

Paying Travel Time

When paying nonexempt employees for travel time, both the federal law and the state law must be followed if both apply to the employer. It can be difficult to compare the two laws and apply them correctly. This article, which focuses specifically on the states of Illinois, Iowa, and Wisconsin, simplifies this process by combining the two laws and explaining generally how travel time should be paid. For each state, the issue is explained both from an employee traveling during the day and an employee traveling on an overnight trip.

Illinois

Day Trips - When an employee travels during the day for the employer's benefit and as a part of the employee's principal activity, time spent traveling should be paid. This is true no matter what day of the week or what time of the day the travel takes place.

Overnight Trips - All travel time that takes place during the employee's normal work hours (e.g., 8 a.m. to 5 p.m.), regardless of the day of the week, is compensable. Therefore, if an employee who normally works Monday through Friday goes on an overnight trip that involves travel on Saturday or Sunday, the time spent traveling on the weekend is compensable if done during the hours of 8 a.m. to 5 p.m. An employee who is operating a vehicle while traveling must be paid for any travel time outside his or her normal work hours.

Iowa

Day Trips - Travel time during normal work hours, including traveling from one job site to another, is compensable. In addition, an employee who is required to travel to another city and return home the same evening, either as a passenger or a vehicle operator, must be paid for the travel time, even if it is outside his or her normal work hours.

Overnight Trips - Travel time during normal work hours, regardless of the day of the week, is compensable. Therefore, if an employee who normally works Monday through Friday goes on an overnight trip that involves travel on Saturday or Sunday, the time spent traveling on the weekend is compensable if done during the hours of 8 a.m. to 5 p.m. An employee who is operating a vehicle while traveling must be paid for any travel time outside his or her normal work hours.

Wisconsin

Day Trips and Overnight Trips - Any time the employee spends traveling for the employer's benefit is compensable.

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In all three states, traveling employees need not be paid for any time spent on an unpaid meal period, as defined by law. In addition, an employee's normal commute time to and from work can be deducted from travel time—travel time should be calculated from the primary worksite.

Remember travel time is considered "hours worked" for the purpose of calculating eligibility for overtime for the week.

This article is intended as an overview. Whether travel time must be paid in a particular circumstance depends on the specific facts that exist.