

Taylor Davis Landscape & Construction Jobsite Travel Policy

This jobsite travel policy below has been put in writing so all employees know our travel policy at the Taylor Davis Landscape and Construction Company. It is intended to be fair to all of our employees. This policy does not apply to plowing or winter services. It will take effect as of the date the policy was created below. No exceptions to this policy will be made unless it is allowed in writing by a member of the leadership team. All requests for exceptions will be considered on a case by case basis. The owner has the final decision on any exceptions requested.

The policy below has been created using the standards for hours worked under the federal fair labor standards act (FLSA) and Massachusetts labor laws.

DOES MY MASSACHUSETTS EMPLOYER HAVE TO PAY ME FOR TIME SPENT COMMUTING OR TRAVELING TO AND FROM WORK?

Generally speaking, “No,” employers do not need to compensate employees for time spent traveling to work in the morning and home from work at night. According to Massachusetts regulation 454 CMR 27.04(4)(a): “Ordinary travel time between home and work is not compensable working time.” There are, however, two situations where your employer may be required to pay you for your commute and/or travel.

Home to Work Travel: An employee who travels from home before the regular workday and returns to his/her home at the end of the workday is engaged in ordinary home to work travel, which is not work time. (FLSA)

The policy above pertains to all work to a prevailing wage project location.

The **Taylor Davis Landscape and Construction Company** has created an internal policy pertaining to travel to any project which pays standard wages. If any travel to a job site is over 30 miles from our shop location, the employee shall be compensated for their travel time both ways.

ACCORDING TO MASSACHUSETTS LAW, DOES MY EMPLOYER HAVE TO PAY ME FOR TIME SPENT TRAVELING TO A WORK SITE IF THEY REQUIRE ME TO REPORT TO THE SHOP OR OFFICE FIRST?

Yes, Massachusetts employers are required to compensate employees for time spent traveling during the day if they are required to report to a certain location first. As stated in the regulations: “If an employer requires an employee to report to a location other than the work site or to report to a specified location to take transportation, compensable work time begins at the reporting time and includes subsequent travel to and from the work site.” 454 CMR 27.04(4)(c).

DOES MY EMPLOYER HAVE TO PAY ME FOR TIME SPENT TRAVELING OR DRIVING DURING THE WORKDAY UNDER MASSACHUSETTS LAW?

Yes, Massachusetts employers must pay their employees for time spent traveling during the workday. As stated in the regulations, “an employee required or directed to travel from one place to another after the beginning of or before the close of the work day shall be compensated for all travel time.” 454 CMR 27.04(4)(c).

Policy creation date: 11/10/21