

Supreme Court of Kentucky

2011-10

ORDER

IN RE: Amendments to the Rules of Administrative Procedure AP
Part VII, Reimbursement for Official Travel

Effective November 15, 2011, AP Part VII, Reimbursement For
Official Travel, of the Administrative Procedures of the Court of Justice is
amended as follows:

TRAVEL REGULATIONS

SECTION I - Official Travel

1) General

- a) These Administrative Procedures shall apply to all persons receiving travel reimbursement from the Kentucky Court of Justice.
- b) Persons responsible for authorizing travel expenses shall ensure all expenses are feasible and economical.
- c) All persons who travel on official court business shall state on the travel reimbursement request the purpose of each trip, shall maintain records to support their claims, and shall provide themselves with sufficient personal funds to defray their travel expenses.
- d) Mileage and per diem meal reimbursement requests do not require a receipt. A receipt must be furnished for all other expenditures claimed over three dollars (\$3.00).
- e) The Director of the Administrative Office of the Courts (AOC) or designee is responsible for ensuring that all travel reimbursement conforms to these regulations. The Director or designee may disallow, reduce or strike from reimbursement requests any claims contrary to these regulations. Written justification for any claim may also be required. Exceptions may be approved upon finding the exception is in the best interest of the Court of Justice and not in violation of the manifest intent of these regulations.

- f) All final interpretations of this regulation shall be made by the Director of the AOC. These determinations shall be final and conclusive.

2) Eligibility

- a) Except as provided by state law or by these regulations, no reimbursement shall be claimed for expenses of any person other than employees, elected/appointed officials, or other persons in the official service of the Court of Justice. Only necessary expenses of official travel will be reimbursed.
- b) No reimbursement shall be claimed or allowed for travel, meals, lodging, transportation or other items provided free of charge.
- c) No reimbursement may be claimed for travel, meals, lodging, transportation, or other expenses incurred when attending a Court of Justice meeting, conference, or educational program unless the employee or elected/appointed official attends programs scheduled during the time period in which the expenses were incurred.
- d) An employee on official travel status may be granted annual leave if arriving prior to or staying after official business. No travel expenses may be reimbursed during that period.
- e) An employee on official travel status may continue on travel status for a period of seven (7) calendar days if he/she becomes incapacitated due to illness or injury that qualifies as official sick leave. Travel expenses may be allowed during the period of incapacitation unless the employee returns to his/her official workstation or residence.
- f) If an employee works on a holiday or other non-scheduled work day, it is considered to be a working day for travel purposes.

SECTION II - Official Work Station

- 1) The official work station of an elected official or employee assigned to an office shall be the street address where the office is located.
 - a) Elected and Appointed Officials

The work station of all elected and appointed officials and their staff shall be specified by the Chief Justice of the Supreme Court.

b) AOC Employees

The official work station of an AOC employee shall be Frankfort unless otherwise approved by the AOC Director or designee. All work station designations shall be based upon the best interest of the Court of Justice.

c) AOC Field Employees

Designations of work station shall be based upon the work location of which an employee averages 60% (22.5 hours of a 37.5 hour work week) unless otherwise approved by the AOC Director or designee.

SECTION III - In-State Travel

1) Transportation

- a) State-owned vehicles should be used for business travel when available and feasible. No mileage reimbursements shall be claimed when state-owned vehicles are used.
- b) Employees and elected/appointed officials who travel on official court business and use a state-owned vehicle shall not be reimbursed for any additional insurance coverage.
- c) Reimbursement for official use of a privately-owned vehicle shall be in accordance with the mileage rate set forth by the Chief Justice.
- d) Mileage commuting between home and work station shall not be paid.

2) Individual Lodging

- a) Lodging expenses incurred during official travel shall be reimbursable within the limits provided in these regulations.
- b) Cost of lodging within seventy-five (75) miles of the official work station or home is not eligible for reimbursement or payment unless approved by the appointing authority.
- c) Additional lodging charges incurred as a result of lodging accommodations shared by other persons who are not state employees, shall be reimbursed to the AOC.

- d) Facilities providing special government or commercial rates shall be used where feasible and employees shall request such rates when on official travel.
- e) Employees and elected/appointed officials are responsible for cancelling lodging accommodations. Charges incurred for failure to cancel shall be reimbursed by the employee or elected/appointed official.
- f) Rooms at state park facilities used by the Court of Justice shall be paid by inter-account transaction within the limits of these regulations.

3) Meals

- a) An employee or elected/appointed official shall be eligible for reimbursement of meal expenses while traveling in Kentucky if the authorized work or official business requires an overnight absence.
- b) The cost of meals incurred during official in-state travel shall be reimbursed at a rate not to exceed the maximum allowable per diem rate; unless an exception is specifically provided by statute. Receipts are not required for meals reimbursed at the allowable per diem rate.
- c) Maximum allowable per diem is thirty dollars (\$30.00) per twenty-four (24) hour day, inclusive of sales taxes and gratuity. Where travel involves a portion of a day i.e. first and last day of travel, meals shall be reimbursed at the following rates:

Breakfast: authorized travel 6:30 a.m. through 9:00 a.m. -\$6.00
Lunch: authorized travel 11:00 a.m. through 2:00 p.m. -\$9.00
Dinner: authorized travel 5:00 p.m. through 9:00 p.m. -\$15.00

- d) Reimbursement for meals paid by AOC directly to an establishment shall not be claimed. Example: Lunch is provided during a conference, only breakfast and dinner may be claimed at the maximum allowable shown in section III 3(c).

4) Contract Lodging and Meals

- a) The Administrative Office of the Courts may independently contract with hotels, motels and other establishments for group accommodations and meals. Costs shall be negotiated to represent the best interest of the Court of Justice.

- b) Reimbursement for expenses paid by AOC directly to an establishment shall not be claimed on an individual's travel reimbursement request.
- c) The AOC shall make negotiated contract payments directly to the establishment. Invoices shall contain the names of affected employees, and a detailed listing of charges. Neither the invoice nor payment shall include personal charges for employees.
- d) All contracts for lodging and meals shall be reviewed by the Office of General Counsel prior to execution and shall be retained by the AOC.
- e) Negotiated contracts between the Court of Justice and state park facilities shall be paid by an inter-account transaction within the limits of these regulations.

SECTION IV – Out-of-State Travel

Out-of-state travel shall be authorized in advance by the Chief Justice or designee on the Out-of-State Travel Authorization Form (AOC T-3), regardless of the source of funds financing the travel. Failure to receive proper authorization may result in denial of reimbursement for incurred expenses. All out-of-state travel arrangements shall be made in accordance with procedures established by the Director of the AOC or designee.

Employees are responsible for cancelling all arrangements made on their behalf for out of state travel. Charges incurred for failure to cancel shall be reimbursed by the employee or elected/appointed official.

1) Transportation

a) Airline

- i) All commercial airline travel shall be coach class.
- ii) Privately owned aircraft may only be used if approved by the Chief Justice.

b) Vehicle

- i) State owned vehicles may be used for out-of-state travel if the cost is less than or equal to the cost of coach class airfare.

- ii) Privately owned vehicles may be used for out-of-state travel if mileage reimbursement is less than or equal to the cost of coach class airfare.
- iii) Reimbursement for official use of a privately-owned vehicle shall be in accordance with the mileage rate set for by the Chief Justice.
- c) Ground transportation expenses incurred during official travel shall be reimbursable within the limits provided in these regulations, i.e. taxi, buses, etc.
- d) Officers, agents, and employees traveling on court business shall use the most economical standard transportation available and the most economical routes. Expenses added by use of other transportation or routes shall be assumed by the individual. Use of other transportation shall not exceed the cost of coach air fare.

2) Lodging

Lodging expenses incurred during official travel shall be reimbursable within the limits provided in these regulations.

3) Meals

An employee or elected/appointed official shall be eligible for reimbursement for meals while traveling out of state, at the federal reimbursement rate for the applicable location as established by the U.S General Services Administration; www.gsa.gov . Receipts are not required for meals reimbursed at the allowable per diem rate.

Section V – Supreme Court

1) Meals

Each justice of the Supreme Court may claim per diem not to exceed the federal per diem allowed for the locality where the overnight stay occurs.

2) Court Week

Staff of each justice may claim meals during court week without an overnight stay. Meals reimbursed without an overnight stay should be reported in accordance with Internal Revenue Service (IRS) regulation.

Section VI - Other Travel Expenses

1) Baggage Charges

Reasonable expenses are allowed for baggage handling, for delivery to or from a common carrier or lodging, and for storage. The AOC will reimburse, with a receipt, charges incurred, if any, for the first piece of luggage. Charges for overweight baggage may be allowed if the excess was for official business.

2) Registration Fees

Registration fees may be allowed. If the fee entitles registrants to meals or other reimbursable expenses, no additional expense for the meal or meals or expenses in question shall be allowed.

3) Technology Expense

Telephone, fax, or internet costs for necessary official business may be allowed. Calls to central agency offices should be made through the state's toll-free numbers. Telephone expense may be allowed for one call, not to exceed 10 minutes, to the claimant's home upon arrival and one upon departure.

4) Parking and Tolls

Parking, bridge, and toll charges are reimbursable. Receipts are not required for parking and toll expenses less than \$3.

5) Other

- a) Where justified, other miscellaneous expenses may be allowed by the Director of the AOC or designee, provided that they were incurred as an incident to official travel and are clearly shown to have been necessary in the performance of official duties.
- b) An employee or elected/appointed official may, with prior approval of the AOC Director, be reimbursed for the actual cost incurred for meals. Receipts must be submitted for reimbursement. If actual costs are reimbursed, per diem meals shall not be claimed for any meal occurring on the same day.

6) Non-Reimbursable Expenses

The following expenses are considered personal and are not reimbursable. These expenses include, but are not limited to:

- Spouse/companion or family expenses incurred during the course of travel
- Airline or other travel insurance
- Association Dues
- Medical bills, prescriptions, over the counter medications, or other medical services incurred while traveling
- Personal telephone calls
- Traffic and parking violations
- Valet parking; unless no other parking is available
- Luggage lost or delayed
- Snacks and refreshments such as coffee, soda, candy, mini bar snacks, etc., which are in addition to meal charges for breakfast, lunch and dinner
- Alcoholic Beverages
- Hotel room movies
- Health and fitness center charges at a hotel or personal fitness centers
- Childcare
- Kenneling for pets
- Telephone or data calls made from airplanes (e.g., AirFones, AirOne Communications Network)
- Navigational systems (GPS) and satellite radio expenses in personal or rental cars

SECTION VII - Travel Expense Voucher

1) Use

- a) Travel Voucher Form (AOC T-1) or electronic travel software approved by the AOC Director, shall be used for reporting all travel expense for which reimbursement is authorized and claimed.
- b) The expense of only one (1) employee or elected/appointed official shall be included by claimant, unless specifically authorized by the AOC Director or designee.
- c) A travel reimbursement request shall ordinarily cover a period of not less than one (1) month, with the month corresponding to the AOC human resources department work week schedule. Travel reimbursement requests may be submitted more than once a month if the official travel expenses claimed on each voucher exceed \$125.00.
- d) A single travel reimbursement request may cover no more than six (6) months within the same fiscal year. Travel reimbursement requests exceeding 180 days after the expenses were incurred may be denied.

e) A separate travel voucher shall be submitted for each out-of-state trip.

2) Preparation

- a) All required receipts shall be attached, manually or electronically, to the travel reimbursement request. Receipts should include, name and address of establishment, date of service, the amount charged for service, and description of the expenditure. Meal receipts are not required for per diem reimbursement.
- b) Each travel reimbursement request shall show the employee or elected/appointed official's employee identification number. Only in the absence of an employee identification number should a social security number be used.
- c) Departure and arrival times must include a.m. or p.m. indication if meals or lodging expenses are claimed.
- d) Computation of mileage for travel shall be from point of origin to point of destination as generated by Administrative Office of the Courts' approved software. However, when point of origin or point of completion is the employee or elected/appointed official's private residence, reimbursement shall be based on the lesser of the distance between work station and destination or private residence and destination.
- e) Employee travel reimbursement requests shall be signed and dated by the employee and approved by the employee's authorized supervisor. No employee may approve his or her own travel reimbursement request.
- f) Elected or appointed official's travel reimbursement requests shall be approved in accordance with procedures established by the Director of the AOC.

Entered this 15th day of November 2011.


CHIEF JUSTICE JOHN D. MINTON, JR.