

NGB's Questions and Answers on Compensatory Time Off for Travel (CTOT)

The following questions and answers are provided in addition to those provided by the Office of Personnel Management (OPM).

Question 1: Why is this entitlement limited to GS technicians?

Answer: Section 203 of the Federal Workforce Flexibility Act of 2004 amended Subchapter V of Chapter 55 of Title 5, USC and 5 USC 5541 Definitions – states in subparagraph (2) “employee” means and gives three categories of what an employee means. Sub-subparagraph (2)(c) states “but does not include –” and finally sub-subparagraph (xi) states: “an employee whose pay is fixed and adjusted from time to time in accordance with prevailing rates under Subchapter IV of Chapter 53 of this title, or by a wage board or similar administrative authority serving the same purpose, except as provided by section 5544 of this title;” This definition thus excludes Federal Wage Schedule (FWS) employees from this entitlement.

Question 2: Can I sell back my compensatory time off for travel when I leave my position or retire?

Answer: You can never be reimbursed for unused amounts of compensatory time off for travel. Any unused time is forfeited.

Question 3: How long do I have to use my compensatory time off for travel?

Answer: You have 26 pay periods to use this form of compensatory time off. The 26 pay periods begins when the time is credited, not when it is earned.

Question 4: I am an exempt GS technician. Am I entitled to compensatory time off for travel if I travel during non-duty hours?

Answer: Yes, OPM has ruled that both exempt and non-exempt GS technicians can receive this entitlement.

Question 5: My technician is scheduled to attend a three-day conference next month and must travel on Sunday to be there for a Monday morning start time. Since his/her return travel will be on Thursday, can I change his/her tour of duty from Monday through Friday to Sunday through Thursday?

Answer: As long as the employee is notified prior to the beginning of the pay period, his/her tour of duty could be changed and he/she would not be entitled to compensatory time for travel since he/she would be in a duty status on Sunday when he/she travels.

Question 6: I want to travel by private auto (POV) and it has been determined that traveling by POV is cheaper than travel by air. I have been authorized to travel by POV during non-duty hours. Will I receive compensatory time off for travel?

Answer: Since you have been authorized to use this mode of travel, you can receive the compensatory time off for travel minus your regular commute time from home to place of duty (POD) and POD-to-home minus any bona fide meal periods. If the travel is from POD to temporary duty station, then no time will be subtracted from your travel time. Travel must be outside your normal commuting area. As long as your agency approves the travel by POV, you are entitled to the compensatory time off.

Question 7: In reference to the last question, three members of my office will be accompanying me on this POV travel. I am the only employee receiving travel reimbursement since it is my POV and I am driving. Are all four of us entitled to this compensatory time off for travel? Or am I the only one authorized since I get the reimbursement?

Answer: All four of you are entitled to the compensatory time off for travel. You are all on official travel orders in travel status; consequently, you are all entitled to the compensatory time off for this travel period minus your regular commuting time minus the bona fide meal periods.

Question 8: I understand if I am selected for a position in a different agency that I will forfeit any unused compensatory time off for travel. I am currently a New York (NY) Air National Guard (NG) member and want to accept a position with the New Jersey (NJ) Army NG. Will I lose my compensatory time off for travel?

Answer: OPM has determined that Department of Defense (DoD) is the agency; consequently, any movement from one service to another or from one state agency to another is not considered a different agency. Therefore, a move from NY Air NG to NJ Army NG would not be considered a move to a different agency. A move from the NY Air NG to the Air Force would not be considered a different agency. A move from NY Air NG to Department of Treasury would be considered a move to a different agency and you would forfeit any unused compensatory time off for travel. This feature of being able to move within any DOD agency without forfeiting your accruals of compensatory time off for travel is applicable to compensatory time off for travel only. This is an exception to the standard policy of each State Adjutant General being the employer. All other forms of compensatory time off are still administered in the same manner.

Question 9: I have accrued compensatory time off for travel which I will forfeit the end of December; i.e., the end of my 26 pay periods. I also have use-or-lose leave for this year. If I use my accrued compensatory time off for travel and I lose my leave, will my agency reinstate my lost leave because I couldn't use both forms of leave?

Answer: No, your agency will not be able to approve restoration of your lost annual leave for this reason. OPM will be issuing guidance on this specific point within a short period of time. Using compensatory time off for travel is not a valid reason for not taking annual leave. You would need to take your annual leave and forfeit the unused compensatory time off for travel.

Question 10: I have accrued compensatory time off for travel and I am summoned for jury duty. I participated in jury duty for six months and did not have an opportunity to use any of my compensatory time off. Will the 26 pay period rule be extended because I was unable to use compensatory time off during this six-month period of jury duty?

Answer: No, the only reasons that can extend the 26-pay period use time are LWOP-US (Uniformed Services) or LWOP-OWC (Office of Workers' Compensation). If you are placed in either of these LWOP statuses, the 26 pay period stops and upon your Return-to-Duty (RTD) you begin a new 26 pay periods to use any accrued compensatory time off for travel, IAW 5 CFR 550.1407(a)(2).

Question 11: I am an Air NG employee being moved on official permanent change of station (PCS) orders. Will I be entitled to compensatory time off for travel?

Answer: No, compensatory time off for travel is only for official travel from your Home/POD to a temporary duty station and return during non-duty hours. Your PCS travel entails travel between an Old POD and a New POD; consequently, there is no temporary POD travel involved. The exception to this would be if you were directed from your Home/Old POD to a temporary duty station and then after the temporary duty to travel on to your New Home/POD, then the two periods of travel would be eligible for compensatory time off for travel if they occurred during non-duty hours and your official PCS travel orders directed the enroute travel to the temporary duty location.