

Training Programs

Dear Reader:

The following document was created from the MTAS website ([mtas.tennessee.edu](https://www.mtas.tennessee.edu)). This website is maintained daily by MTAS staff and seeks to represent the most current information regarding issues relative to Tennessee municipal government.

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,

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DOL regulations make clear that attendance at a bona fide police academy or other training facility, when required by the employing agency, constitutes engagement in law enforcement activities outlined in 29 U.S.C. § 207(k). Therefore, basic and advanced training is considered part of the employee's law enforcement activities. Time spent in actual training constitutes compensable hours of work.

Time spent studying or in other personal pursuits is not compensable even if the employee is confined to campus, such as at a police academy, 24 hours a day (Wage and Hour Opinion, February 5, 1990). Police officers who attend a police or other training facility are not considered to be on duty during the time they are not in class or training, as long as they are free to use such time for personal pursuits. 29 C.F.R. § 553.226(c).

When officers are assigned to in-service training classes, the time is considered compensable hours of work. In-service pay supplements provided by the state for completing state-mandated in-service training are just that: supplements. The state training supplement payment is not payment for the hours worked. The employer is responsible for compensating the employee for the hours worked during in-service training.

DISCLAIMER: The letters and publications written by the MTAS consultants were written based upon the law at the time and/or a specific sets of facts. The laws referenced in the letters and publications may have changed and/or the technical advice provided may not be applicable to your city or circumstances. Always consult with your city attorney or an MTAS consultant before taking any action based on information contained in this website.

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