



STATE OF WEST VIRGINIA
DEPARTMENT OF AGRICULTURE

State Capitol
Charleston, WV 25305

January 8, 1990

Cleve Benedict
Commissioner

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OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

The Honorable Ken Hechler
Secretary of State
State Capitol
Building 1, Suite 157-K
Charleston, West Virginia 25305

ATTENTION: Administrative Law Division

Dear Sir/Madam:

Please find attached a revised copy of the current Travel Regulations for the West Virginia Department of Agriculture. Please note that the only addition made was on Page 6, Section 3.3.4.(1), which allows Soil Conservation District Supervisors to charge for a meal at their official District meetings.

If additional information is needed, please contact my office.

Kind Regards,

Cleve Benedict
Agriculture Commissioner

CB/sg

Attachment

West Virginia Procedural Regulations
Department of Agriculture
Chapter 12-3

General Index
for
Series 25

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OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

Title: Regulations to Govern In-State and Out-of-State Travel by West Virginia
Department of Agriculture Employees

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West Virginia Procedural Regulations
Department of Agricultural
Chapter 12-3
Series 25

TITLE: Regulations to Govern In-State and Out-of-State Travel by West Virginia Department of Agriculture Employees.

Section 1. General

1.1 Scope - These procedural regulations establish general operating procedures for in-state and out-of-state travel by employees of the West Virginia Department of Agriculture.

1.2 Authority - These regulations are promulgated and issued under authority of Chapter 12, Article 3, Section 11, of the West Virginia Code, 1931, as amended.

1.3 Filing Date - September 25, 1989.

1.4 Effective Date - October 1, 1989.

1.5 Repeal of Former Rule - These procedural regulations repeal West Virginia Procedural Regulations "State Department of Agriculture, Chapter 12-3, Series 25, Regulations to Govern In-State and Out-of-State Travel by West Virginia Department of Agriculture Employees, filed April 1, 1987 with an effective date of May 1, 1987.

Section 2. Declaration of Policy

2.1 - General Statement - These regulations govern reimbursement for travel costs and other expenses for authorized employees of the West Virginia Department of Agriculture traveling on business for and on behalf of the State of West Virginia, specifically the West Virginia Department of Agriculture and only for the proper conduct of the State's business. These regulations are designed to insure fairness in the application and administration of travel expense reimbursement. An employee traveling on state business pursuant to these

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regulations is expected to exercise the care of a prudent person traveling for personal reasons. Travel on business must be conducted at a minimum cost for achieving success of the mission. All travel expenditures shall be within budgetary allowance for the division for which the trip is taken.

2.2 - Compliance Responsibilities - It shall be the responsibility of each division director within the Department of Agriculture to insure compliance with these regulations.

2.3 - Inquiries - Any questions or inquiries regarding these regulations should be directed to the Deputy Commissioner's Office.

2.4 - Conflict of Interest - No employee of the Department of Agriculture shall receive reimbursement from a third party or receive prepayment of expenses by a third party while conducting business on behalf of the Department, without the express written prior approval of the Commissioner.

Section 3. General Instructions

3.1 - Headquarters - For purposes of travel reimbursement, each employee of the West Virginia Department of Agriculture shall have a designated workplace as the official headquarters of the employee. For most employees, the official headquarters will be at the Guthrie Agriculture Center. Those employees who do not have Guthrie Agriculture Center as headquarters shall file a properly executed headquarters justification statement with the Department's Administrative Services Division. When the official headquarters is other than Guthrie, the proper headquarters shall be shown on all expense accounts. An employee's home may be officially designated as an employee's headquarters only if there is no other location available. All employees using their homes as headquarters must secure the written approval of the Commissioner to do so. In

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no case will commuting to an employee's headquarters be allowed as a cause for reimbursement without specific written authorization from the Commissioner. Specific exception to this will occur where the employee is required to return to headquarters from home after completing a normal day's work schedule or is called out on what is normally a non-work day or holiday for that employee.

3.1.2 - Headquarters Single Location - Headquarters shall not be multiple stations. Personnel who work multiple stations which necessitate automobile travel are in travel status from the moment of departure of the official headquarters until return to official headquarters. If an employee does not return to the headquarters station at the end of a day or a trip, the employee shall not be eligible for mileage on personal car in excess of the mileage to return to official headquarters.

3.1.3 - Transfer/Relocation of Assignment - When an employee is assigned an official headquarters other than Guthrie Center that requires the relocation of the employee's residence, such employee will be allowed sixty (60) calendar days relocation travel expenses. If the employee elects not to move the residence, the employee shall not be allowed expenses related to the change in headquarters after the 60 calendar day relocation period.

3.2 - Expense Accounts - The standard forms issued by the Department of Administration, Division of Finance and Administration entitled, "Out-of-State Travel Expense Account" form and the "In-State Travel Expense Account" form will be used for settlement of and reimbursement for all travel expenses. The form must show detail of expenses incurred by day, and will be summarized by day and by category as provided for on the forms.

3.2.1 - Itemization - Itemized receipts must accompany the travel expense forms to include, as a minimum, all lodging receipts, airlines or common

carrier receipts, registration receipts, parking charges, toll charges (except West Virginia Turnpike toll charges), baggage charges.

3.2.2. - Verification/Approval - All expense account forms will be signed by the employee and approved by the Division Director. No employee, except the Commissioner of Agriculture, may approve the employee's own expense account form. The approval of expense accounts is more than a formality and should be treated with due seriousness. Approval of expense account indicates that expenses submitted for reimbursement have been reviewed, and found to comply with department policies regarding authorized travel expenses.

3.2.3. - Time of Submission - Employees shall be responsible for submitting all requests for reimbursement of travel expenses, including receipts, to their division director within three (3) working days from trip return date. It is the responsibility of the division director to review and approve employee's expense accounts within two (2) working days of receipt and forward to the Administrative Services Division, which will submit appropriate transmittal within three (3) working days to the appropriate executive agencies of state government. Regular in-state travel by inspector classification employees shall be submitted on a bi-weekly basis.

3.2.4. - Commissioner's Approval - Written permission must be received from the Commissioner of Agriculture, or his designee, as required in the following situations.

- a) Out-of-State travel when more than two (2) employees are requesting approval to attend the same meeting or conference.
- b) Travel for events having a registration fee in excess of \$150.00 per registrant.
- c) Travel requiring use of chartered aircraft.

d) Travel outside the continental United States.

e) Attendance at meetings and events involving lodging at resort class facilities, such as The Greenbrier.

3.3 - Meal Allowance

3.3.1 - In-State Meal Allowance - Reimbursement will be made for the actual cost of meals while absent from official headquarters, on extended hours with a maximum of twenty-five dollars (\$25) per day for travel within the State of West Virginia where the distance from the official headquarters is over twenty-five miles. Meals are allowed when lodging is listed as "gratis" or "no charge".

3.3.2. - Out-of-State Meal Allowance - Reimbursement will be made for the actual cost of meals while absent from official headquarters, with a maximum of thirty dollars (\$30) per day. Meals are allowed when lodging is "gratis" or "no charge".

3.3.3. - Extended Hours - On overnight trips, departure from official headquarters before 8:00 a.m. entitles a travelling employee to a full meal allowance. On overnight trips, departure before noon entitles the traveling employee to lunch and dinner, while departure before 6:00 p.m. entitles the travelling employee to dinner.

On the return trip, arrival at the official headquarters before 8:00 a.m. entitles the travelling employee to no meal allowance, arrival before noon entitles the employee to breakfast only; arrival after 12:00 entitles the employee to breakfast and lunch, while arrival after 6:00 p.m. entitles the travelling employee to a full meal allowance. Arrival and departure time must be stated on the travel expense account form.

3.3.3(1) - Meal Allowance Determination - The following meal allowances are to be used in determining the amount of reimbursement to employees

travelling on state business when the full meal allowance cannot be claimed.

1) In-state travel: breakfast - \$5.00, Lunch - \$8.00, and Dinner - \$12.00.

2) Out-of-State travel - breakfast - \$5.00, Lunch - \$10.00, and Dinner- \$15.00.

3.3.4 - Meals as Part of an Official Meeting - Advance approval must be secured from the Commissioner or Deputy Commissioner when meals are an integral part of an official meeting, and in excess of the allowable reimbursement.

3.3.4.(1) - Soil Conservation District Supervisors shall be allowed to charge for a meal at their official District meetings.

3.4 - Lodging - Employees travelling on state business will be reimbursed in an amount equal to their actual cost of lodging as shown on the lodging receipt. Reimbursement shall not be allowed for personal services such as laundry, valet charges or personal telephone calls. In the case of double occupancy, where one of the occupants is not on state business, hotel reimbursement will be on the basis of the least expensive available single rate.

3.5 - Transportation

3.5.1 - Airline or Common Carrier - Reimbursement will be made for the actual cost of bus, rail or air coach travel or other common carrier as evidenced by receipted bills which must accompany and verify the employee expense report. Employees are required to travel at tourist or economy rates when available.

3.5.2 - Motor Vehicle - Reimbursement for the use of employee's personal car in connection with state business will be at the rate of twenty-four cents (\$.24) per mile. Such reimbursement rate shall apply between the employee's official headquarters and the official destination. There will be no

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reimbursement of expense for commuting purposes, unless an employee is called out to work after the completion of a work day or required to travel on a non-work day or holiday for that employee.

3.5.2.1 - Automobile Rental - Automobile rental will be reimbursable to employees when used in conjunction with common carrier travel and when substantiated by receipts. Employees are expected to utilize the least expensive rental car available.

3.5.3 - Alternative Travel Arrangements - In cases where an employee chooses to drive rather than fly on state business, reimbursement will be limited to the amount of the tourist or economy airline fare to such location. Meals, mileage and other charges in connection with alternate travel will be allowed only to the extent that such costs along with mileage charges do not exceed air fare.

3.5.4 - Other Transportation Costs - Other transportation costs will be reimbursed on an incurred basis as substantiated by receipts. Such reimbursement may include toll road (except West Virginia Turnpike), toll bridges, subways, parking fees and garage storage charges for vehicles used in connection with state business.

3.5.5 - State Vehicles - Employees should use state vehicles whenever practical in their travel.

3.5.5.1 - Operation of State-owned Vehicles - Operation of state-owned vehicles shall be confined to state officials and employees while on official duty. No passengers or other individuals are permitted unless they are on the same business as authorized by the user of the vehicle, such as tour groups.

3.6 - Registration Fees - Registration fees at meetings or

conferences must be supported by receipt. Employees shall not receive additional allowance for lodging or food that has been included in the registration fee.

3.7 - Baggage Charges - Baggage charges will be reimbursed on an incurred basis for the date of arrival and the date of departure, not to exceed a total of 5% of the daily room rate.

Section 4. In-State Travel

Daily allowance for in-state travel shall be subject to all requirements of these regulations. Reimbursement shall be allowable for meals, transportation, lodging, registration fees, parking fees, toll charges, and baggage charges.

Section 5. Out-of-State Travel

5.1 - Daily Allowance - Daily allowance for out-of-state travel shall be subject to all requirements of these regulations. Reimbursement shall be allowable for meals, transportation, lodging, registration fees and baggage. Lodging receipts must be marked paid in full.

5.2 - Out-of-State Travel Requests - Each employee which is required to travel out-of-state must file an application regarding such travel at least fifteen (15) working days in advance of the planned trip with the appropriate division director or the deputy commissioner. Interdepartmental requisition forms will be submitted by the employee to the division director setting forth the purposes of the travel, departure time, transportation costs, lodging costs, length of stay, meal costs, registration costs and total estimated cost.

5.3 - Post Trip Reports - Each employee will file with the

division director and the Commissioner's Office an out-of-state trip report. Likewise, each employee may be required to make a presentation to the employee's division or unit to benefit other employees on the benefits derived from the trip.

Section 6. Advance Allowance

6.1 - Out-of-State Advance Allowance - Any employee authorized to travel out-of-state may request an advance allowance for out-of-state travel, provided that the transmittal for the advance allowance is cleared against the related expenses within thirty (30) day of the last day of travel. The division director will be responsible to ascertain that such allowance and related expense reports are cleared within thirty (30) days.

6.1.1. - Certification - Each out-of-state advance allowance shall carry the following certification:

"I hereby certify that the above advance allowance requisitioned in the name of _____ is being requested pursuant to compliance with the rules and regulations of the Commissioner of Agriculture.

signed _____
Employee

signed _____
Division Director"

6.2 - Inspection Allowance - Pursuant to the regulatory duties of the Department of Agriculture, those employees charged by law or regulations to purchase at fair market value agriculture products for the purpose of specimens for inspection may request on a monthly basis an inspection allowance of fifty dollars (\$50.00). Those employees so authorized shall be responsible for daily

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accounting of expenditures on daily activity reports and shall submit each thirty (30) days a settlement of the inspection allowance.

6.2.1 - Outstanding Inspection Allowance Report - Employees authorized to receive a monthly inspection allowance will not be eligible for more than two (2) inspection allowances until at least one prior inspection allowance has been cleared against the actual expenses. The division director will be responsible to ascertain that such allowances are cleared within thirty (30) days.