



Examples of Compensable Working Time

Dear Reader:

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We hope this information will be useful to you; reference to it will assist you with many of the questions that will arise in your tenure with municipal government. However, the *Tennessee Code Annotated* and other relevant laws or regulations should always be consulted before any action is taken based upon the contents of this document.

Please feel free to contact us if you have questions or comments regarding this information or any other MTAS website material.

Sincerely,

The University of Tennessee
Municipal Technical Advisory Service
1610 University Avenue
Knoxville, TN 37921-6741
865-974-0411 phone
865-974-0423 fax
www.mtas.tennessee.edu

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The following are examples of working time for which an employee is entitled to be compensated:

- Caring for tools that are a part of principal activities, such as guns by police officers. *Cooley v. United States*, 26 Wage & Hour Cas. (BNA) 50 (Fed.Cir. 1983);
- Charitable work requested or controlled by the employer. 29 C.F.R. § 785.44;
- Emergency work/travel time. 29 C.F.R. § 785.36;
- Disaster drills, whether voluntary or involuntary, either during or after regular working hours. *Field Operations Handbook* § 31b15;
- Meal periods if (a) employees are not free to leave their posts or (b) the time is too short to be useful to employees. 20 C.F.R. § 785.19;
- Medical attention during working hours at the employer's direction. 29 C.F.R. § 785.43;
- On-call time where liberty is restricted. 29 C.F.R. § 785.17;
- Preparatory work that is a part of the principal activity. *Lindow v. United States*, 738 F.2d 1057 (9th Cir 1984);
- Principal activities: patrol, investigations, etc. 29 C.F.R. § 790.8;
- Rest periods of 20 minutes or less. 29 C.F.R. § 785.18;
- Training in regular duties to increase efficiency. 29 C.F.R. § 785.29;
- Training programs required by the employer. 29 C.F.R. § 785.27;
- Travel (but not performing work) from one work site to another or traveling out of town during working hours. 29 C.F.R. §§ 785.38 and .39;
- Waiting for work after reporting time or while on duty. 29 C.F.R. § 785.15; and
- Cleaning and maintaining police vehicles if the officers are responsible for those tasks. Wage and Hour Opinion Letter, Dec. 30, 1985.

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