



CIVILIAN PERSONNEL FACT SHEET

TRAVEL AS HOURS OF WORK FOR EMPLOYEES OVERSEAS

Reference: AFI 36-815

1. **The employee travels during regularly scheduled administrative workweek (i.e., normal duty days and hours).**
2. **The employee performs actual work while traveling. (But this is not considered overtime unless the work is officially ordered and approved.)**
3. **The employee must travel in order to work while traveling. (Example: a Federal Marshall in New York City must pick up a prisoner in Chicago and escort him back to New York City; all travel time from when he left home until he relinquished the prisoner is considered hours of work.)**
4. **The travel results from an event, which cannot be scheduled or controlled administratively by any agency of the Executive Branch. (This does not include training conducted by an outside party, which is contracted by an Executive agency since the scheduling of the training is controlled by the agency through the contract. Also, even though an event cannot be controlled, there must exist an “immediate official necessity,” which means the necessity for travel is so urgent as to preclude proper scheduling of travel during normal duty hours.)**
5. **The travel is under arduous conditions. (e.g., travel over unusually adverse terrain, during severe weather conditions, or to remote barely accessible facilities by foot, horseback, or truck.)**

NOTE#1: This information only covers 5 CFR 550 pay entitlements. All overseas employees are exempt from FLSA entitlements.

NOTE #2: Time spent in travel that meets any of the conditions above must be compensated as either straight time or overtime whichever is appropriate.

NOTE #3: Employees who travel at night or on Sunday do not receive night differential or Sunday premium pay unless they are regularly scheduled to work at night or on Sunday.

NOTE #4: With the rare exception of Rule #3, above, travel from home to work and vice versa is not hours of work. When an employee travels directly from home to a temporary duty location outside the limits of his or her official duty station, the time the employee would have spent in normal home to work travel shall be deducted from hours of work, unless, of course, the employee is traveling during regular working hours.

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