



Kern County Sheriff's Office
Policies and Procedures

TITLE: TRAVEL TIME COMPENSATION		NO: M-400	
APPROVED: Donny Youngblood, Sheriff-Coroner			
EFFECTIVE: July 24, 1992	REVIEWED: 03/09/2018	REVISED: 12/10/2013	UPDATED: 03/09/2018

POLICY

It shall be the policy of the Kern County Sheriff's Office to fairly compensate all employees who spend time traveling to and from training which is related to their official duties and which is approved by the Sheriff's Office for attendance by the employee as part of their duties.

Travel which is done as a part of an employee's duties which is not related to training such as investigations, prisoner transportation, and meetings is to be considered as regular work and will be compensated as such.

This policy affects only those employees who are classified as "non-exempt" by FLSA ("non-exempt" means employees who are covered by FLSA). Those employees who are "exempt" are covered by Management and Confidential Employees working agreements with the County of Kern.

This policy attempts to define all issues relevant to compensability of travel to training based upon all current law, policy and agreement. However, all are subject to change in time.

Thus: In the event there is a conflict between County policy and Sheriff's Office policy, County policy shall prevail;

In the event there is a conflict between County policy or Sheriff's Office policy and FLSA, FLSA shall prevail;

In the event there is conflict between County policy or Sheriff's Office policy or FLSA and a Memorandum of Understanding with any applicable and recognized employees' association, the M.O.U. shall prevail.

Exempt – Deputy Sheriff

All persons permanently or temporarily performing in the rank of lieutenant or above.

Exempt – All other Classifications

Administrative Services Officer
Sheriff’s Confidential Assistant
Sheriff’s Records Administrator

All other classifications are “non-exempt” employees and are covered by these provisions and FLSA.

Procedure A – Non-compensable Travel to Training

Under the following conditions, travel to training is never compensable if all of these conditions exist:

- The training is on non-duty hours; and
- Attendance is voluntary and initiated by the employee; and
- The employee does no productive job-related work for the Sheriff’s Office; and
- The training is not directly related to the job;

or, if the training is not approved by the Sheriff’s Office, then it is not compensable.

Procedure B – Compensable Travel to Training

Travel to Training within Kern County

Ordinarily, all time spent by persons when commuting directly to and from mandatory training session held within Kern County will be considered as normal “commute to/from work time” and will not be compensable. However, to the extent that such travel time to/from a training site exceeds the normal commute time between the employee’s residence and their duty station, that additional commute time will be compensable, whether the employee is a driver or passenger.

Travel to Out of County Training – Driver of Vehicle

Any time spent as a driver traveling directly to or from departmentally approved out of county training is compensable, if public transportation has not been offered to the employee. If the employee has been offered public transportation and has opted instead to drive, only those hours that would have been compensable if the public transportation had been accepted will be compensable, i.e., normal duty hours.

M-400-2

EFFECTIVE: July 24, 1992	REVIEWED: 03/09/2018	REVISED: 12/10/2013	UPDATED: 03/09/2018
------------------------------------	--------------------------------	-------------------------------	-------------------------------

Travel to Out of County Training – Passengers – One-day Trips

If a non-exempt employee travels out of County as a passenger for one day, any reasonable time spent traveling that exceeds the time normally spent traveling from home to work is compensable time.

Travel to Out of County Training – Overnight Trips

When an employee is sent to an out of county, departmentally-approved training session, any time spent traveling as a passenger on an airplane, train, boat, bus or automobile during hours that coincide with the employee’s normal shift hours (even if the hours fall on his/her regular days off) is compensable.

If, however, the employee is a passenger (or has been offered the ability to be a passenger) and the travel occurs outside normal work hours, the time is not compensable.

DIRECTIVE 1

Compensation:

Any “travel to training time” deemed compensable under this policy will qualify an employee for overtime pay in accordance with the Memorandum of Understanding. Currently, employees receive overtime pay for all time worked in excess of eight/ten/twelve (8/10/12) hours in a single day or forty (40 hours in a single week).

M-400-3

EFFECTIVE: July 24, 1992	REVIEWED: 03/09/2018	REVISED: 12/10/2013	UPDATED: 03/09/2018
---	---------------------------------------	--------------------------------------	--------------------------------------