

SUMMARY OF HGEA TRAVEL TIME SETTLEMENT AGREEMENT PROVISIONS

The following is a summary of the provisions contained within the HGEA Settlement Agreement for class grievances (BUs 2, 3, 4, 9, & 13) regarding work-related travel outside of working hours:

- The provisions are applicable retroactive to June 30, 1999.
- The provisions are only applicable to same day travel (leave and return on the same day) **for employees who may earn overtime pay.**
- To the extent possible, official business and associated work-related travel are to occur within the employee's workday. If this is not feasible, the employee's supervisor and the employee may mutually agree to adjust the employee's work schedule for that day so that the work and work-related travel can be conducted during the employee's workday. Such adjustment shall not entitle the employee to overtime.
- Waiting or idle time during the employee's workday is considered to be work time.
- If the employee performs work-related functions after the end of the employee's scheduled workday, time spent in performing the work-related functions is work time. *
* maybe OT
- Work time is not travel time. Travel time is defined as follows:
 - For departure from the employee's home island (island of the employee's normal work site), travel time begins thirty minutes prior to the scheduled departure time of the common carrier and ends at the start of the employee's workday.
 - For return to the employee's home island, travel time begins when the workday ends on the employee's non-home island.
 - If the employee delays return to the employee's home island, travel time ends at the scheduled arrival time of the earliest flight that the employee could have returned on.
 - For return to the employee's home island, travel time ends at the scheduled or actual arrival time, whichever is later.
 - If the employee must retrieve work-related luggage upon return to the employee's home island, travel time ends thirty minutes after the scheduled or actual arrival time, whichever is later.
 - Travel time is to be rounded to the nearest fifteen minutes.
- Travel time does not count toward the forty-hour work week limitation applicable to overtime.

- Employees who earn travel time shall accumulate travel time off unless the appointing authority elects to pay the employee for the travel time or cannot allow the employee to take the travel time off within the specified period.
- For travel time earned on or after September 1, 2000, travel time off must be taken within two pay periods after the pay period in which it was earned. Travel time off not taken within the two pay period limitation shall be forfeit unless the employee requested use of the time off and the request was disapproved. In such instance the employee shall be paid for the travel time.
- Use of travel time off must be requested at least one week prior to end of the period in which it must be used.
- Accumulated travel time off shall be forfeited when an employee leaves the position in which the travel time was earned,
- Travel time off and travel time payment is calculated at the rate of one-and-a-half hours for each hour of travel time.
- Supervisors and employees shall cooperate with each other in scheduling travel time off.
- For employees subject to the Fair Labor Standards Act (FLSA), if the provisions of the Settlement Agreement conflict with applicable FLSA provisions, the provisions which are more favorable to the employee shall be applied.
- Notwithstanding the above, the following provisions are applicable to travel time earned from June 30, 1999 through August 31, 2000.
 - If, prior to September 1, 2000, an affected employee has left the position in which travel time was earned, the employee shall be paid for the travel time by the program that the employee worked for at the time that the travel time was earned.
 - Travel time off must be taken no later than August 31, 2001. Any unused balance as of that date shall be forfeit unless the employee requested use of the time off and the request was disapproved. In such instance the employee shall be paid for the unused travel time.
 - Employees who meet one of the three conditions specified below have the right to elect payment in lieu of accepting travel time off:
 - Submitted a claim for payment prior to September 1, 2000.
 - Inquired with an Employer representative, but did not submit a claim. (Subject to verification)
 - Inquired with a HGEA representative, but did not file a claim. (Subject to verification)

TRAVEL TIME INSTRUCTIONS

Travel Time Settlement Agreement

The concept of travel time is based upon a grievance Settlement Agreement negotiated with the Hawaii Government Employees Association (HGEA) covering employees assigned to BUs 2, 3, 4, 9, and 13. Travel time is time spent on work-related travel **outside** of working hours **for same day travel only**. Time spent on personal matters (e.g. buying gifts, sightseeing, etc.) is not counted as travel time. Travel time off and travel time payment is at time-and-a-half.

Travel time is to be determined as follows:

- For departure from the employee's home island (island of the employee's normal work site), travel time begins thirty minutes prior to the scheduled departure time of the common carrier and ends at the start of the employee's workday.
- For return to the employee's home island, travel time begins when the workday ends on the employee's non-home island.
- If the employee delays return to the employee's home island for non-work related reasons, travel time ends at the scheduled arrival time of the earliest flight that the employee could have returned on.
- For return to the employee's home island, travel time ends at the scheduled or actual arrival time, whichever is later.
- If the employee must retrieve work-related luggage upon return to the employee's home island, travel time ends thirty minutes after the scheduled or actual arrival time, whichever is later.
- Travel time shall be rounded to the nearest fifteen minutes.

Travel Time Form

The "Travel Time Form" must be completed whenever travel time is earned. If the employee elects payment, or if the Employer decides to pay the affected employee rather than allowing future time off, the Employee must complete a D-55 to effectuate payment. (NOTE: See "Employee Election" and "Employer Election" portions of the Travel Time Form for details regarding payments to employees.) Travel time earned and used is to be recorded on the employees Form 7 and travel time off is to be requested and approved on the standard leave application form, G-1.

Payment

1. A D-55 only needs to be completed if payment is being made.
2. Travel time(s) are to be recorded in the "Time", "Started" and "Ended" columns of the D-55. (NOTE: There can be more than one period of travel time on a day because travel time can occur before and after the employee's work day, and because time spent on personal matters is not creditable.)

3. The total amount of travel time for the day is to be recorded on the D-55 in the blank column between "Night Differential" and "Stand By Days". Travel time is not considered to be time worked and does not count toward the forty hour per week limitations for overtime purposes.
4. "Travel time" is to be reflected in the "Remarks" column of the D-55.

Travel Time Off

Use of travel time off is subject to the following constraints:

- Travel time off earned for travel prior to September 1, 2000 must be used no later than August 31, 2001.
- Travel time off earned for travel on or after September 1, 2000 must be used within two pay periods after the pay period in which the travel time off was earned.
- Travel time off not utilized within the applicable time limit shall be forfeited.
- Accumulated travel time shall be forfeited if the employee leaves the position that the employee occupied at the time that the time off was earned.
- The G-1 must be submitted to the approving authority at least one week prior to the end of the applicable time limit.
- If the employee requests use of accumulated travel time off at least one week prior to the end of the applicable time limit and the Employer does not grant the time off, the employee shall be paid for the accumulated time off.

Travel time is to be requested and approved on the G-1. Travel time earned and used is to be recorded on the Form 7. For the period June 30, 1999 through August 31, 2000, the Travel Time Form should be attached to the Form 7 for the calendar year in which the travel time was earned in lieu of posting the earning of travel time on the Form 7. For travel time earned from September 1, 2000 the travel time earned is to be posted in the lower portion of the block for the applicable day using the code "TT" followed by the number of hours of travel time earned. As an example, if an employee earns two hours of travel time on September 26, 2000, "TT-2" should be posted in the bottom portion of the block for that date. The code "TTO" will be utilized to reflect use of travel time off. As an example, if an employee takes two hours of travel time off on October 11, 2000, TTO-2 should be posted in the bottom portion of the block for that date.