

State of California

M E M O R A N D U M

To: Personnel Management Liaison
Accounting Officers

Date: July 13, 1989
Reference Code: 89-42

From: Anita Leach, Chief *Anita*
Benefits Division
Department of Personnel Administration

Subject: Amendment of Department of Personnel Administration Regulations 599.619
and 599.631

This is to inform you that the Department of Personnel Administration (DPA) has, under its authority to adopt regulations for nonrepresented employees, amended the following regulations:

599.619 subsistence allowance - nonrepresented employees.

599.631 transportation by automobile - nonrepresented employees.

The strike overs represent provisions being eliminated or changed and the underscored provisions represent the new language being adopted.

If you have any questions, please call Diane Hachey at 324-9377.

DH:rd

Attachments

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599.619. Subsistence Allowance — Nonrepresented Employees.

For the purposes of regulations governing claims for reimbursement, a nonrepresented employee is: an employee excluded from the definition of State employee in Section 3513(c) of the California Government Code (SEERA); an employee designated as supervisory under Section 3522.1 of the California Government Code (SEERA); a non-elected officer or employee of the executive branch of government who is not a member of the civil service.

The employee on travel status shall be reimbursed for lodging, meals and incidental expenses. The circumstances of travel will determine the rate allowed.

(a) Short-term subsistence allowance will be authorized when the traveler incurs expenses comparable to those arising from the use of good, moderately priced establishments, catering to the general public. The short-term allowance is intended for trips of such duration that weekly or monthly rates are not obtainable and will be discontinued after the 30th consecutive day in one location unless a continuation has been previously approved by the appointing power. After 30 consecutive days in one location, an employee may claim the long-term allowance.

In computing allowances for continuous travel of more than 24 hours and less than 31 consecutive days, one full allowance will be paid for each complete 24 hours of travel, beginning with the traveler's time of departure, in accordance with the following:

(1) Meals:

Breakfast	5/00	<u>5.50</u>
Lunch	4/00	<u>9.50</u>
Dinner	16/00	<u>17.00</u>
Supplement	5.00	
Total	35/00	<u>37.00</u>

(2) Lodging:

- (A) Statewide, no receipts \$47.00
- (B) Statewide, with receipts actual up to ~~\$75/00~~ \$79.00 plus tax

(C) Business meetings and Non/State sponsored conferences or convention
Items require advance written approval by the appointing power
(with receipts)..... actual up to \$100/00 plus tax

(C) DPA may delegate authority to appointing powers to approve lodging expenses in excess of the established lodging rates. Reimbursement of lodging expenses in excess of ~~\$100/00 plus tax~~ the delegated amounts requires advance written approval from DPA.

(3) For travel which is the last fractional part of a period of travel of more than 24 hours, the authorized allowance for meals and/or lodging will be paid. If the travel extends past 9 a.m., a breakfast may be claimed; if the travel extends past 2:00 p.m., a lunch may be claimed; if the travel extends past 7 p.m., a dinner may be claimed; if the travel extends overnight, lodging may be claimed.

(4) In computing allowances for continuous travel of less than 24 hours, providing that the departure time or return time exceeds the regularly scheduled work day by one hour, the following allowances will be authorized when appropriate expenses have been incurred:

Breakfast	5/00	<u>5.50</u>		
Dinner	16/00	<u>17.00</u>		
Lodging	(as defined in Section			
	(a)(2)(A)(B)(C)			

(5) If the cost of a meal is included in a conference fee or is otherwise paid for or provided, the traveler may claim up to the total per diem allowance of \$110/00 for lodging which exceeds the approved rate when supported by a receipt, for lodging expenses. If the cost of a meal is included in a conference or convention fee and is otherwise paid for or provided, and the conference or convention is sponsored by a nonstate agency, the traveler may with prior written approval claim up to the total per diem allowance of \$140/00, when supported by a receipt, for lodging expenses.

(b) A long-term subsistence allowance of \$47.00 per day will be authorized when the traveler incurs expenses in one location comparable to those arising from the use of establishments catering to the long-term visitor. Subsistence shall be paid in accordance with procedures prescribed by the Department of Personnel Administration.

(1) An employee on long-term field assignment who maintains a permanent residence elsewhere while living at the job location may claim the full long-term allowance if one of the following exists:

(A) The permanent residence is occupied by employee's dependents, or

(B) The permanent residence is maintained at a net expense to the employee exceeding \$200 per month.

To qualify for this allowance, an employee must submit substantiating evidence of either condition to the appointing power in accordance with its requirements.

(2) An employee on long-term field assignment who does not maintain a permanent residence away from the job site will be authorized a long-term subsistence allowance of \$23.50 per day.

(3) An employee may claim the appropriate allowance for every 24-hour period on travel status. Allowances for partial day travel status will be as follows:

(A) Less than 12 hours..... \$23.50

(B) 12 to 24 hours \$47.00

(c) A noncommercial subsistence allowance of \$47.00 per day will be authorized when the traveler incurs expenses comparable to those arising from the use of noncommercial facilities such as, but not limited to, house trailers and camping equipment or when staying with friends or relatives.

(1) An employee will be eligible to claim this allowance for every 24-hour period on travel status. Allowance for partial day travel status will be as follows:

- (A) Less than 12 hours..... \$23.50
- (B) 12 to 24 hours \$47.00

(d) Out-of-State Subsistence Allowance. For out-of-state travel, employees will be reimbursed for actual lodging expenses, supported by a voucher, and will be reimbursed for meal and supplemental expenses at the rates defined in Section 599.619(a)(1). Failure to furnish lodging receipts will limit reimbursement to the lodging rate specified in Section 599.619(a)(2)(A).

(e) Out-of-Country Subsistence Allowance. When employees are authorized to travel outside the United States, and maintain a permanent U.S. residence occupied by the employees' dependents or maintained at a net monthly expense exceeding \$200, reimbursement of subsistence expenses may exceed established rates only upon prior approval of the specific rates by the Department of Personnel Administration.

(f) Exceptions to these provisions to provide higher subsistence allowances may be approved in advance by the Director of the Department of Personnel Administration.

NOTE: Authority cited: Sections 3517.8, 19815.4(d), 19816 and 19820, Government Code. Reference: Section 11030, Government Code.

HISTORY:

1. New Chapter 3 (Sections 599.619-599.745, not consecutive) filed 10-12-82 as an emergency; effective upon filing (Register 82, No. 42). A Certificate of Compliance must be transmitted to OAL within 180 days or emergency language will be repealed on 4-10-83.

2. Certificate of Compliance including amendments transmitted to OAL 3-15-83 and filed 4-19-83 (Register 83, No. 17).

3. Redesignation of Sections 599.619-599.632, not consecutive, to Article 2 filed 9-6-83; effective thirtieth day thereafter (Register 83, No. 37).

4. Amendment filed by Department of Personnel Administration with the Secretary of State on 8-20-84; effective upon filing. Submitted to OAL for printing only pursuant to Government Code Section 11343.8 (Register 85, No. 18).

5. Amendment filed by Department of Personnel Administration with the Secretary of State on 5-23-86; effective upon filing. Submitted to OAL for printing only pursuant to Government Code Section 11343.8 (Register 86, No. 26).

6. Amendment filed by Department of Personnel Administration with the Secretary of State on 7-8-87; operative 7-8-87. Submitted to OAL for printing only pursuant to Government Code Section 11343.8 (Register 87, No. 32).

7. Amendment filed by Department of Personnel Administration with the Secretary of State on 6-27-88 pursuant to Government Code Section 3517.8. Submitted to OAL for printing only pursuant to Government Code Section 11343.8 (Register 88, No. 31).

8. Amendment of subsection (a)(4) filed by Department of Personnel Administration with the Secretary of State on 9-1-88; operative 10-1-88. Submitted to OAL for printing only pursuant to Government Code Section 11343.8 (Register 88, No. 41).



599.631. Transportation by Automobile — Nonrepresented Employees.

A nonrepresented employee is defined in Section 599.619.

(a) Where the employee is authorized to use a privately owned automobile on official state business a rate of ~~22/5~~ 24 cents per mile will be allowed without certification and up to 30 cents per mile with certification.

The Department of Personnel Administration may establish appropriate controls over payments of this allowance by a state agency where the Department reasonably believes that proper control has not been exercised by the agency.

(b) Where the employee's use of a privately owned automobile is authorized for travel to or from a common carrier terminal, and the automobile is not parked at the terminal during the period of absence, a rate of ~~45~~ 48 cents up to 60 cents per mile may be claimed while the employee occupies the automobile for the distance between the terminal and his/her residence or headquarters, whichever is less, except that if the employee commences or terminates travel one hour before or after his/her regularly scheduled work day, or on a regularly scheduled day off, mileage may be computed from his/her residence. Claims exceeding ~~45~~ 48 cents per mile must be certified in accordance with Section 599.631(a).

(c) All ferry, bridge, or toll road charges will be allowed.

(d) All necessary parking charges while on state business will be allowed for:

(1) Day parking on trips away from the headquarters office and employee's primary residence.

(2) Overnight public parking on trips away from the headquarters and employee's primary residence, except that parking should not be claimed if expense-free overnight parking is available.

(3) Day parking adjacent to either a headquarters office, a temporary job site or training site, but only if the employee had other reimbursable private or state automobile expenses for the same day. An employee may not prorate weekly or monthly parking fees.

(e) Gasoline and routine automobile repair expenses will not be allowed.

(f) The mileage reimbursement rates include the cost of maintaining liability insurance at the minimum amount prescribed by a law and collision insurance sufficient to cover the reasonable value of the automobile, less a standard deductible. When a privately owned automobile operated by state officer, agent or employee is damaged by collision or is otherwise accidentally damaged, reasonable reimbursement for repair will be allowed if:

(1) The damage occurred while the automobile was used on official state business by permission or authorization of the employing agency; and

(2) The automobile was damaged through no fault of the state officer, agent or employee; and

(3) The amount claimed is an actual loss to the state officer, agent or employee, and is not recoverable directly from or through the insurance coverage of any party involved in the accident; and

(4) The loss claimed does not result from a decision of a state officer, agent or employee not to maintain collision coverage; and

(5) The claim is processed in accordance with the procedures prescribed by the Department of Personnel Administration.

(g) Specialized Vehicles. An employee with a physical disability who must operate a motor vehicle on official state business and who operate only specially equipped or modified vehicles may claim a rate of ~~22~~ 24 cents per mile without certification and up to 37 cents per mile with certification. Where travel is authorized to and from a common carrier terminal, and the vehicle is not parked at the terminal during the period

of absence, a rate of up to 74 cents per mile may be claimed while the employee occupies the vehicle for the distance between the terminal and his/her residence or headquarters, whichever is less, except that if the employee commences or terminates travel one your before, or after his/her regular scheduled work day, or on a regularly scheduled day off, mileage may be computed from his/her residence. Claims exceeding ~~48~~ 48 cents per mile must be certified in accordance with Section 599.631(a). Supervisors approving these claims must determine the employee's need for the use of such vehicles.

NOTE: Authority cited: Sections 3517.8, 19815.4(d), 19816 and 19820, Government Code.

HISTORY:

1. Amendment of subsections (a)-(c) and (h) filed by the Department of Personnel Administration with the Secretary of State on 8-20-84; effective upon filing. Submitted to OAL for printing only pursuant to Government Code Section 11343.8 (Register 85, No. 18).

2. Amendment filed by the Department of Personnel Administration with the Secretary of State on 7-8-87; operative 7-8-87. Submitted to OAL for printing only pursuant to Government Code Section 1343.8 (Register 87, No. 32).

3. Amendment filed by Department of Personnel Administration with the Secretary of State on 6-27-88 pursuant to Government Code Section 3517.8. Submitted to OAL for printing only pursuant to Government Code Section 11343.8 (Register 88, No. 31).

