

UNIVERSITY SYSTEM OF GEORGIA GUIDELINES SUMMERIZING FLSA HOURS WORKED REGULATIONS

OVERVIEW

This document summarizes the federal law and USG policies related to when a nonexempt employee must be compensated. This document is not meant to be exhaustive and focuses primarily on the following situations which may be frequently encountered in an institutional setting:

<ul style="list-style-type: none">x Hours Workedx Travel Timex Training and Conferencesx Meals and Breaks	<ul style="list-style-type: none">x Waiting Timex On-call timex Sleep time
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HOURS WORKED

Hours worked include hours during which an employee is actually performing productive work as well as the hours when no work is performed but the employer requires the individual to remain available for the next assignment. Such work may be performed at the employer's premises, an employer related job site as well as working at home. An employee must be compensated for all "hours worked" for the employer regardless of where the work is performed. Additionally, nonexempt employees responding to work email or working on projects from home after hours, attending work related trainings or who are on

from the meeting place to the work site is compensable. If the employee stops at the home office for his or her own convenience, the time traveling from the office to the site is not compensable.

TRAVEL DURING THE WORKDAY

Travel as a part of the employer's principal activity must be counted as hours worked. If the travel is for the benefit of the employee, it is compensable.

EXAMPLE If an Institution requires its college recruiters to meet on campus before traveling to a recruitment site, the recruiters would be required to include the time spent traveling between the home campus and the recruitment site in the hours worked by each employee. Likewise, hours worked any time spent by any recruiter traveling between two or more recruitment sites during the same workday. The Institution would not, however, be required to include as hours worked time spent by the employee traveling from home to the home campus before traveling to the recruitment site or traveling home from the home campus after the workday is over. It would also not be

If the employee is the driver of the vehicle, the employee must be compensated as driving work time.	Time spent at a hotel with freedom to use time for the employee's own purposes is not compensable.
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Example– Travel outside of normal work hours.

EXAMPLE Firemen playing a video game while waiting for an emergency call. This example represents a situation where the hallmarks of on-duty waiting time are present: the employee.

- x is not engaged in the work for which they were hired;
- x remains subject to the direction of his or her employer;
- x is not able to effectively use the time for themselves; and
- x is unsure as to when the waiting period will occur and/or how long it will last.

Off-duty waiting time does not count as hours worked if the criteria below is met:

- x the employee

