



BAY AREA
AIR QUALITY
MANAGEMENT
DISTRICT

Compliance Advisory

June 12, 2014

Commuter Benefits Regulation

This Compliance Advisory is provided to inform you about activities of the Air District which may affect your organization's operation. It will assist you in your effort to achieve and maintain compliance with applicable air pollution rules and regulations.

ATTENTION: COMPANIES SUBJECT TO THE COMMUTER BENEFITS REGULATION

SUBJECT: FIELD EMPLOYEE CLARIFICATION

Bay Area Air Quality Management District (Air District) Regulation 14, Rule 1: Bay Area Commuter Benefits Program was approved by the Air District Board of Directors on March 19, 2014 and ratified by the Metropolitan Transportation Commission on March 26, 2014. The regulation requires employers with 50 or more **full-time employees (employees who work at least 30 hours per week)** within Air District boundaries to provide commuter benefits to their **covered employees (employees who work at least 20 hours per week)** by September 30, 2014. This compliance advisory will clarify the Air District's policy regarding Field Employees.

For the purposes of this regulation, "field employees" whose primary job responsibilities are at temporary job site(s), and who do not report to an employer's home office or other permanent job location, are excluded from the requirements of this regulation because they do not have a regular place of work to which to commute. This means that an employer does not have to include field employees in the total number of full-time employees for the purposes of this regulation. If an employer is subject to the regulation, the employer is not required to offer commute benefits to field employees.

An employer with 50 or more full-time employees (excluding field employees) within the Air District boundaries is subject to Regulation 14, Rule 1, which requires the company to:

- Register via the web-based registration system through www.511.org,
- Designate a Commuter Benefits Coordinator,
- Select a pre-approved commuter benefits option or propose an alternative, and
- Notify employees of the commuter benefit option selected and how to utilize the benefit.

The exclusion of field employees applies to employers that have employees who regularly work in the field. However, please note that employees who report to the employer's main office to pick up an employer-provided vehicle for use in the field are not considered field employees.

If you have any further questions regarding this regulation, then please contact Eric Pop at 415-749-5172.

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