



Staff compensation for meetings and education

You've provided the education, a catered lunch and blocked out the time for you and your team. Now you're wondering what else you should provide when it comes to continuing education events for employees — more specifically, compensation.

It is a common question for employers and the answers aren't always black and white. Generally, compensation is required for employees who spend time in lectures, courses, meetings and trainings that are directly related to their current position and held during regular working hours. Consider the following scenarios:

- Your practice schedules a bimonthly meeting on Thursday afternoons from noon to 1:30 p.m. You provide lunch and attendance is mandatory. Should you compensate? The answer is yes. If your employee's presence is mandatory, the employee must be compensated. In addition, because your employee most likely was not provided a 30-minute unpaid, uninterrupted meal break, by law they must also be paid an additional hour of pay for the day as a penalty for not providing an uninterrupted meal break time. In order to avoid this, a suggestion is to provide your employee a 30-minute unpaid break prior to the start of the mandatory meeting.
- Your licensed staff is required to attend courses in order to legally maintain licensure. You've provided payment for attendance at a specific course offered in your local area. Are you required to compensate for the employee's time in class? The answer is maybe. Presumably, it is the responsibility of licensed staff to maintain active licenses as a condition of employment. You, as the employer, are not responsible to pay for or reimburse for voluntary courses taken by your employee in order to maintain licensure, even if the time off requested is during a regularly scheduled business day. However, if you require staff to attend a specific course(s), then yes, the time in class and travel time to and from (beyond normal commute time) is compensable and reimbursement for the course is mandatory.
- You've decided to send your staff to training out of town, which includes travel, hotel, conference registration costs and meals. You've informed your staff that the trip is voluntary and you're covering all expenses. Do you need to compensate all staff for attendance at courses during the conference? Maybe. With this type of event, you must consider several factors:
 - Each employee must be paid for the time attending courses deemed **mandatory** by you, unless the coursework is unrelated to the employee's regular job duties or required to obtain a higher position. However, even if your employee isn't required to attend and the training is directly related to your employee's job, if it aids him/her in performing the present job more effectively or if your employee is led to believe his/her nonattendance would adversely affect working conditions or job security, your employee should be compensated for the time spent attending the course.
 - If your employee is required to drive to a course that is beyond his/her normal commute, then he/she must be paid for all drive time.
 - For an overnight workshop, compensation for travel time applies seven days a week and is essentially paid "door to door" — from the time the employee leaves home to the arrival at the final destination. As a result, the employee may end the workweek with overtime hours, which must be paid in accordance with overtime laws.

- It's important to note that if the trip is considered voluntary, the employer does not need to pay for meals and expenses that the employee would normally incur should the employee not have attended, unless you require that the employee attend a specific event. In addition, the employee would be compensated for the time attending.

The question is often asked if it is possible for an employer to pay employees at lower "training and travel rates" of pay that are less than the employee's normal compensation? The answer is yes; as a best practice, a recommended training rate is a minimum of \$15 per hour (but no less than minimum wage as defined in your local area or in compliance with California labor laws and established minimum wages). You can also set a higher training rate if desired. However, the rates must be established in advance and well-documented. But, again, this area of the law is not black and white. If the training is considered mandatory by the employer, voluntary attendance is requested or implied, the training is directly related to the employee's job or the training is held during a normal workday, it is recommended that the employer pay at the employee's normal rate of pay.

At a time when practice owners are reevaluating costly benefits packages and making cost-effective changes, and while continuing education benefits aren't mandatory, it is beneficial to practice owners to offer some amount of continuing education reimbursements as an incentive to keep and attract quality employees. Employees feel valued if you're investing in their education and training. The practice benefits twofold when well-trained and well-educated employees increase their employment longevity, decreasing employee turnover costs and, ultimately, helping practices achieve long-term practice goals.

Practice owners should establish clear education compensation and travel policies in their employee manuals in advance of any employee request or travel opportunity.

The following sample policy could be added to your employee manual:

Continuing Education (C.E.) and Training Rate

Employees may be required to attend conferences, lectures, meetings, seminars, training programs or other outside activities for their own professional development and the benefit of the office. In such cases, [employer] will reimburse employees for reasonable and customary expenses upon the submission of proper receipts. Such expenses will include [parking, registration fees, meals, travel time, etc.].

Exempt employees will continue to earn their regular pay while attending trainings, conferences, lectures, etc. Nonexempt employees will be compensated for required attendance, at a "training" rate (to be equal to or higher than the California minimum wage) and as such attendance is deemed as hours worked. Nonexempt employees who are sent off-site for training will be paid a training rate for their travel time when the employee leaves the house until the employee arrives at the off-site training, unless they are engaged in performing work during the travel time, in which case they will be paid their regular rate of pay. Time engaged in personal activities outside of the work-related activity is not deemed as hours worked.

The above-stated policy does not apply to attendance not required by this office. That is, if an employee voluntarily attends formal or informal education outside of working hours, the employee will not be entitled to reimbursement for expenses or compensation. Exceptions may be made in limited circumstances and with the prior written approval of [employer].

Training Rate

[Employer] will pay nonexempt employees at a training rate of \$XX.XX per hour for the employee's required attendance at meetings, lectures and training programs under the following conditions:

- Attendance is mandatory.
- The meeting, course or lecture is directly related to the employee's job and the employee is notified of the necessity for such attendance by the doctor.

Any hours in excess of eight in a day or 40 in a week will be paid at the appropriate overtime rate based on the weighted average rate of the employee's normal rate of pay; the employee will be paid the applicable reduced training rate for time spent at meetings, lectures and training programs if the employee does not perform any productive work during such attendance.

For more information, view the *Sample Employee Manual* on cda.org/practicesupport.