UNDER SECRETARY OF DEFENSE
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WASHINGTON, D.C. 20301-4000

12 AUG 2005

PERSONNEL AND
READINESS

MEMORANDUM FOR SECRETARIES OF THE MILITARY DEPARTMENTS
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UNDER SECRETARIES OF DEFENSE
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DIRECTORS OF THE DEFENSE AGENCIES
DIRECTORS OF THE DOD FIELD ACTIVITIES

SUBJECT: Compensatory Time Off for Travel

Section 203 of the Federal Workforce Flexibility Act of 2004 (Pub. L. 108-411, October 30, 2004) amended title 5, United States Code, by adding section 5550b, which authorizes a new form of compensatory time off for time spent by eligible employees in a travel status when such time is not otherwise compensable. On January 27, 2005, the Office of Personnel Management released interim implementing regulations by adding Subpart N, Compensatory Time Off for Travel, to title 5, Code of Federal Regulations, Part 550. Both law and regulation were effective January 28, 2005.

Supervisors and managers delegated the authority to direct travel and approve leave have the authority to credit and approve the usage of compensatory time off for travel within the Department of Defense (DoD). This applies to the Office of the Secretary of Defense (OSD), the Military Departments, the Chairman of the Joint Chiefs of Staff, the Combatant Commands, the Office of the Inspector General of the Department of Defense, the Defense Agencies, the DoD Field Activities, and all other DoD organizational entities.

The attached guidance establishes DoD policy and procedures for implementing this new form of compensatory time off and is effective upon receipt of this memorandum. My point of contact concerning this matter is Ms. Mary Olson, who may be reached electronically at mary.olson@cpms.osd.mil or by telephone at (703) 696-1721.

for David S. C. Chu

Attachment:
As stated

Department of Defense

Compensatory Time Off for Travel
Documentation Procedures

A. General Information

1. Section 203 of the Federal Workforce Flexibility Act of 2004 (Pub. L. 108-411, October 30, 2004) amended subchapter V of chapter 55 of title 5, United States Code (U.S.C.), by adding section 5550b. The new section establishes a form of compensatory time off for time spent by an employee in a travel status away from the employee's official duty station when such time is not otherwise compensable.

2. On January 27, 2005, the Office of Personnel Management (OPM) issued interim regulations implementing the provisions of 5 U.S.C. 5550b by adding subpart N, Compensatory Time Off for Travel, to part 550 of title 5, Code of Federal Regulations (CFR).

3. Employee eligibility is based on the definition of employee in 5 U.S.C. 5541(2). Certain categories of employees are specifically excluded (e.g., prevailing rate employees, individuals holding teaching positions as defined by section 901 of title 20, U.S.C., members of the Senior Executive Service).

4. Unless specifically excluded by the provisions of 5 U.S.C. 5541(2), all Department of Defense employees who have a regular tour of duty for leave purposes are eligible to earn and use compensatory time off for travel.

5. Official travel shall be scheduled to occur during an employee's tour of duty, consistent with mission requirements. Only in cases where this is not practicable will employees earn entitlement to compensatory time off for travel.

B. Procedures for Crediting Compensatory Time Off for Travel

1. An eligible employee who performs official travel may request compensatory time off for time spent in a travel status away from the official duty station if the travel time is not otherwise compensable as defined in 5 CFR 550.1403.

2. An employee shall request credit for compensatory time off for travel by providing documentation of the time that he/she spent in an official travel status, including any meal periods.

3. Within five workdays after returning to the official duty station, the employee must submit his/her travel itinerary, or any other documentation acceptable to the employee's supervisor, in support of the request. Credit will be in increments of one-tenth of an hour (six minutes) or one-quarter of an hour (fifteen minutes) in accordance with the Component's internal standard for crediting time.

4. Supervisors and managers within the Department otherwise authorized to direct travel or approve time and attendance may approve employee requests for crediting compensatory time off for travel under the provisions of 5 CFR 550.1404-1405 and this memorandum.

5. For every 8 ½ hours of creditable compensatory time off claimed by the employee, the supervisor will deduct ½ hour as a bona fide meal period. The only exception is a situation in which the employee is continuously traveling in a conveyance (aircraft, train, automobile); in this situation, the automatic deduction of ½ hour does not apply. Apart from the automatic deduction, any meal period reported by an employee will be deducted from creditable time.

6. Other determinations regarding what time is creditable for employees in a travel status will be at the discretion of the supervisor within the regulatory limits described in 5 CFR 550.1404.

7. Once the supervisor has approved the employee's request, the appropriate timekeeper will credit the employee with earned compensatory time off for travel.

C. Procedures for Using Compensatory Time Off for Travel

1. An employee must request permission from his or her supervisor to schedule the use of accrued compensatory time off. The employee may submit his or her request on OPM Form 71, Request for Leave or Approved Absence, or in accordance with any other established guidelines.

2. Once the supervisor has approved the employee's request for use of compensatory time off for travel, the appropriate timekeeper will charge the employee for its use through normal time and attendance procedures.

D. Accountability

Managers and supervisors throughout the Department are responsible for the appropriate use of this authority to support mission requirements.