regular working hours are 8 a.m. to 4:30 p.m., Monday through Friday. Because the employee's training begins early Monday morning, the employee travels to a hotel at the temporary duty location the Sunday evening before the training. The training is scheduled to continue until Friday morning at 11:30 a.m. and the employee returns home immediately after training ends on Friday morning.

The employee spends 13 hours (5 to 10:30 p.m. on Sunday and 11:30 a.m. to 7 p.m. on the following Friday), total time traveling to and from the training. The hour the employee spends on Sunday traveling to the airport and the hour the employee spends on Friday traveling from the airport, within the limits of the ODS, are considered equivalent to commuting time and are not creditable travel time. Also, the 5 hours spent traveling on Friday during regular working hours (11:30 a.m. to 4:30 p.m.) are not creditable time for the purpose of earning compensatory time for travel.

The employee's TCT entitlement is:

Total travel time	13 hours
<i>Minus</i>	
Travel to or from airport within limits of ODS	2 hours
Regular working hours	5 hours
TCT	6 hours

Example 3: Driving to and from a temporary duty location on a workday.

Travel from ODS to a plant.				
7 – 8 a.m.		8 a.m. – 4:30 p.m.		4:30 – 6 p.m.
Drive from ODS to plant		Working hours		Drive home
Non-creditable travel time .5 hour	Creditable travel time .5 hour	Regular working hours		Creditable travel time 1 hour
				Non-creditable travel time .5 hour

A consumer safety officer travels on a workday to a plant at a temporary duty location.

The plant location is a 1-hour drive from the employee's home. The employee's regular working hours are 8 a.m. to 4:30 p.m., and the normal commuting time is 30 minutes each way. The employee spends 2.5 hours (7 to 8 a.m. and 4:30 to 6 p.m.) total time driving to and from the plant.

If an employee travels directly between home and a temporary duty location outside the limits of the ODS, the time spent traveling outside regular working hours is creditable travel time. However, the employee must deduct the time that would have been spent in normal home-to-work or work-to-home commuting, which in this example totals 1 hour.

The employee's TCT entitlement is:

Total travel time	2.5 hours
Minus	
Normal commuting time	1 hour
TCT	1.5 hour

Example 4: Traveling to and from a temporary duty location on a non-workday with an unusual or extended delay.

Outbound Travel: From home to a conference via airline.			
11 – 11:30 a.m.	11:30 a.m. – 3:30 p.m.		3:30 – 6 p.m.
Drive to airport	Extended wait at airport		Plane departs/lands
Drive to hotel			
Non-creditable travel time	Creditable travel time 11:30 a.m.- 12:30 p.m.	Non-creditable travel time 12:30 - 3:30 p.m.	Creditable travel time

Return Travel: From conference to home via airline.			
5 – 6 p.m.	6 – 7:30 p.m.	7:30 – 10 p.m.	10 – 11 p.m.
Drive to airport	Wait at airport/Dinner	Plane departs/lands	Drive home
Creditable travel	Creditable travel time 6 - 10 p.m.		Non-creditable travel time

An employee is required to travel to a temporary duty location for a week-long conference. The airport is within the limits of the employee's ODS. The employee's regular working hours are 8 a.m. to 4:30 p.m. Because the conference begins early Monday morning, the employee travels to a hotel at the temporary duty location the Sunday before the conference. The conference is scheduled to continue until Friday afternoon at 4:30 p.m. and the employee returns home immediately after the conference ends on Friday afternoon.

Upon arrival at the airport, the employee experiences an unusual or extended waiting time due to a mechanical problem with the plane. The employee is notified of the delay just prior to the scheduled boarding time (12:30 p.m.) and told that the flight has been re-scheduled to 3:30 p.m., 3-hours later than the original departure time. Instead of waiting the normal 1-hour, the employee waits 4-hours. During the unusual or extended wait time the employee is free to eat, sleep, watch TV, make phone calls, shop or otherwise relax.

On the drive home from the airport, there is an accident, and it takes the employee an extra 30 minutes to get home.

The employee spends 14.5 hours (11 a.m. to 7:30 p.m. on Sunday and 5 to 11 p.m. on Friday), total time traveling to and from the conference.

The 30 minutes the employee spends on Sunday traveling to the airport and 30 minutes of the time the employee spends on Friday traveling from the airport, within the limits of the ODS, is considered equivalent to normal commuting time and is not creditable travel time.

The 3 hours of unusual or extended waiting time (12:30 to 3:30 p.m.) are not creditable travel time because the employee was free to relax or use the delay for personal use.

Bona fide meal periods during actual travel or usual waiting time are considered creditable travel time.

The employee's TCT entitlement is:

Total travel time	14.5 hours
<i>Minus</i>	
Travel to and from airport within limits of ODS	1 hour
Unusual or extended waiting time	3 hours
TCT	10.5 hours

**SAMPLE FSIS FORM 4550-6, AUTHORIZATION FOR EXTENSION TO
USE COMPENSATORY TIME OFF FOR TRAVEL (TCT) UNDER
P.L. 108-411**

U.S. DEPARTMENT OF AGRICULTURE FOOD SAFETY AND INSPECTION SERVICE		
AUTHORIZATION FOR EXTENSION TO USE COMPENSATORY TIME OFF FOR TRAVEL (TCT) UNDER P.L. 108-411		
1. NAME (Last - First - Middle)	2. AGENCY CODE	3. PAY PLAN (GS, SL or FWS)
4. SERIES/GRADE/STEP	5. OFFICIAL DUTY STATION	6. TOTAL NO. OF TCT HOURS TO BE EXTENDED
7. NATURE OF MISSION EMERGENCY FOR WHICH EXTENSION IS REQUESTED (If additional space is needed, use Page 2) (1) Give details of the specific circumstances/emergency causing forfeiture of the unused TCT; and (2) Provide details as to why the TCT could not have been rescheduled and/or used at another time within the 26 pay period time frame.		
SAMPLE		
ATTACHMENTS REQUIRED (Checklist): (1) Attach the following approved documents showing: <ul style="list-style-type: none"> a. <input type="checkbox"/> TCT leave was formally requested at least 3 pay periods prior to the end of the 26 pay period timeframe. b. <input type="checkbox"/> Dates supervisor approved TCT leave. c. <input type="checkbox"/> Dates of scheduled TCT leave and number of hours scheduled. d. <input type="checkbox"/> Dates TCT leave was rescheduled, if appropriate. e. <input type="checkbox"/> Specific dates TCT leave was canceled and total number of TCT hours forfeited. (2) <input type="checkbox"/> Copy of Time & Attendance sheets for the pay period in which the forfeited TCT was earned and the pay period in which it was forfeited (26 pay periods after the pay period it was earned).		
NOTE: For all TCT extension requests, the burden of proof falls on the employee requesting the extension.		
8. TCT EXTENSION TIMEFRAME →	BEGINNING DATE	ENDING DATE
9. SIGNATURE (Authorizing Official)	TITLE	10. DATE APPROVED
FSIS FORM 4550-6 (06/26/2008)		