HRDG 4550 - Premium Pay - Section E - Subsection a

Last Modified:

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Premium Pay
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What is compensatory time off for travel (CTOT)?

Effective January 28, 2005, OPM established a new form of compensatory time. This new compensatory time grants time off for travel time that is not otherwise compensable. (See: Federal Workforce Flexibility Act of 2004 [Public Law 108-411, October 30, 2004].)

Can I earn CTOT?

You are eligible to earn CTOT if you are a GS/GM/AD, or prevailing rate (wage grades effective 04/27/08, CPM 2008-04) employee, regardless of FLSA status. You are also eligible if you are in a senior-level (SL) or scientific or professional (ST) position. Members of the Senior Executive Service (SES) are not eligible. Intermittent employees are excluded.

Intermittent employees are excluded because they do not have a scheduled tour of duty, and CTOT may only be earned and used by an employee who is being granted time off from his or her scheduled tour of duty (5 CFR 550.1406[b] and 5 CFR 550.1403).

Employee/ Supervisory Responsibilities

Employees are responsible for:

- Discussing travel plans with your supervisor prior to the temporary duty (TDY) assignment in order to ensure proper entitlements, and to reduce questions and problems after the TDY.
- Filing your request to have earned CTOT credited to you within **six (6)** pay periods of the ending date of your travel. If you fail to do so, your request may be denied. The date this request is made will not affect the time limit on forfeiture of unused CTOT. (Departmental Regulation 4050-550-02, Pay Administration - Compensatory Time Off for Travel, Section 10 a, dated June 20, 2008.)
- Using CTOT before annual leave unless you have use/lose annual leave. In such instances, use/lose annual leave must be used first. (Departmental Regulation 4050-550-02, Pay Administration - Compensatory Time Off for Travel, Section 11 e, dated June 20, 2008.)

Supervisors are responsible for:

- Discussing travel plans with your employee prior to the TDY assignment in order to ensure proper entitlements, and to reduce questions and problems after the TDY.

Note: Programs must establish written policy in order to deny requests.

Is CTOT the same as regular compensatory time off?

No, it is not the same. Regular compensatory time off is a form of premium pay. It is granted in lieu of overtime pay and may be paid out in a lump sum if not used. CTOT is different because it is earned for travel time that is not otherwise compensable and it can never be paid out. If it is not used, it will be forfeited (exceptions exist).

You have 26 pay periods beginning in the pay period after it is earned.

How long do I have to use the earned compensatory time?

Examples:

Earned in:	**Hrs Earned:**	**Clock Begins:**	**Use by the end of:**
Pay Period (PP) 2 - 2005	15	PP 3 - 2005	PP 2 - 2006
PP 15 - 2005	2	PP 16 - 2005	PP 15 - 2006

Exceptions - When Unused CTOT is Not Forfeited

Unused CTOT is held in abeyance if you separate or go on LWOP due to:

- Service in the uniformed services (as defined in 38 U.S.C. 4303 and 5 C.F.R. 353.102) when restoration rights are involved.
- An on-the-job injury with entitlement to injury compensation (under 5 U.S.C. chapter 81).

In these instances, upon return to duty, you have 26 pay periods beginning in the pay period you return to duty to use the earned CTOT, or it will be forfeited permanently.

Example:

Returned to duty in pay period (PP) 2 - 2005	**Use by the end of PP 1 - 2006**

Can Forfeited CTOT be restored Like Use/Lose Annual Leave?	No, forfeited CTOT cannot be restored like use/lose annual leave. It can only be: • Held in abeyance for the reasons noted above, or • Extended for an additional 26 pay periods if it meets the conditions noted below.
What if I Can't Use My CTOT Within 26 Pay Periods?	In situations where you attempted, in writing, to schedule earned CTOT but it was not granted due to an exigency of the public business, your supervisor may request an additional 26 pay period extension, as described in the next block.

	Step	Who	Does What	When
	1	Supervisor	Determines, in writing, that an exigency of the public business existed, i.e., operational emergency, mission-critical work, or a deployment to perform work directly related to a military operation. **Note:** The written determination must: • Clearly identify the exigency, • Explain why the CTOT was not granted, and • Include a copy of an SF-71, Request for Leave, or equivalent, showing that the employee attempted to schedule the CTOT but the request was denied.	**BEFORE** the expiration of the 26 pay periods.
How Do I Obtain an Extension?	2	Approving Official (Second level supervisor or higher in the employee's direct chain of command.) **Note:** This	Approves or disapproves the request, in writing. **Note:** A copy of an approval must be forwarded to the SPO.	Written approvals must occur **BEFORE** the expiration of the initial 26 pay period. **Note:** If the approving official fails to do this, the CTOT is permanently lost.

Does the webTA system track this for me?	Yes. To find out your CTOT balances, use the Leave Audit report function in the webTA system. The Leave Audit will show you when the CTOT was earned and used for the last 26 pay periods. To get the report, go to the Main Menu in webTA. Click on "Leave Audit." The Leave Audit will list each type of leave separately. Click on "Comp Time for Travel" and then click "Update" to list the balances.
In what increments is CTOT earned and used?	CTOT is earned and used in 15 minute increments. Rounding is not permitted.
Can CTOT be earned and used in the same pay period?	Yes, but to use CTOT in the same pay period in which it was earned, it must be credited to the NFC system in that same pay period.

What happens to my earned CTOT if I leave?

If you . . .	Then	Notes:
Leave USDA, including a transfer to another Department, a promotion or a change to lower grade,	all unused CTOT is forfeited (except for the reasons stated above).	It cannot be paid out to you in the form of a lump sum payment. In the event of your death, it also may not be paid out to a surviving beneficiary.
Transfer to another Agency within USDA, e.g., APHIS to FAS or AMS to APHIS,	earned CTOT will transfer with you.	You must still use the CTOT within the 26 pay periods. The time period for using it will not be extended because you transferred to another USDA Agency.

How is travel status defined?

Travel status is defined as the time spent actually traveling for official purposes, which is:

- To / from a temporary duty site.
- Between two temporary duty stations,
- The usual waiting time before travel (e.g., security check-in at the airport. Usually one [1] hour domestically and two [2] hours internationally), and
- The usual waiting time that interrupts travel (e.g., layovers).

Travel time is calculated based on the time zone in which you left, e.g., if flying from Washington, DC (Eastern Standard Time [EST]) to Sacramento, CA, you would calculate CTOT time based on EST.

What is excluded from the travel status definition?

Unusually long waits prior to an initial departure, as well as extended layovers, (e.g., plane is late) are excluded. (FR Doc E7-7266 dated April 17, 2007)

Note: Long waiting periods that occur during your regular working hours are compensable as part of your regular tour of duty.

Example: Your tour is maxiflex (8 am to 4:30 pm) and you are traveling on a Monday between the hours of 6 am and 6 pm. Your flight is delayed by 2 hours. You arrive at your final destination at 5:30 pm instead of 3:30 pm. The 2 hour delay may be claimed as regular time and could count towards the 80 hour requirement under maxiflex.

What happens once I arrive at my TDY site?

Once you arrive at either your TDY worksite or your temporary lodging, whichever occurs first, you are no longer considered "traveling" for the purposes of earning CTOT. Entitlement to CTOT resumes from the place you first depart to return to your ODS, i.e., TDY worksite or temporary lodgings.

	Deduct a home-to-work commute from creditable travel time when traveling. . .	Examples	Can I Earn CTOT?
When do I have to deduct a home-to-work commute?	Outside of regular working hours to/from a transportation terminal within your ODS.	Driving from home to National airport when your ODS is Washington, D.C.	No.
	Directly to/from home to a TDY site that is outside the limits of your ODS.	Driving to/from your home and a 3-day Dept of Treasury conference in Baltimore when your ODS is Washington, D.C.	Excess time may be granted CTOT.
	Outside of regular working hours between home and a transportation terminal that is outside your ODS.	Driving from home to BWI airport when your ODS is Washington, D.C.	Excess time may be granted CTOT.

When don't I have to deduct a home-to-work commute?

You do not have to deduct a home-to-work commute if you are traveling:

- From your worksite to a transportation terminal and
- Outside of regular working hours.

Example: Employee’s tour is 9:00 am to 6:00 pm. S/he reports to the office on Tuesday, works the scheduled tour for the day and departs from the office for the airport at 6:00 pm due to a TDY assignment in another city. The flight is scheduled for 8:00 pm. The drive to the airport is 30 minutes. The employee may claim this 30 minutes as CTOT. S/he is not required to deduct a home-to-work commute in this instance.

Generally, CTOT entitlements are based on whether or not the time is otherwise compensable taking into account the official duty station (ODS) and the particulars of the scenario. Below are a few examples.

Scenario 1: Your ODS is Washington, DC with a telework site as your home and your are flying from National airport on a nonworkday. Presuming that the time is not otherwise compensable, you would not be entitled to CTOT for the travel time to the airport because National airport is within the limits of the ODS.

Scenario 2: Same as above except this time the airport is outside the limits of the ODS by 20 miles. Presuming that the time is not otherwise compensable, you would be entitled to CTOT for the excess travel time to the airport because it is outside the limits of the ODS.

Am I entitled to CTOT when departing from my telework site for TDY?

Scenario 3: Your ODS is your home and will be flying to a TDY site on a nonworkday. The airport is 45 miles from your ODS. Presuming that the time is not otherwise compensable, you would be entitled to CTOT for the travel time to the airport because the airport is outside the limits of the ODS. The “home-to-work” commute, while existent, is so minute that it cannot be calculated since WebTA does everything in 15 minute increments.

Scenario 4: In this scenario the “limits of the ODS is defined as a 35 mile radius.” An employee teleworks from an alternate duty site in Tennessee 8 days each pay period. S/he commutes into the ODS, Riverdale, MD, 2 times per pay period. The employee will be going on TDY to Guam and leaving from the alternate duty site, Tennessee, because the airline tickets cost significantly less. The airport is within the limits of the employee’s home – the alternate official duty site. The employee will be leaving from his/her home for the airport and returning upon the completion of TDY before and after maxiflex hours (i.e., 6am – 6pm).

In this scenario, the employee is not eligible for CTOT for drive time to/from the airport because the airport is within the limits of the alternate ODS, in this case, home. The “home-to-work” commute, while existent, is so minute that it cannot be calculated since WebTA does everything in 15 minute increments.

What if I'm an exempt employee traveling to an administratively uncontrollable event?

Since the event to which you are traveling is uncontrollable, you are eligible for premium pay (in the form of overtime or compensatory time) under Title 5 for the time spent traveling. The maximum compensation you may receive is what a GS-15/step 10 or Level V of the Executive Schedule (whichever is higher) earns in a pay period. Excess time that is not compensable under Title V due to the maximum salary limitation is also not compensable under CTOT rules.

Travel Status on a Holiday

If the period of travel is. . .	**And . . .**	**Then..**	**Because. . .**
On a holiday during corresponding duty hours		You may not receive CTOT	You are already receiving compensation for the holiday in the form of excused absence.
On an “in lieu of” holiday		You may not receive CTOT	You are already receiving compensation for the holiday in the form of excused absence.
On a holiday outside of corresponding duty hours (hours that would be overtime)	The time is not otherwise compensable	You may receive CTOT.	

Also see: HRDG 4550 Section F.

Flying Home Each Weekend While on TDY

Your supervisor may permit you to fly home each weekend while on TDY assignment if s/he determines that it costs less than having you stay at the TDY site. Such a determination should be in writing. CTOT may be earned for the round trip travel on the weekend days. Check with your travel specialist for additional travel regulations.

If you are not permitted to travel home on weekends, then only the travel from home to the TDY site on the first day and the travel home on the last day is creditable towards earning CTOT.

Note: Nonexempt employees (those covered by the Fair Labor Standards Act) receive premium pay, not CTOT, for traveling to administratively controllable events on non-workdays during hours which correspond to their regularly scheduled duty hours.

Travel Between Time Zones

When travel involves two or more time zones, the time zone from which you began your travel for the day is used to determine any CTOT entitlement or whether you traveled during regular working hours.

	If your supervisor allows you to:	**Then you are credited with the lesser amount of:**
Employee Selected Mode, Time or Route of Travel	• Use an alternative mode of transportation, • Travel at a different time, or • Travel by a different route than he or she selected	• Your actual travel time, **or** • The amount of CTOT you would have earned had you traveled by the method originally selected by him or her.

May I earn CTOT for a permanent change of station (PCS)?	You may not earn CTOT for PCS travel because it is travel to a new official duty station. CTOT only covers travel to temporary duty stations.
Does the biweekly/annual salary limit apply to CTOT?	No. CTOT time is not considered when calculating premium pay earned toward the biweekly/annual salary limits (limits established under 5 U.S.C. 5547 & 5307).
Union Representation Duties	You may not receive CTOT for travel in conjunction with the performance of union representational duties. The term "travel" (see 5 CFR 550.1403) means officially authorized travel for agency-related work purposes. Traveling for union representational duties is traveling for the benefit of the union, and not for agency-related work purposes.

Part-time Employees Traveling During Non-Duty Hours

If you are a part-time employee traveling during non-duty hours, you may be entitled to CTOT if the travel time does not qualify as compensable hours of work and meets the other requirements above (5 CFR part 550, subpart N).

However, if the travel qualifies as compensable hours of work (see 5 U.S.C. 5542[b] [2] [B] and 5 CFR 550.112[g] [2])-i.e., the travel involves or is incident to the performance of actual work, is carried out under arduous and unusual conditions, or results from an event that could not be scheduled or controlled administratively-you may not receive CTOT for the travel hours. (This travel time outside of your scheduled tour of duty, but not in excess of 8 hours in a day or 40 hours in a week, would be considered non-OT hours of work - - TC 01 regular time.)

For example, if you are a part-time employee with a regularly scheduled tour of duty of Monday through Friday, 8:00 a.m. to 2:30 p.m., and you are required to travel on a Friday from 2:30 p.m. to 4:30 p.m., you may be entitled to CTOT for those 2 hours if those travel hours are not otherwise compensable.

Note: Travel time is always compensable as hours of work if it falls within an employee's regularly scheduled administrative workweek (See 5 U.S.C. 5542[b] [2] [A] and 5 CFR 550.112[g] [1]). A part-time employee's regularly scheduled administrative workweek is (5 CFR 550.103) the officially prescribed days and hours within an administrative workweek during which the employee was scheduled to work in advance of the workweek. The supervisor may not adjust the regularly scheduled administrative workweek that normally applies to an employee (part-time or full-time) solely for the purpose of including planned travel time that would not otherwise be considered compensable hours of work.

Example 1: Non-exempt Employee

Travel to a TDY station on a non-workday:

12:30 - 1:00 PM	**1:00 - 2:30 PM**	**2:30 - 4:30 PM**	**4:30 - 5:00 PM**
Drive to airport	Wait at airport	Plane departs/lands	Drive to hotel
Non-creditable travel time	*Travel time creditable under Title V*	*Travel time creditable under Title V*	*Covered by new CTOT*

Travel from a hotel to home on the following Saturday

7:30 - 8:00 AM	**8:00 - 9:30 AM**	**9:30 - 11:30 AM**	**11:30 - 12:00 PM**
Drive to airport	Wait at airport	Plane departs/lands	Drive home
Covered by new CTOT	*Travel time creditable under Title V* ***except*** *breakfast 8 - 8:30*	*Travel time creditable under Title V*	*Non-creditable travel time*

An employee is required to travel to a TDY site for a week-long conference. The employee's regular working hours are 8:00 AM to 4:30 PM, Monday through Friday. Because the conference begins early Monday morning, the employee travels to a hotel at the TDY site the Sunday afternoon before the conference. The conference is scheduled to continue into the evening on Friday, so the employee returns home on Saturday morning.

In total, the employee spends 9 hours (12:30 PM to 5:00 PM on Sunday and 7:30 AM to 12:00 PM on the following Saturday) traveling to and from the conference. However, the half an hour the employee spends on Sunday traveling to the airport and the half an hour the employee spends on Saturday traveling from the airport within the limits of her ODS is considered equivalent to commuting time and is not creditable time in travel status. Also, the 30 minutes the employee spends having breakfast while waiting at the airport on the return home is considered a bona fide meal period and is not creditable travel time.

Chart Illustrating Premium Pay/CTOT Eligibility for Time Spent Traveling (208.3 KB)

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