Hours of Service Definitions

**§395.2 Definitions.**

## Guidance Q&A

***Question 16:*** Must a driver engaged in union activities affecting the employing motor carrier record such time as on-duty (not driving) time?

***Guidance:*** The union activities of a driver employed by a unionized motor carrier must be recorded as on-duty (not driving) time if the collective bargaining agreement requires the motor carrier to pay the driver for time engaged in such activities. Otherwise these activities may be recorded as off duty time unless they are combined with normal duties performed for the carrier.

Efforts by a driver to organize co-workers employed by a non-unionized motor carrier, either on the carrier’s premises or elsewhere, may be recorded as off duty time unless the organizing activities are combined with normal duties performed for the carrier.