



STATE OF WEST VIRGINIA
DEPARTMENT OF AGRICULTURE
CHARLESTON 25305

GUS R. DOUGLASS
COMMISSIONER

FILED
1987 APR -1 PM 1:43
OFFICE OF THE SECRETARY OF STATE

NOTICE OF AGENCY ADOPTION

RULE TITLE: Regulations To Govern In-State and Out-of-State Travel By
West Virginia Department of Agriculture Employees.

RULE TYPE: Procedural

The attached rule constitutes the official rule adopted by the West Virginia
Department of Agriculture on May 1, 1987, and filed with the Secretary of
State on April 1, 1987.

Gus R. Douglass
Agriculture Commissioner

ENTERED: _____

WEST VIRGINIA LEGISLATIVE REGULATIONS
STATE DEPARTMENT OF AGRICULTURE
Chapter 12-3

GENERAL INDEX
FOR
SERIES 25

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TITLE: Regulations To Govern In-State and Out-of-State Travel By West
Virginia Department of Agriculture Employees

- Section 1. General
- Section 2. Declaration of Policy
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WEST VIRGINIA PROCEDURAL REGULATIONS
STATE DEPARTMENT OF AGRICULTURE
Chapter 12-3
SERIES 25

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OFFICE OF THE
SECRETARY OF STATE

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: W. Va. Code 12-3-11.

1.3 Filing Date: April 1, 1987

1.4 Effective Date: May 1, 1987

1.5 Repeal of Former Rule This procedural rule repeals West Virginia Procedural Rule "State Department of Agriculture, Chapter 12-3, SERIES XVII, Regulations To Govern In-State and Out-of-State Travel By West Virginia Department of Agriculture Employees (1986) amended, filed October 22, 1985

Section 2. Declaration of Policy.

2.1 Chapter 12, Article 3, Section 11, of the West Virginia Code, 1931, as amended, specifically delegates the responsibility for promulgating rules and regulations governing travel allowances for employees of the West Virginia Department of Agriculture to the Commissioner of Agriculture. Accordingly, I, Gus R. Douglass, hereby promulgate the following regulations to govern in-state and out-of-state travel for Department of Agriculture employees traveling on official business for the State of West Virginia. The allowances set out herein shall be considered the maximum for approved travel allowances. No employee who has or will receive reimbursement from a third party or whose expenses have been paid by a third party shall collect expenses from the State of West Virginia.

Section 3. In-State-Travel

3.1 Headquarters -

3.1.1 Each employee shall be presumed to have his or her official headquarters at the Guthrie Agricultural Center unless a properly executed headquarters justification statement is on file with the Department's Fiscal Division. When the official station is other than Guthrie, the proper designation shall be shown on expense accounts. It is permissible for field employees to use their home as headquarters; but if an assigned work station is within 25 miles, the employee will normally be assigned that station as a headquarters.

3.1.2 Headquarters shall not be multiple stations. Personnel who work multiple stations which necessitate automobile travel are in travel status from the moment of departing their headquarters station until they return to their headquarters station. If the employee does not return to the headquarters station at the end of the day or trip, he or she shall not be eligible for mileage (when driving personal car) in excess of the distance back to the headquarters station.

3.1.3 When a new employee is assigned a headquarters station that requires the relocation of his or her place of residence or if an employee is asked to change a headquarters assignment, which requires relocation of the place of residence, up to a 90-day (calendar) grace period will be allowed during which time the employee can collect expenses. If the employee elects not to move, he or she will not be allowed expenses relating to the change in headquarters after the expiration of the 90 day grace period.

3.2 Submission of Expense Accounts -

3.2.1 The standard form, "Travel Expense Account" shall be used for all claims for traveling expenses.

3.2.2 All expenses shall be itemized in detail. No item shall be designated as miscellaneous or by any term of like nature and no item shall be incorporated which is not travel related.

3.2.3 All expenses shall be verified by affidavit of the person incurring the expense and certified by the Division Director.

3.2.4 Receipts as required by the State Auditor must accompany the submitted expense account and a separate claim must be filed by each employee.

3.2.5 Expense accounts of permanent personnel are to be submitted once a month, but not later than the eighth calendar day after the end of the month. Nonpermanent personnel may submit expense accounts to correspond to their established pay periods.

3.2.6 Written permission must be received from the Commissioner before any employee stays at the Greenbrier Hotel. The written permission must accompany requests for reimbursement.

3.3 Transportation -

3.3.1 Transportation may be obtained by the usual means of public conveyance, by State-owned vehicles or by privately owned vehicles subject to the limitations set out herein.

3.3.2 Receipted bills for travel by any common carrier must accompany reimbursement requests. Employees traveling by commercial airline are required to travel at the cheapest rate, including discount rates. If no such space is available, the employee may travel by other rates, but the Dept. of Agri. reimbursement request must include verification in the form of a signed statement prepared by the clerk issuing the ticket.

3.3.3 Employees whose official headquarters are designated as a certain city shall be reimbursed mileage expenses incurred when using their private vehicle while traveling on official business within the corporate limits and vicinity of their headquarters, provided this has been certified by their Division Director.

3.3.4 Reimbursement shall be limited to actual costs based on the most economically direct and practical route possible. When private vehicles are used, the reimbursement shall be at the rate of twenty (20) cents per mile. Properly receipted toll bridge, turnpike and parking charges may be included as additional items for reimbursement. Receipts are not necessary for travel on the West Virginia Turnpike.

3.3.5 Operation of State-owned vehicles shall be confined to State officials and employees while on official duty. No passengers or other riders are permitted unless they are on the same business as the authorized user of the car. Special permission may be granted by the Commissioner for an employee's spouse to accompany the employee. When the spouse accompanies employees on such trips, it is the responsibility of the employee to provide accident insurance coverage. The Department shall in no way be liable.

3.4 Subsistence -

3.4.1 All employees traveling on official business will be reimbursed for the actual cost of lodging as shown on the receipt. Additional reimbursement charges such as city and sales tax, or business telephone calls must be properly identified. Reimbursement shall not be allowed for extra charges for radio, television, telephone, laundry and/or valet charges unless they are automatically included on the bill. In the event an employee's spouse accompanies the employee, reimbursement for lodging shall be made on the basis of the single occupancy rate, as indicated on the receipt. Such charges shall not exceed 90% of the actual room cost unless the charge is a convention rate that does not vary according to the number of people in the room. Certified convention rates shall be reimbursed in full.

3.4.2 Reimbursement will be made for actual cost of meals while absent from headquarters, to a maximum of twenty dollars (\$20.00) per day, provided that the employee is away from home overnight. Such maximum allowance shall not be arrived at by the average of days, but by a purely day by day maximum. The maximum for individual meals shall not exceed: Breakfast

\$5.00; Lunch \$6.00; Dinner \$15.00. An exception to the overnight status is when an employee who is away from headquarters has been on duty two or more hours in excess of the normal work day. In such instances, a meal allowance limited to \$10.00 will be permitted. Lunch shall not be a reimbursable item unless the employee is in overnight travel status. Tips and gratuities shall not be allowed.

3.4.3 Meals held as an integral part of an official meeting shall be an allowable expense regardless of headquarters assignment, but advance approval for attendance must be secured from the Commissioner or Assistant Commissioner. Such meals shall be reimbursed at cost. An example would be: Pest Control Association Banquet - \$10.00. A receipt for such charges and the memo showing advance permission to attend must be submitted with the expense account.

3.4.4 Soil Conservation District Supervisors shall be allowed to charge for a meal at their official District meetings.

3.5 Registration Fee -

3.5.1 Registration fees must be supported by receipts and are limited to one hundred dollars (\$100.00) unless prior written permission has been obtained from the Commissioner. Itemization of charges, including meals which may be included in the registration fee, is not required.

Section 4. Out-Of-State Travel

4.1 Prior Permission Necessary -

4.1.1 Prior permission of the Commissioner is required for official travel to attend any out-of-state meeting that requires an overnight stay. Out-of-state travel of one day or less to locations more than fifty (50) miles away from the border of West Virginia must be approved in writing by the Division Director. The written approval must accompany the expense account when submitted to the Fiscal Division. Expenses incurred shall be considered as in-state expenses.

4.1.2 All out-of-state travel requests shall be submitted at least ten (10) working days in advance of the planned trip unless the trip is of an emergency nature that precludes such advance filing. Emergency requests shall be filed the same as any usual out-of-state requests.

4.1.3 Interdepartmental requisition forms requesting out-of-state travel shall be filed in triplicate, authorized and approved by the Division Director and shall contain the following information:

- 4.1.3.1 Purpose of travel.
- 4.1.3.2 Time of departure, including hour and day, and the time of return.
- 4.1.3.3 Planned transportation and cost.
- 4.1.3.4 Number of nights lodging and cost.
- 4.1.3.5 Number of days and portions of days meals.
- 4.1.3.6 Probable cost for taxi or bus if common carrier is used.
- 4.1.3.7 Registration costs for meeting, if any.
- 4.1.3.8 Total estimated cost.

4.1.4 Each employee required to travel out-of-state must file an application requesting such travel.

4.2 Maximum Allowance -

4.2.1 Hotel lodging bills for out-of-state travel shall be reimbursable for the actual cost of the room as shown by receipt, and the expense for meals shall not exceed thirty dollars (\$30.00) per day. Expenses for all meals eaten while in travel status shall be reimbursable, provided that the departure and return times of the trip include such time as is normally utilized for a meal.

4.2.2 Reimbursement for automobile travel enroute to and from a destination outside the State shall not exceed the cheapest coach fare by commercial airlines. Any excess of this amount must be paid by the individual. Maximum mileage allowance will be twenty (20) cents per mile. Properly receipted toll bridge, turnpike and parking charges may be included as additional items for reimbursement. Receipts are not necessary for travel on the West Virginia Turnpike.

4.2.3 Expenses for personal services such as radio, television, telephone, laundry, and/or valet charges, tips and gratuities are not allowable unless they are automatically included on the bill. Telephone calls are reimbursable if they are business related.

4.2.4 Reimbursement for transportation of personal baggage in excess of the allowable amount shall not exceed fifteen (15) percent of the fare and must be approved in advance.

4.3 Submission of Expense Accounts -

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4.3.1 The standard form, "Out-of-State Travel Expense Account," shall be used for all claims for such expenses.

4.3.2 No item shall be designated "miscellaneous", or by any term of similar nature, and no item shall be incorporated which is not travel related.

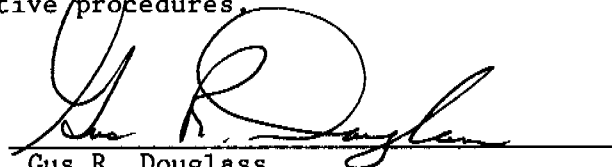
4.3.3 All expenses shall be verified by affidavit of the person incurring the expense and certified by the Division Director.

4.3.4 All Out-of-State Travel Expense Accounts submitted for payment must be accompanied by a brief report to the Executive Division stating the benefits derived from the travel.

4.3.5 Receipts as required by the State Auditor must accompany the submitted expense account, and a separate claim must be filed by each employee.

4.3.6 When spouses accompany an employee on such trips, it is the responsibility of the employee to file for approval with the Commissioner, to pay for the spouse's meals, travel and other expenses and to provide accident insurance where applicable. The Department shall be responsible only for single occupancy rates for lodging, and they shall not exceed 90% of the total lodging expense unless the charge is a convention rate that does not vary according to the number of people in the room. Certified convention rates shall be reimbursed in full.

I, Gus R. Douglass, hereby reserve the right to revoke, suspend, rescind or amend any rules or regulations herein set forth at any time, subject to general administrative procedures.


Gus R. Douglass
Agriculture Commissioner