



DEPARTMENT OF THE TREASURY  
INTERNAL REVENUE SERVICE  
WASHINGTON, D.C. 20224

Agency-Wide Shared Services

January 25, 2002

**Response Date:**  
**None**

MEMORANDUM FOR AWSS LABOR RELATIONS COMMUNITY

FROM: George A. Skalkeas *by Stuart H. Fields*  
Chief, Workforce Relations Branch

SUBJECT: Information Notice: Credit Hours for Travel

Over the past several months guidance from the national office has been provided to the labor relations community informing you that union officials are not to be granted credit hours for travel associated with labor-management activities. The IRS has consistently taken the position that the granting of credit hours under this circumstance is contrary to Federal law. As a result of the IRS position and a subsequent denial of credit hours for travel for a union steward in Las Cruces, New Mexico, an institutional grievance was filed over this issue. An arbitration decision was eventually rendered, with a ruling in favor of the IRS. Thereafter, NTEU appealed the decision to the Federal Labor Relations Authority (FLRA).

Last month the FLRA decided this issue in favor of the IRS. NTEU, Chapter 41 and U.S. Department of the Treasury, Internal Revenue Service, Southwest District, 57 FLRA No. 123 (December 14, 2001) (link is attached). The FLRA determined that the Federal Employees Flexible and Compressed Work Schedules Act of 1982, 5 U.S.C. §§ 6120-6133, and the OPM regulations, which flow from that Act, do not permit compensation (this includes credit hours) for travel outside an employee's regularly scheduled administrative workweek. By definition, credit hours are in excess of an employee's basic workweek. In rendering its decision, the FLRA accorded deference to OPM's interpretation of the Act, which supported the IRS' position.

Although we are unaware of any appeal of the FLRA decision to the United States Court of Appeals, which remains a possibility, we consider this matter to have been decided with finality. As a result, you should ensure that credit hours for travel are not granted to any NTEU representative. Should you be aware of any pending grievances or arbitration proceedings on this subject, the FLRA decision referenced above should be relied upon in representing the position of the IRS. You are encouraged to obtain and read the FLRA decision, since it contains a fairly extensive and cogent analysis of this issue.



57640(123)AR - NTEU Chapter 41 and Treasury, IRS, Southwest District - 2001 FLRAdec AR.url

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