

**DEPARTMENT OF HEALTH AND HUMAN SERVICES  
OFFICE OF EDUCATION SERVICES  
Policies and Procedures**

**HOURS WORKED DURING OVERNIGHT & WEEKEND TRAVEL**

**Effective Date:** January 13, 2004  
**Original Effective Date:** March 17, 2003  
**Reference(s):** [State Personnel Manual, Salary Administration, Section 4, Pages 82-87; Code of Federal Regulations \(CFR\), Title 29, Part 785.16-Off Duty; 29 CFR 785.21-Less Than 24-Hour Duty; 29 CFR 785.22-Duty of 24 Hours or More; 29 CFR 785.39-Travel Away From Home Community; 29 CFR 785.41-Work Performed While Traveling](#)

**Purpose:**

To establish a uniform policy for counting hours worked during overnight and/or weekend travel.

**Employees Covered Under this Policy:**

Employees who are responsible for the care, health, safety, welfare, and/or instruction of students/children, and/or who work in the OES residential schools, preschool program, early intervention programs, and central administration office and perform work during overnight and/or weekend travel.

**Policy:**

Time worked by any employee who is considered 'on duty' and/or responsible for the care, health, safety, and welfare of students/children, and performs work during overnight and/or weekend travel, will be counted as hours worked toward the employee's 40 hour work week, except during bona fide meal periods or when the employee is permitted a sleeping period.

A sleeping period is defined as a period of at least five (5) hours of sleep, in an adequate sleeping facility, during which time employees are completely relieved from duty and are not responsible for the care, health, safety, and welfare of students/children. Interruptions to periods of sleep to perform duties are considered hours worked.

A bona fide meal period is defined as a span of at least 30 consecutive minutes during which an employee is completely relieved of duty.

Employees are considered 'off duty' when they are completely relieved from duty and are not responsible for the care, health, safety, and welfare of students/children. This duty-free period must be long enough to enable the employee to use the time effectively for his/her own purposes.

Travel time during which no work is performed, and/or when an employee is not responsible for the care, health, safety, and welfare of students/children, will be handled in accordance with the policies regarding Hours of Work and Overtime Compensation referenced in the State Personnel Manual, Section 4, pages 85-87.

I, \_\_\_\_\_, have read, understand, and received a copy of the **Hours Worked During Overnight & Weekend Travel Policy** above. Should I engage in overnight and/or weekend travel as an employee of OES, I voluntarily agree to adhere to the terms and conditions above.

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Employee's Signature

Date

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Supervisor's Signature

Date

Cc: Personnel File