

ARTICLE 23
TRAVEL AND TRAVEL CHARGE CARDS

Section 23.01 - General. Management and the Union recognize that the nature of the mission of the Department may require bargaining unit employees to travel away from their official duty station. Travel is performed in accordance with the following:

- HUD Travel Handbook 2300.2 Rev-3 dated 1984;
- the Revised Authorization Policy dated June 25, 2010; and
- this Agreement.

Travel reimbursement shall be processed and paid timely in accordance with the Prompt Payment Act (5 C.F.R. 1315) and the Federal Travel Regulations (FTR). The FTR can be found in 41 CFR Chapters 300 through 304 and can be accessed on the Department's internal website. The FTR and this Agreement shall prevail with any disagreements with HUD policies.

- (1) Changes to the HUD travel policy are subject to collective bargaining between the Department and the Union. Towards this end, the Department shall give the Union notice of any proposed change to the policy in accordance with Article 49; Mid-Term-Bargaining: The parties understand that GSA and/or OPM Guidance are guidance and implementation of such guidance generally must be bargained with the Union prior to implementation.
- (2) This provision in no way diminishes the Union's right to bargain on the impact and implementation of the revised regulations. Management shall communicate their proposed implementation of GSA regulations to the Union in a timely manner.
- (3) Employee information collected by HUD and its contractors as a result of the travel process shall be considered confidential and shall be safeguarded and only released when cause is demonstrated.

Section 23.02 - Definitions. The following definitions are for the use of this article.

- (1) **Approver.** The approver is a management official or designee who authorizes the employee to travel.
- (2) **Certifier.** The certifier is an employee who is responsible for verifying the availability of funds and the administrative processing of the authorization or voucher.
- (3) **Per Diem.** The per diem allowance (also referred to as subsistence allowance) is a daily payment instead of reimbursement for actual expenses for lodging, meals, and related incidental expenses. The per diem allowance is separate from certain transportation expenses and miscellaneous expenses. The per diem allowance covers all charges, excluding taxes and service charges, where applicable for lodging, meals, and incidental expenses as allowed. Lodging taxes in the United States are excluded from the per diem allowance but are reimbursable as an expense.

- (4) Most Advantageous to the Government (Traveling to/from the. TDY): The Department has established that "Most Advantageous to the Government" shall be determined When costs of per diem, overtime, lost work time, actual transportation costs, total distance traveled, number of points visited, number of travelers, or other factors are considered. Travel must be by the most expeditious means of transportation practicable.
- (5) Travel Authorization/Girder. The FTR's refers to travel orders which shall be synonymous with travel authorization. Authorization to travel shall not be approved until it is completed in FedTraveler or its successor program or a written order to an employee from management or an authorized designee.
- (6) **TDY and Temporary Duty Station.** Temporary Duty Station is the location an .employee is temporarily assigned to for travel. Temporary Duty Station is synonymous with TDY as used in the FTR's and this Agreement.
- (7) Home to work transportation (also known as home to AVON -"the use of a Government passenger carrier to transport an employee between his/her home and place of work," (Title 41 CFR 102-5.30) Home to work transportation is approved by the Secretary based on compelling operational considerations, which means those circumstances where home-to-work transportation is essential to the conduct of official business or would substantially increase a Federal agency's efficiency and economy,
- (8) The following employees are not covered under the home to work transportation program: (a) Employees who are on official travel (TDY); or (b) Employees who are on permanent change of station (PCS) travel; and (e)Employees who are essential for the safe and efficient performance of intelligence, counterintelligence, protective services, or criminal law enforcement duties when designated in writing as such by their agency head. (Title 41 CFR 102-5.20)
- (9) Emergency (under home to work) situations are defined in. Title 41 CFR102-5.30(3).
- (10) Government Furnished Vehicle (GFV) -a motor vehicle owned, leased, or rented by the United States Government.
- (11) The terms "vehicle operators," "operators," "drivers," are used interchangeably.

Section 23.03 - Scheduling Travel.

- (1) The Department shall, to the maximum extent practicable, schedule administratively controllable travel within each employee's standard work week. When planning training and meetings that may require travel, the Department should plan travel during the standard work week, if possible. If it is not possible, the Department official shall make the reason available upon the employee's request.
- (2) In accordance with the FTR § 301-11.20, if circumstances require the employee to depart their permanent duty station prior to official business hours on Monday, the employee is eligible to receive appropriate travel and per diem not to exceed 1-3/4 days by leaving during regular duty hours on Friday. (For example, except under unusual circumstances, per diem for an employee who departs on Friday for a

Monday meeting is limited to that amount which would have been payable had he/she departed on Sunday.)

- (3) In accordance with the FTR. § 301-11.20, if circumstances require the employee to return to their permanent duty station after official business hours, the employee must return no later than the next regularly scheduled work day and shall receive appropriate travel and per diem, not to exceed 1-3/4 days by leaving during regular duty hours on Friday. If the employee chooses to return to their permanent duty station after official business hours on Friday, the employee shall receive travel and per diem in accordance with the FTRs. If the employee chooses not to return after duty hours, the employee must return no. later than the next regularly scheduled workday. The employee shall receive travel and per diem limited to that amount which would have been payable had they departed on Friday night or Saturday morning.
- (4) Personal Travel in Conjunction with Official Travel. Employees are allowed to combine personal travel with official business, e.g., traveling in advance of the start of official travel or extending their stay beyond the dates of official travel, provided this does not interfere with mission requirements. However, the Department is not responsible for additional costs associated with personal travel.
- (5) The Department shall give as much notice as practicable to employees selected for assignments involving travel which requires advance planning. Except in urgent-or unusual situations authorizations shall be issued sufficiently in-advance to permit the employee to complete all travel arrangements including lodging, transportation tickets, and an advance in funds, if desired. Employees should receive authorization at least 72 hours in advance of the date of travel of the ticketed transportation costs:
- If authorization is received late, employees should 'contact FedTraveler or its successor. Employees shall be eligible to receive compensatory/overtime for weekend travel contacts with FedTraveler for late authorizations, pursuant' to the Fair Labor Standards Act.
- (6) In accordance with FTR 301.11.24, if an employee voluntarily returns home or to their official station on non-workdays during a "Temporary. Duty" or TDY assignment, the maximum reimbursement for the round trip transportation and per diem or actual expenses is limited to what would have been allowed had the employee remained in the TDY location.
- (7) In accordance with FTR, you have to be in travel status for 12 hours or more to be compensated on the first and last day of travel the 75% of the per diem for the primary destination, and 100% of the per diem for all other days in travel status.
- (8) No disciplinary or adverse action will be taken against employees who do not use the FedTraveler online booking system for hotel or rental car reservations.
- (9) Employees may schedule travel to allow for an eight (8.) hour rest period prior to beginning work.

- (10) If employees are required to stay away from their duty station for more than thirty (30) days, employees may travel to their permanent duty station twice per month on non-work days. Appropriate travel costs will be paid by the Department.
- (11) Creation of an official travel authorization shall not be denied or delayed due to an outstanding disputed travel voucher(s). Employee and/or supervisor must contact the HUD travel system administrator to resolve the dispute.
- (12) The Department shall maintain and publish, on its internal website, accurate and working contact information for HUD travel personnel. HUD travel personnel will be available during normal business hours.

Section 23.04 - Travel Advance Through the Use of an Automated Teller Machine (ATM).

- (1) Travel advance(s) may be obtained using the government issued credit card at any Automated Teller Machine (ATM) and the fees associated with advance shall be reimbursed using the voucher processing system. However, ATM usage is voluntary. Non-ATM travel advance(s) shall be issued via electronic fund transfer(s) to employees that do not have government issued credit cards.
- (2) Non-ATM Travel advance(s) can be requested by employees who do not have a travel charge card. The advance is requested on the travel plan, processed through the financial system and deposited directly into the employee's banking facility. The processing time is approximately three (3) days after the travel plan has been approved.
- (3) Employees shall be advanced travel funds in amounts consistent with current applicable law, rule, regulation, and the terms of this Agreement for non-local travel. Such advances shall be based (currently on 80%) on an estimate of reimbursable travel expenses.
- (4) Any employee traveling on official business who is not eligible for a government travel charge card is entitled to an advance of funds to cover per diem, lodging costs, or actual subsistence expenses, mileage for use of a privately owned vehicle (currently not less than 80%) and all other costs incidental to official travel not directly billed to the Department or charged to a government travel charge card.

Section 23.05 - Mode of Transportation.

- (1) Official travel shall be accomplished by the method of transportation that is considered most advantageous to the Government when costs and other factors are considered and is authorized on the travel authorization.
- (2) If an employee elects to travel by a means of transportation other than the means determined most advantageous to the Government, the employee shall be responsible for any additional expenses.
- (3) Use of a contract carrier is mandatory by regulations when air travel is authorized, unless one of the regulatory exceptions for using a non-contract carrier is met.

- (4) Travelers must comply with all requirements listed in the HUD Travel Guidance for Using Non Contract Carriers dated 2010. Travelers will be authorized to purchase Non Contract flights as long as the cost savings is 25% or at least \$150 when compared to the government: Contract Carrier fare. Approval for Non Contract flights must still be approved from within the program office. The HUD form 2501 Non Contract Carrier Justification must be completed and approved prior to any authorizations being created in the current travel system. A response to the request shall be provided within sufficient time to provide the cost benefit but no longer than five (5) days from submission. All reservations for Non Contract flights must be reserved through the current travel system.
- (5) Employees must request approval to purchase discounted fares from other sources when contract or non-contract fares are not available in the current travel system. If a traveler finds a discounted fare that is cheaper than the government fare, the employee must obtain authorization prior to purchasing a non-refundable fare.
- (6) Further, the Department shall not be responsible for any penalties imposed by non-contract carriers if the trip is canceled for personal reasons.

Section 23.06 - Reimbursement of Official Travel. Employees traveling on official business are expected to exercise the same care and reasonableness in incurring expenses that a prudent person would exercise when traveling on personal business. The Department will not reduce claims unless the claims are unreasonable.

- (1) **Reimbursement.** Employees who are authorized by the Department to perform official travel shall be reimbursed for all authorized expenses at the maximum standard rate allowed by law, rule, Government-wide regulation, or actual expense. For costs that the FM's list as discretionary on the part of the Department and the Department approves the costs, it will reimburse 100% of the charge(s). Authorizations and expenses related to employees requiring special accommodations should be included in the travel authorization request.
- (2) **Effective Date.** Increased or decreased travel allowances shall go into effect on the first day allowed by the revised FTRs.
- (3) **Vehicle Use Reimbursement.** When the use of a privately-owned conveyance or Government-owned vehicle is authorized, reimbursement shall be in accordance with the Federal Travel regulations and the HUD Travel Handbook, Policy and this Agreement.

Section 23.07 - Expense Report Processing. Under normal circumstances employees shall submit expense reports for travel within five (5) working days, of completion of travel or every thirty (30) days if on continuous travel, using the current travel system or its successor(s). Employees will be reimbursed for travel expenses that were authorized in writing.

- (1) If the Department fails to process the employee's proper travel claim within thirty (30)

days they must pay the employee late fees and interest in accordance with the Prompt Payment Act (5 CFR 1315).

- (2) The Department shall reimburse employees for expenses unless:
 - (a) the employee fails to properly itemize an expense; or
 - (b) the employee fails to provide a receipt or other documentation required to support the claim; or
 - (c) the expense was not authorized.

Should any portion of the travel expense report be disallowed/denied the Department will notify the employee in writing. The undisputed amount shall be paid. Employees may challenge the Department's disallowance/denial by filing a challenge with the program Budget Officer. If the program Budget Officer considers the appeal and the payment is still denied, the employee may appeal to the Chief Financial Officer.

- (3) Travel expense reports shall not be denied or delayed for arbitrary or capricious reasons. If there is a denial or delay in the processing, the supervisor and/or approver shall provide the employee with specific written reasons for the denial and or delay. In the event of death of an employee the Program Budget Officer shall process the expense report. In the event of an emergency where the employee is unable to process the expense report, the Program Budget Officer shall process the expense report or assist the employee in processing the expense report to avoid suspension or cancellation of the card.

Section 23.08 - Reimbursement.

- (1) **Taxis.** Reimbursement shall be authorized and approved for the taxi cab fares, phis tip; for approved official travel.
- (2) **Tips.** Tips which are not included in M&IE shall be determined reasonable if they do-not exceed 15% of the service cost.
- (3) **Baggage Fees.** The Department will reimburse employees actual baggage charges commensurate with the length or other circumstances for official travel, e.g., 1 bag for up to 1 week trip, 2 bags for 2 week trip. Additional baggage may be authorized by the approving official with justification. Receipts for all baggage reimbursement will be required.
- (4) **Receipts.** Employees must submit receipts for any lodging or transportation expenses including car rentals, gas receipts for the rental car, airline tickets, train tickets, and any expense that exceeds \$75.00.
- (5) **Laundry Expenses.** The expenses incurred for laundry, cleaning and pressing of clothing at a TD'Y location are reimbursable as a miscellaneous travel expense. However, the employee must incur a minimum of 6 consecutive nights lodging on official travel to qualify for this reimbursement.

- (6) Lodging Deposits. Employees will be reimbursed for nonrefundable deposits if the travel is cancelled and the reason for cancellation or the timing of the cancellation was beyond the employee's control, and after steps have been taken to minimize or waive the deposit.
- (7) Lodging. Employees traveling on official business are not required to share a room. Employees shall be given the option of staying at lodging of their choice within the travel area as long as the lodging meets the FEMA Fire Safety Act where available.
- (8) Actual Expenses. When a situation occurs which requires employees to incur actual expenses beyond per diem and lodging allowances, employees will notify their supervisor by entering the information into the current travel system and/or receive written approval to travel. This written approval is the agreement of the Department to pay actual expenses. When the actual expense method is approved, the Department will require receipts for other allowable per diem expenses. Actual expenses reimbursement is warranted when:
 - (a) lodging is procured at a prearranged place such as a hotel where a meeting, conference or training session is held, or lodging cannot be obtained at the per diem lodging rate;
 - (b) costs have escalated because of a special event or disaster;
 - (c) any other reason approved by the Department, in accordance with the Federal Travel Regulations.
- (9) Internet usage. Employees shall be reimbursed for the cost of Internet services, while in a travel status including hookup fees and usage charges for official business, including union representational activities, and may use the services for personal Internet time consistent with applicable Departmental IT Security policies.
- (10) Complementary Meals. If the Department negotiates inclusion of a meal or meals by the hotel in the room rate, employees shall receive notice prior to traveling, and the per diem shall be adjusted to offset the complimentary meal, unless the employee. Submits a justification for the full per diem.
- (11) Local Training. Employees participating in training who reside within the approved local commuting area shall be expected to commute to the training site daily. If the distance to the training site exceeds the approved local commuting area, the employee shall be entitled to mileage from their residence or duty station to the training location. The claim shall be submitted in accordance with local travel procedures.

Section 23.09 - Periodic Return to Duty Station. If a temporary duty assignment requires a traveler to be away for thirty (30) or more calendar days, the employee shall be allowed reimbursement for travel back to the permanent duty station and return back to the temporary duty station twice a month, subject to available funds. Additional home visits may be approved on a case-by-case basis.

Section 23.10 - Constructive Cost. The Department will determine the most cost effective means of travel. If employees choose to deviate from the most cost effective travel method, a cost comparison shall be computed in accordance with the HUD Travel Handbook, Policy and this Agreement. The Department will make the final decision regarding the Method of travel.

Section 23.11 - Illness. Employees who become ill or has a personal emergency situation shall be allowed transportation and subsistence to the extent provided in the FTRs.

Section 23.12 - Use of Telephone during Official Travel.

- (1) An employee may make personal calls to their residence, family or the general vicinity of their duty location.
- (2) Upon submission of a justification and proof of the origin and destination of the communication, payment for official business calls, telegrams, cablegrams, radiograms, electronic mail, electronic communication or standard mail and express delivery, or any other form of telephonic communication necessary to conduct HUD business shall be allowed and reimbursed.
- (3) Telephones within a HUD office are to be made available to employees on official travel.
- (4) The total cost of the call averaged over the duration of the trip is limited to seven dollars (\$7.00) per day. Receipts or proof of calls using hotel phones, cell phones or other means are required; and the travel voucher must identify the cost, and the date(s) of each call.
- (5) Where accepted, the Government charge card may be used to pay for telephone calls made in connection with official travel while away from the employee's permanent duty station, consistent with this article and the provisions above.

Section 23.13 - Travel Bonuses, Frequent Flyer miles, awards, hotel awards, and promotional materials received by employees as a result of official travel shall be retained by employees. The employee may use these benefits for personal use, including upgrading to a higher class of service. Use of such benefits must not interfere with their official assignments.

Section 23.14 - Denied Boarding Compensation. Employees are not entitled to payment offered for involuntarily denied boarding. Employees may retain compensation received for voluntarily vacating an airline seat provided the employee incurs no additional travel expenses beyond those which they would have normally incurred and vacating their seat does not interfere with the performance of official duties. To the extent an employee's travel is delayed during official duty hours by voluntarily vacating an airline seat, the employee shall be charged annual leave for the additional hours and may not earn travel compensatory time for any additional time in a travel status as a result of the voluntary action.

Section 23.15 - Travel by Union Officials. When the Department authorizes Union official(s) to travel for representational purposes they will be reimbursed in accordance with the FTR and this Agreement.

Section 23.16 - Authorization to Travel.

- (1) If the Department does not timely approve the employee's request for travel authorization and there is no ticket for the travel, it will not have a negative effect upon the assessment of the employee's performance or conduct.
- (2) Employees should submit a travel authorization estimate that is as close as possible to actual costs. An approved travel authorization allows employees to travel and obligates the Department to pay the allowable reimbursable costs associated with the estimated cost approved in the travel authorization.
- (3) All local travel shall be authorized either in writing or verbally. Employees who regularly perform local travel shall submit expenses for reimbursement through the current travel system when the amount of reimbursement reaches an appropriate amount but typically \$50 and not less than once a month. For the calculation of mileage if the employee lives outside of the approved local commuting area it will be calculated from the duty station to the location where the duty is performed.

Section 23.17 - Fed Traveler System. All employees authorized to travel by the Department's designated travel system are required to use the system or its successor to obtain travel authorization and submit travel vouchers.

- (1) A travel system tutorial and/or Help desk information will be accessible through the HUD Web site and available to assist employees with technical questions regarding the system.
- (2) If the travel system is not available or the approval process is not complete before the employee must depart on travel the approving official shall provide a written approval (can be as simple as an e-mail with a written estimate of expenses) to document authorization for the travel.
- (3) If the system is not available or Management instructs the employee not to use the travel system, any applicable penalties in the FTR will not be assessed against the employee.

Section 23.18 - Accommodating Special Needs. Consistent with its obligations under applicable laws, rules, regulations, and the provisions of this Agreement, the Department shall comply with its obligations relating to reasonable accommodations to employees with disabilities.

Employee with special needs not covered under the reasonable accommodation process will be addressed on a case by case basis. Employees with special travel needs shall self-identify and provide supporting documentation, when appropriate, in advance of any

travel. The employee's supervisor has the authority to approve special needs requests consistent with law, rule and/or regulation and respond to the employee through memo or e-mail. The certifier shall not request additional documentation or delay travel payment.

The Department shall make the final determination on the appropriate method to address special needs, taking costs under consideration. Examples of methods to address special needs include but are not limited to:

- (1) Transportation and per diem expenses incurred by an attendant who must travel with the employee to make the trip, possible;
- (2) Transportation to, from, and/or at TDY duty locations or local travel locations based on the traveler's needs;
- (3) Assistance provided by a common carrier to accommodate employees' special needs;
- (4) Costs for handling baggage and/or additional baggage that is a direct result of employees' special needs;
- (5) Renting and/or transporting a wheelchair/scooter; and
- (6) Premium-class accommodations when necessary to accommodate employees' special needs,

Section 23.19 - Travel Compensatory Time. Compensatory travel time shall be earned by employees for time spent in a travel status away from the employee's official duty station when such time is not otherwise compensable, in accordance with applicable regulations. The Department will maintain current regulations affecting compensatory time and examples of how to calculate compensatory time for travel on the HUD internal web site. Travel compensatory time is covered in Article 15.

Section 23.20 - Travel Savings and Awards Program. The Department may consider establishing a Travel Savings and Awards Program. If a decision is made to propose implementing a program, notice will be issued to the Union in accordance with Article 49 of this Agreement.

Section 23.21 - Government Charge Card Program for Official Travel. The Government employee individual charge card program provides a service to HUD employees traveling on official Government business away from their permanent duty station. The contract for the government credit card is between the employee and the government credit card contracted company.

Employees with a government charge card shall be required to comply with the terms and conditions of the government charge card contract.

The Department shall provide appropriate training to travel charge card holders on the applicable travel charge card terms and conditions and applicable agency regulations.

As a result of the implementation of the individual charge card program bargaining unit.

employees shall not be required to waive their constitutional rights and rights, which include but are not limited those provided by the Privacy Act, laws, and federal statutes.

The Department shall take all reasonable steps to assure that bargaining unit employees are protected from any adverse impact caused by their use of the Government Travel Contractor (GTC) Charge Card for official travel purposes, consistent with applicable regulations and the terms of this Agreement. The terms of the government travel charge card are not established by the Department, but are issued by the vendor and the responsible government agency. The travel charge card has the following terms, including but not limited to:

- (a) The GTC will not disclose any credit information to the public, but may report delinquent payments to credit bureaus and third party collection agencies;
- (b) Employees will not be required to pay any part of any disputed billing to the contractor pending resolution of that dispute; and
- (c) As long as the employee reports the loss of their credit card within 48 hours, of their discovery of such loss, the employee will incur no charges associated with that loss.
- (d) Government charge card delinquencies may be subject to salary offset.
- (e) Upon request by the Union, a copy of the contract between GSA and the GTC contractors shall be provided to the Union.
- (f) Upon request by the Union, the Department shall provide the Union with transaction reports.

Section 23.22 - Required use and exceptions. In accordance with the Federal Travel Regulations at 41 CFR § 301-70.700, employees must use a Government Travel Charge Card for hotel, air fare, and rental car expenses, unless an exception is approved by the agency head or designee, in accordance with 41 CFR § 301-70.701. Employees are not required to use their Government Travel Charge Card for all other expenses identified in 41 CFR § 301-70.304. Employees who do not have a travel card may request a travel cash advance or that their transportation and lodging charges be centrally billed. There will be no adverse impact on employees based on their approval for an exception to use personal funds, a non-government credit card, or travel advance in lieu of a Government Travel Charge Card in accordance with 41 CFR § 301-70.701.

Section 23.23 - Card Issuance.

- (1) The Government Travel Charge cards will be issued to HUD employees who, are required to travel four (4) or more, trips a year. If it is reasonably anticipated that an employee will travel for work fewer than four (4) trips per year, the employee may use a personal credit card, receive cash advances through electronic funds transfer,

or utilize Central billing. Employees who travel less than four (4) times a year may request the use of a government travel card. If the electronic travel system split or direct payment options are implemented, employees required to have. Government Travel Charge Cards shall have the travel card payments issued directly to the travel card-issuing bank for credit to the employee's individual travel charge card account by the Department.

- (2) An employee's credit history and worthiness (i.e., credit report) will be reviewed prior to the issuance of a Government Travel Charge Card, and periodically reviewed thereafter, in accordance with the Government Travel Charge Card Program. If cash or credit reports are adversely affected by the Credit history checks or periodic reviews for the government travel charge card, management shall bargain with the Union Over appropriate arrangements.
- (3) When an. employee cannot obtain a government travel charge card because of a lack of credit history; has had their government credit card suspended; or because they are found to have an unsatisfactory credit history, the employee's travel will be paid through suitable alternate methods available to the Department. Such alternates may include, but not limited to, issuance of restricted-credit-limit, restricted-use, declining balance, controlled-spend, or stored value card, electronic fund transfer of cash advance, or use the centrally billed accounts.
- (4) No adverse performance or misconduct action shall be taken against an employee, whose travel was delayed for actions outside of their control due to the GTC's failure to issue an employee a credit card and the Department's failure to provide an alternative method of payment as listed in 3 above.

Section 23.24 - Late Payment. The Department will not consider charge card payments past due if the late payment of the bill results from an untimely reimbursement by the Department of an employee's properly completed claim that was submitted on time, or if the-employee was unable to complete the claim on time due to inability to access the system. The Department will reimburse the employee for any costs associated with late payment beyond the employee's control. If the employee requests, the Department will issue a letter to the employee that they may use for credit card companies, credit bureaus etc. explaining the late payment. In the event of an emergency and the employee is unable to file a claim for reimbursement within thirty (30) days after returning from the trip, the Program Coordinator shall assist the employee in avoiding suspension/cancellation of the card. The Department may issue payment reminders to employees. Employees will be reimbursed for travel debts they are owed.

Section 23.25 - Out-of-Pocket Expenses. Out-of-pocket expenses are those expenses which cannot be charged to the card and must be paid by the traveler and are reimbursable by the Department. The employee will be informed in advance Of travel of out-of-pocket expenses that may be charged to the card and those that may not be charged to the card.

Section 23.26 - Emergencies. Emergency circumstances, such as an official government vehicle breakdown, may justify the use of the charge card for food, lodging; and other expenses covered under

the Federal Travel Regulations while the employee is away from their permanent duty station in an official travel status.

Section 23.27 - Card Use Information. Monthly charge card reports are considered highly confidential material, subject to the Privacy Act, and must be secured from observation by any party other than persons who have a need to know.

Section 23.28 - Card Security. Each participant in the contractor-issued charge card program is responsible for safeguarding his/her card. This does not preclude the cardholder from securing the card at his/her work stations. No disciplinary or adverse action shall be taken against an employee whose card is lost or stolen at no fault of the employee.

Section 23.29 - Cumulative Reports. Cumulative charge activity reports will be utilized for the purposes of determining whether or not employees meet program eligibility criteria, the level of participation, and for establishing budget estimates for travel.

Section 23.30 - Union Information. The Department will provide the Union with a link to the HUD@work page containing the HUD Notice regarding the Government 'charge card program for official travel expenses.

Section 23.31 - Suspension/Cancellation of Credit Card.

- (1) **Suspension.** The account is considered delinquent if payment for the undisputed principal amount has not been received 45 calendar days from the closing date on the billing statement in which the charge appeared. The employee will receive information from the GTC requesting payment of the undisputed past due amount. If payment has not been received 55 calendar days from the closing date, the Department and the employee will be notified that the suspension process will be initiated. The Department and the employee will be notified of a point of contact to assist in resolving the past due account. If payment of the undisputed principal amount has not been received 61 calendar days from the closing date, the employee account will be suspended unless otherwise directed by the Department, The Department or the GSA contracting officer has the right to suspend the employee's account for any reason. Upon payment of the undisputed principal amount to the GTC, the account will be reinstated.
- (2) **Cancellation.** The employee's card/account may be cancelled if:
 - (a) The card is used for unauthorized purposes and the GTC has the Department's permission to cancel;
 - (b) The account is past due for the undisputed amounts 120 calendar days past the closing date and all suspension procedures have been met by the GTC;
 - (c) The account has been suspended two (2) times during a twelve (12) month period for undisputed amounts and is past due again. The Department and the employee will be notified that the cancellation process will be initiated. If payment for the undisputed amount has not been received 126 calendar days from the closing dated, the account will be canceled unless otherwise directed by the Department; or

- (d) The account has been paid with checks returned by the employee's financial institution for insufficient funds two (2) or more times in a twelve (12) month period. In this event, the account is subject to immediate cancellation.

In the event of cancellation, the employee understands that they must pay all undisputed amounts due to the FTC under the, agreement. The employee understands that the account information may be reported to credit reporting agencies if the account is cancelled. The employee will surrender the credit card upon request of the Department. The employee understands that the use of the card after its cancellation will be considered fraudulent and may cause the GTC to take legal action against the employee.

Section 23.32 - Debt Collection of Delinquencies. The Department has authority through salary offset to collect delinquent debts on behalf of the GTC. In accordance with 41 CFR § 301-54.1 and 301-76 of the Federal Travel Regulations, management may collect undisputed delinquent amounts from an employee's disposable pay. The Department is responsible for ensuring that all due process and legal requirements have been met before authorizing a salary offset. The maximum amount management may deduct from the employee's disposable pay is 15 percent a pay period, unless the employee agrees in writing to a larger percentage. The employee may request from management a lower salary offset amount than the 15 percent maximum per pay period. The salary offset deducted each pay period or month shall not be so high as to create a hardship for the employee's household income.

Section 23.33 - Collection of Advances Payable to the Department. If an employee is determined to be monetarily liable, the indebtedness must be paid. If the employee does not or cannot liquidate the debt, the amount of indebtedness may be collected in bi-weekly installments, or at officially established pay intervals, by deduction from the employee's salary. The amount deducted shall not exceed fifteen (15) percent of disposable pay except with the affected employee's written consent. The employee may request from management a lower salary offset amount than the 15 percent maximum per pay period. The salary offset deducted each pay period or month shall not be so high as to create a hardship for the employee's household income.

Section 23.34 - Personal Property Claims: Employees may file claims related to an employee's personal property which was lost or damaged during official travel with the Department, including but not limited to loss of checked baggage or out of pocket expenses due to accidents while using a POV. To file a claim, employees must notify their supervisor and file the claim with the HUD Federal Torts Claim Center. The Statute of limitations for submitting such a claim is two (2) years however; employees should advise and consult with their supervisor upon knowledge of any incident which may make rise to a claim. If the employee files a claim with a provider (i.e. airlines for lost luggage) they should also report the claim with the HUD Federal Torts Claim Center.

Section 23.35 - Fleet Management:

- (1) Utilization of Resources: Management shall provide a listing of Fleet Coordinator Personnel (FCP) by Region, City, and name on HUD intranet web site (i.e.,HUD@work).

- (2) Administrative, Corrective Actions: It is understood that corrective action may be taken in accordance with Article 12, Discipline, based on the nature and severity of any GFV related incidents. A traffic citation for a moving violation during official duty time does not necessarily constitute misconduct. The nature of the offense and the totality of the circumstances must be taken into consideration.
- (3) Fleet. Management Email box: Employees may utilize the Fleet Management Email box. to provide information regarding fleet management issues, for instance safety, maintenance, or hazards. GFVs will be maintained per GSA regulations to provide safe and reliable transportation. Employees who discover that the GFV is inoperable or unsafe shall contact their supervisor (or in the absence thereof another- supervisor in the chain of command) and/or the- FCP to report these conditions,
- (4) Emergency Contacts: GSA required publications, such as the "Motor Vehicle Accident Reporting Kit" and "Guide to your GSA Fleet Vehicle," shall be included in the vehicle information package located in each. GFV. Employee shall call the number provided with the vehicle.
- (5) Unmarked GFVs: Only the Secretary of HUD or designee may authorize the use of an unmarked vehicle. Current approval unless reversed will remain in place. Employee shall utilize HUD's certification process to request use of unmarked GFVs. The certification must state that identifying the motor vehicle would endanger the security of the vehicle occupants or otherwise compromise the agency mission. The certification may last from one day up to 3 years, and then must be re-certified for continued exemption. This process is regarded as a pertinent topic for training.
- (6) GFV Maintenance: Employees who operate GFVs are not required to provide maintenance on GFVs. Employees shall report any required maintenance or safety-related concerns, including missing GSA publications specified in the Emergency Contacts provision above, to the Fleet Control Personnel (FCP) so that GFVs are maintained in good working order. Management may assign the employee with another GFV, authorize use of a rental vehicle, or permit the use, if requested by the employee, of a Privately Owned Vehicle (POV) to accomplish the program-related travel.
- (7) Driver's License:
 - (a) Employees will not be required to provide greater evidence of a valid driver's license than that required by GSA regulations, state laws, and United States statutes.
 - (b) Upon request of the FCP or designee, employees shall show their valid driver's license in order to use a GFV.
 - (c) An employee's driver's license information is private information and must be safeguarded in accordance with the Privacy Act. Local field office records concerning driver's license information are subject to the provisions of the Privacy Act.
- (8) Vehicle Operator Responsibilities:

- (a) Vehicle operators are personally responsible for any violations of Federal, State or local traffic laws.
 - (b) Employees who use GFVs are responsible for the reasonable safekeeping of the vehicle, .
 - (c) Employees shall not be required or expected to travel in or operate a GFV under conditions that are determined unsafe.
 - (d) Fuel Purchases: Employees shall purchase fuel from commercial gas stations using a government issued fleet charge card located in the vehicle travel package unless extenuating circumstances exist. If personal funds are used, reimbursement will be according to the Department's current reimbursement policy.
 - (e) Self-Serve Pump: Employees must use self-service fuel pumps to the extent possible. Management recognizes that state laws may require employees to utilize full service pumps as well as need for employee safety.
 - (f) Any reported complaints (such as through GSA's HOWSMYDRIVING Email site) regarding HUD G.FV's, shall be reviewed by the Fleet Manager or designee. As part of additional fact finding employees are generally contacted for information- regarding the reported complaint.
 - (g) Daily Vehicle Utilization Reports: Employees utilizing a GFV shall incorporate the Daily Vehicle Utilization Report, HUD Form 21016, or any other information for the agency regarding the use of the GFV. Completion of this form or other information is performed during the course of ditty.
 - (h) Seat Belts: Employees (drivers and occupants) utilizing a GFV shall wear safety belts whenever the vehicle is in operation. The vehicle operator should advise all vehicle occupants to wear their safety belts prior to operating the vehicle. (41 CFR 101-39.300(c))
 - (i) Electronic Devices: Employees shall comply with the E.O, 13513 regarding use of electronic devices while operating a GFV as well as adhere to state and local laws that may be more restrictive when operating a GFV.
 - (j) GFV Usage: GFV shall not be taken home unless approved under the Home to Work Transportation Program based on operational considerations, as defined in this Article.
- (9) If the use of a car is required and no government vehicles are available the Department can authorize through the travel system a rental car or other appropriate transportation. The non-availability of a vehicle or appropriate transportation will not have a negative effect upon the assessment of the employee's performance.
- (10) Rental Vehicle Approval when in Travel Status: Employees shall refer to applicable Federal Travel Regulations, HUD's Travel Handbook, and this Agreement. Compact/economy cars must be used to the extent reasonable and available. Exceptions must be approved in advance.
- (11) Privately Owned Vehicles (POV): Employees may choose to use a POV at the

appropriate FTR mileage rate. The use of a POV is authorized when it is advantageous to the Government. A Government Furnished Vehicle (GFV) is the first resource when a vehicle is required for official travel performed locally or within commuting distance of an employee's designated duty station. If a GFV is Unavailable, employees may request to use a Government contract rental vehicle. The authorization to use a POV outside the employee's official duty station must be approved in advance through the FedTraveler Authorization process, or its successor.

- (a) No employee shall be required to use their privately-owned vehicle (POV) in the course of business unless such use was made a formal condition of employment when they accepted their current position. If an employee is-unwilling or unable to use their POV for official government business, it is the Department's responsibility to provide transportation, unless such use was made formal condition of employment when they accepted their current position.
 - (b) Should an employee experience an accident when authorized to use a POV on official government travel, any claim will be addressed in accordance with the Federal Tort Claims Act.
 - (c) Employees using POV are not required to transport other employee(s) on official business. If an employee voluntarily accepts an employee as passenger (s) when authorized to use a POV on official government travel, any claims against the owner of the POV by the passenger(s) for damages will be settled in accordance with the Federal Tort Claims Act.
 - (d) In the event of emergency repairs to a vehicle on official authorized travel, the employee will remain in official status, and time will be assessed as appropriate. In such situations, the employee will, as soon as practicable provide the supervisor with an appraisal of the situation and obtain appropriate instructions.
- (12) **Vehicle Accidents:** Employees' first priority in case of vehicle accident is their own safety and the safety of other passengers. Employees who have been involved in an accident with their GFV shall furnish all known information as outlined in Section 7-1 of the Handbook. Employees shall be provided duty time to complete all reporting requirements and be reimbursed for any costs related to the reporting process.
- (13) **Accident Investigations:** The responsibility for accident investigations rests with the Department's Safety and Health Officer for accidents involving Headquarter employees-operators and with designated Safety Representatives for field office employee-operators. Employees are to refer to Article 37, Safety and Health, of the Agreement.
- (14) **Accident Reports:** Employees involved in vehicle accidents who cannot complete the appropriate paperwork (SF 91 and SF 94) due to their injuries shall not be responsible for its accuracy if the report is prepared and signed for by the employee's supervisor. Employees shall provide their signed report to their supervisor as soon as they report to work.
- (15) **Retention of Accident Reports:** SF 91 and SF 94 will be maintained according to 1-1UD7s records management schedule. Any Tort claim against the United States that arises as a result of vehicle accidents shall be forever barred unless it is presented in writing to HUD in accordance

with time requirements of the Federal Tort Claims Act. Destruction of forms shall be in accordance with standard records disposition requirements/schedule.

- (16) **Accessibility of Handbook Information:** The Handbook, referenced forms, and governing documents contained in this Supplement will be made available on the HUD web site (i.e. HUD@work).