

This information is provided for anyone who travels on official college-related business, no matter where the approved travel takes place. For purposes of this document, **travel period** is defined as “the point at which the traveler departs on the official trip through the point at which traveler returns from said trip.”

In 1935, the Florida Legislature created the Worker’s Compensation law, which is found in Chapter 440, Florida Statutes. The basic purpose of this law is “...to assure the quick and efficient delivery of disability and medical benefits to an injured worker and to facilitate the worker’s return to gainful reemployment at a reasonable cost to the employer.”<sup>1</sup>

The law provides that the employer must pay compensation or furnish benefits as stipulated in the law “...if the employee suffers an accidental injury or death arising out of work performed in the course and scope of employment.”<sup>2</sup>

College employees traveling on college-related business should keep in mind that Worker’s Compensation might not apply to every activity engaged in during the travel period. Some examples:

Situation	Comment
<p>Elbert Suggs departs from District Office on Tuesday 8/1 for a flight to Washington to attend a conference on domestic violence. He will stay at the John Adams Hotel where the conference is being held. Elbert attends all sessions and does not depart the hotel until the conference ends and he is on his way to the airport for the return flight on 8/6. He drives directly home from the airport and arrives at 9 PM on 8/6, at which time the travel period ends.</p>	<p>Mr. Suggs was probably covered by Worker’s Compensation during the entire travel period.</p>
<p>Elbert Suggs departs from District Office on Tuesday 8/1 for a flight to Washington to attend a conference on domestic violence. He will stay at the John Adams Hotel where the conference is being held. Elbert attends all sessions of the conference. However, on Thursday night he departs the hotel and travels in a rental car to Baltimore to visit his sister, returning to the hotel at 2 AM Friday. He then finishes the conference and goes to the airport for the return flight on 8/6. He drives directly home from the airport and arrives at 9PM on 8/6, at which time the travel period ends.</p>	<p>Worker’s Compensation probably did not apply from the period Mr. Suggs left the hotel to visit his sister until he returned to the hotel.</p>
<p>Elbert Suggs departs from District Office on Tuesday 8/1 for a flight to Washington to attend a conference on domestic violence. He will stay at the John Adams Hotel where the conference is being held. Elbert attends all sessions but departs the hotel each evening for dinner at nearby eateries, returning to the hotel around 8:30 PM each evening. The conference ends and he is on his way to the airport for the return flight on 8/6. He drives directly home from the airport and arrives at 9PM on 8/6, at which time the travel period ends.</p>	<p>Again, Mr. Suggs was probably covered by Worker’s Compensation during the entire travel period.</p>

<sup>1</sup> Source: §440.015, Florida Statutes

<sup>2</sup> Source: §440.09(1), Florida Statutes

The law in these examples and in any official employee travel is that compensation is not payable "...if the injury was occasioned primarily by the intoxication of the employee; by the influence of any drugs, barbiturates, or other stimulants not prescribed by a physician; or by the willful intention of the employee to injure or kill himself, herself, or another."<sup>3</sup>

Further, an employee "...who is required to travel in connection with his or her employment who suffers an injury while in travel status shall be eligible for benefits...only if the injury arises out of and in the course of employment while he or she is actively engaged in the duties of employment."<sup>4</sup>

Worker's Compensation eligibility depends upon the circumstances of each instance of employee travel as it relates to Chapter 440, Florida Statutes, and case law as applied to Chapter 440. Non-essential personal deviations for the benefit of the employee and not for the benefit of the employer are considered outside the scope of employment and are not covered by Worker's Compensation.

Any questions pertaining to college travel policies should be directed to Joe C. Smith, Director of Purchasing at EPISVCS [smith.joec@spcollege.edu](mailto:smith.joec@spcollege.edu). Any legal questions will be directed to the Office of General Council.

---

<sup>3</sup> Source: §440.09(3), Florida Statutes

<sup>4</sup> Source: §440.092(4), Florida Statutes