

United States Department of Agriculture **TO:** Agency Chief Financial Officers

Senior Accountable Travel Officials

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SUBJECT: Local Travel Policy

As the Federal workplace landscape continues to change, agencies must continue to correctly apply local travel policies for their employees, including those who are teleworkers and remote workers. This updated policy defines the Department's definition of local travel and local travel areas, and grants authority to approve lodging expense reimbursement while performing official business in the local travel area (for extenuating circumstances) to delegated officials. It also clarifies what constitutes hours of work for local travel.

March 8, 2024

In keeping with the intent of Departmental Regulation (DR) 4080-811-002, Telework and Remote Work Programs, and the Office of Personnel and Management (OPM) 2023 Guidance on Hours of Work for Telework and Remote Work Employees, local travel is considered official business travel performed by the most direct route within and adjacent to an employee's official worksite/duty location or approved alternate worksite. The proximity of travel to the employee's official worksite/duty station determines whether expenses are reimbursed as local travel expenses (as described in this policy), or as temporary duty (TDY) travel expenses (as described in 41 Code of Federal Regulations (CFR), Subtitle F, Federal Travel Regulation.) (FTR). Local travel does not include official travel approved on a TDY travel authorization, including round-trip travel to a common carrier terminal in the employee's local travel area in conjunction with the TDY assignment.

This policy addresses when local travel reimbursements may be authorized, based on the information stated in DR 2300-005, Agricultural Travel Regulation (ATR). As indicated in the ATR, local travel expenses that are normally incurred are reimbursed. Per diem expenses are not normally paid in the local travel area; however, there may be extenuating circumstances whereby these expenses may be allowable. Any references to a USDA agency, pertains to USDA Mission Areas, agencies, and staff offices.

As a result of the enhanced use of telework, mobile, and remote work flexibilities being integrated into workforce plans, updated local travel guidance provides practical information (as a resource) for mission area, agency, and staff office employees regarding reimbursement for local travel.

Mission Areas, agencies, and staff offices may supplement, but not change, this Departmental policy. Mission Areas, agencies, and staff offices are encouraged to

consult with Human Resources personnel to further clarify and define Departmental telework and remote policies as they relate to this policy.

This policy remains in effect and must be followed unless or until superseded by subsequent changes in applicable laws, OPM guidance, or other applicable Departmental policy.

Policy

USDA employees are generally entitled to be reimbursed local travel expenses incurred while performing official business in or around their official duty station/worksite or alternate (approved) worksite. However, reimbursement is limited to local travel expenses exceeding those the employee incurs for normal commuting. Further, a mission area, agency, or staff office may have separate written agreements or supplemental policy for local travel reimbursement with remote employees or those who conduct mobile work which modifies, and may limit, this entitlement.

Allowable local travel expenses may include such things as the cost of subway, bus, train, taxi, transportation network companies [TNC] (e.g., Uber, Lyft), innovative mobility technology companies [IMTC] (e.g., Zipcar, HyreCar, Getaround, Capital Bikeshare), mileage, tolls, and parking. The use of a rental car in or around the local travel area is strictly prohibited. Local travel expenses could be incurred in a variety of work-related situations, including, but not limited to, required attendance at meetings, conferences, other official functions, training events, or periodic work assignments at alternative duty locations in or around the official duty station/worksite. When a government-owned vehicle (GOV) is authorized, advantageous, and available, USDA agencies should consider using a GOV for local travel before choosing another option.

Employees should exercise the same care in incurring expenses that a prudent person would exercise if traveling on personal business and using personal funds. Excess costs, circuitous routes, luxury accommodations, and services unnecessary or unjustified in the performance of official business are not acceptable under this standard and will not be reimbursed. Employees are responsible for excess costs and any additional expenses incurred for personal preference or convenience (e.g., taxi or a TNC in lieu of available free shuttle, mass transportation, GOV, etc.).

Generally, USDA employees traveling for official business within their designated local travel area may not be reimbursed for lodging or meal expenses. However, an exception may be made for hazard-related emergencies which pose a threat to human life (such as disease, fire, or natural disasters) or threat to Federal property. In these cases, prior written approval from the Agency Administrator (or Staff Office Director) must be obtained before incurring any expenses. This approval authority may be delegated to the applicable Senior Accountable Travel Official or the Chief Financial Officer; no further delegations are authorized. If an instance like the aforementioned arises, then an

employee may use the Government-issued travel charge card to pay for lodging expenses within their official worksite/duty location.

Local travel expense reimbursement is not available for employee commuting expenses. Normal "home-to-work" travel time and expenses are generally considered "commuting time and expenses" and not eligible for additional compensation. This includes instances where telework employees are directed to report to their official duty station on days not provided for in their official telework schedule (e.g., additional days or different days per pay period).

If a mission area, agency, or staff office informs an employee in advance of the employee starting their workday that they must commute to work on a day when the employee was already scheduled to telework, then time spent traveling to the traditional work site is considered commuting; the employee will not receive a local travel reimbursement.

If a telework-eligible employee *chooses* to come in on a previously scheduled telework day, travel to and from work is considered commuting time; no local travel reimbursement is allowed. However, if telework employees are directed to report to an alternate work location other than their normal work location for the day (i.e., departing either from their regular telework location or their official duty station), local travel reimbursement may be authorized consistent with this memorandum.

If a remote worker is required in advance to report to an agency work site that is within a 50-mile radius of the employees official duty station (typically their home), then travel to and from the agency work site is considered commuting; no local travel reimbursement is authorized.

If a supervisor requires a remote work employee to report to an agency work site after their workday begins—and they live close enough for same-day reporting to be possible—time spent traveling to and from the worksite during regular work hours is considered paid work time; local travel reimbursement is authorized.

If a remote work employee *chooses* to come into a traditional work site, time spent traveling to and from work is considered commuting time; local travel reimbursement is not authorized.

Some employees may be participating in the Transit Subsidy Program which is not compensation for commuting expenses but rather an incentive to encourage use of public transit. Telework employees are encouraged to manage their participation in this program so as to account for unanticipated days in which they will need to travel to the official duty station. Transit Subsidy benefits should not be used for purposes of official business travel which is appropriately reimbursed through local travel.

Local travel expense reimbursement shall be approved on a case-by-case basis. The employee seeking reimbursement must clearly illustrate and justify before incurring

local travel expenses that the local travel is a necessary additional out-of-pocket expense, and not part of the normal commuting expenses.

Local travel expense reimbursements must be claimed within 30 days of incurring the expense; reimbursements should be made through the USDA agency's time and attendance system, or via direct entry into the Department's financial system. When requests are submitted via direct entry, they must be processed using the Local Travel Invoice module in the financial system to allow proper oversight.

Regardless of which method is used to process the local travel reimbursement claim (time and attendance system or financial system), the employee must complete and submit an OF-1164, Claim for Reimbursement for Expenditures on Official Business (or other Department approved reimbursement form) to their supervisor (or other approving official) for review and approval. Receipts or other appropriate documentation must be included, regardless of expense amount. The employee and the supervisor (or other delegated official) must maintain a copy of OF-1164 and the associated receipts, for six years in accordance with the National Archives and Records Administration (NARA) General Records Schedule (GRS) 1.1: Financial Management and Reporting Records, Item 010.

Definitions

<u>Agency Worksite</u>. The official Federal agency location where work activities are based, generally considered a centralized location of an employee's assigned organization. The term "regular worksite" is also used to describe the agency worksite. Source: OPM <u>2021</u> <u>Guide to Telework and Remote Work in the Federal Government.</u>

<u>Alternate Worksite</u>. A work location, other than the official worksite, that satisfies all requisite Federal health and safety laws, rules, and regulations pertaining to the workplace, where an employee performs their official duties. Source: <u>Departmental Regulation 4080-811-002</u>, *Telework and Remote Work Programs*.

<u>Compensatory Time Off for Travel</u>. Employees who are officially ordered to travel away from their official worksite may be afforded compensatory time off for travel, in certain circumstances, based upon the approved travel itinerary. Compensatory time off for travel is earned by an employee for time spent in a travel status away from the employee's official worksite when such time is not otherwise compensable. Compensable refers to periods of time creditable as hours of work for the purpose of determining a specific pay entitlement. Source: OPM <u>Fact Sheet: Compensatory Time Off for Travel</u>

<u>Commuting expenses.</u> The costs incurred by taking any form of local transportation, e.g., bus, commuter buses, train, trolley, subway, taxi, TNC, or driving a car, between your residence and official worksite.

<u>Local travel</u>. Travel performed by the most direct route, within a 50-mile radius of an employee's official worksite, duty station or alternative worksite, to conduct official USDA business. Local travel does not include any official travel that is part of a temporary duty (TDY) travel authorization, including travel to a common carrier terminal in the employee's local travel area in conjunction with TDY.

<u>Local travel areas.</u> This is based on the official worksite/duty station or approved alternate worksite; the local travel area will not be more than a 50-mile radius of geographic boundaries defined within each region. Source: <u>5 CFR 550.112(j)5 CFR 550.112(j)</u>, *Computation of overtime work*, and <u>5 CFR 551.422(d)</u>, *Time spent traveling*.

<u>Locality Pay Area</u>. An Office of Management and Budget (OMB) defined metropolitan statistical area or combined statistical area that determines certain location-based pay entitlements based on the employee's official duty station as documented on the employee's SF-50, *Notification of Personnel Action*. Source: <u>Departmental Regulation 4080-811-002</u>, *Telework and Remote Work Programs*.

<u>Mobile Work</u>. Work characterized by routine and regular travel to conduct work in a customer's or other worksite as opposed to a single authorized alternate worksite.

Examples include site audits, site inspections, investigations, property management, and work performed while commuting, traveling between worksites, or on TDY. Mobile workers do not need to report twice each bi-weekly pay period to the agency worksite established by the agency if the employee is performing work within the same geographic area (established for the purpose of a given pay entitlement) as the employee's agency worksite. For example, if a mobile employee with a varying work location works at least twice each bi-weekly pay period on a regular and recurring basis in the same locality pay area for the agency worksite, the employee need not report at least twice each bi-weekly pay period to that agency worksite to maintain entitlement to the locality payment for that area. Source: OPM <u>2021 Guide to Telework and Remote Work in the Federal Government.</u>

Official Duty Station. The management-approved location where employees regularly perform their official duties. If an employee physically reports to the employing Mission Area, agency, or staff office official worksite at least twice in a bi-weekly pay period, the employing Mission Area, agency, or staff office official worksite will be designated as the employee's official duty station. If the employee's work involves recurring travel or the employee's work location varies (mobile work) on a recurring basis, the official worksite is the location where the work activities of the employee's position of record is based, as determined by the employing Mission Area, agency, or staff office, subject to the requirement that the official worksite must be in a locality pay area in which the employee is required to regularly perform work. A Mission Area, agency, or staff office must document an employee's official duty station on the employee's Notification of Personnel Action (Standard Form 50 (SF-50) or equivalent). Once the official duty station has been officially recorded on the SF-50, it cannot be changed without prior approval of the employing Mission Area, agency, or staff office accompanied by

processing a formal, documented personnel action. Source: <u>Departmental Regulation</u> 4080-811-002, *Telework and Remote Work Programs*.

Remote Work. A workforce flexibility arrangement under which an employee is scheduled to perform work within or outside the local commuting area of their Mission Area, agency, or staff office's worksite and is not required to report to the Mission Area, agency, or staff office worksite on a regular and recurring basis. Source: Departmental Regulation 4080-811-002, Telework and Remote Work Programs, and OPM 2021 Guide to Telework and Remote Work in the Federal Government

Remote Work Arrangement. A work arrangement in which:

- (1) The employee performs assigned official duties and other authorized activities at an approved alternate work location, typically the employee's residence, within or outside of the local commuting area of the Mission Area, agency, or staff office worksite;
- (2) [The employee performs assigned official duties and other authorized activities at an approved alternate work location] On a regular and continuing basis;
- (3) [*The employee*] Is not required to physically report to the Mission Area, agency, or staff office worksite on any frequent, regular, or recurring basis; and
- (4) The approved alternate worksite is, for pay and other purposes, the employee's official duty station, as indicated on the employee's SF-50, per 5 CFR § 531.605, *Determining an employee's official worksite*.

Source: Departmental Regulation 4080-811-002, Telework and Remote Work Programs.

Telework Arrangement. A work flexibility arrangement in which an employee performs the duties and responsibilities of such employee's position, and other authorized activities, from an approved worksite other than the location from which the employee would otherwise work. A telework arrangement allows employees to have regularly scheduled days on which they telework and regularly scheduled days when they work in their agency worksite. Telework may be authorized for an entire duty day or a portion of one. Telework does not include work performed while in an official travel status, work performed while commuting to or from work, remote work, or mobile work. For a teleworker, the agency worksite remains the employee's official worksite for determining the employee's official station or official duty station for travel and other purposes. Source: Departmental Regulation 4080-811-002, Telework and Remote Work Programs, and OPM 2023 Guidance on Hours of Work for Telework and Remote Work Employees

This policy is effective as of the date signed; retroactive payments are not allowed. This memorandum supersedes any previously issued policy on this subject. If you have additional questions or comments regarding this local travel policy, contact Marie Butler, Fiscal Policy Division Director, at Marie.Butler@usda.gov

Local Travel Examples/Scenarios

- 1. If an employee must attend an official business meeting away from their USDA office location or worksite after they have already reported to the official worksite, then the employee is entitled to full reimbursement of round-trip travel expenses incurred to depart and return to their official USDA office location or worksite.
- 2. Peter's official worksite is at the USDA Headquarters located in Washington, DC. He commutes each day from home to the worksite in his personally owned vehicle (POV), 20 miles one-way; he does not pay for parking. Peter is asked to attend a business meeting in Fairfax, VA. On the day of the meeting, he drives directly to the meeting in his POV (30 miles one-way) and incurs a \$10 parking fee. What is Peter's local travel expense reimbursement?

<u>Explanation</u>: Peter would be entitled to the parking fee (\$10) and the mileage reimbursement for the 20 additional miles (normal round-trip mileage is 40 miles; meeting round-trip is 60 miles).

Teleworker Scenarios

The scenarios below assume an employee is reporting to the official worksite/other site or event **at** the start of the workday.

- 1. Thomas teleworks from his residence in Madison, WI, 4 days a week (Monday, Tuesday, Thursday, and Friday); he reports to his official worksite on Wednesdays. Thomas is asked to attend training on Monday and Tuesday; the training location is 40 miles round-trip from his residence. Thomas' residence is 40 miles from his official worksite. What is Thomas' local travel expense reimbursement?
 - <u>Explanation</u>: Thomas would not receive reimbursement for local travel, as the miles between his residence and the training location (40 miles) did not exceed the miles of his normal commute (40 miles).
- 2. Joe teleworks 2 days per week (Mondays and Tuesdays) in Lufkin, TX. His normal commute is 10 miles one-way (20 miles round-trip). When he drives to the USDA office on non-telework days (Wednesdays, Thursdays, and Fridays), what is Joe's reimbursable travel expense?

<u>Explanation</u>: Joe would not receive reimbursement for local travel. Anytime Joe drives to the office, it is considered a commute, and not eligible for local travel reimbursement.

3. Henry's approved telework schedule indicates he teleworks on Tuesday, Wednesday, and Thursday; he reports to his official duty station 2 days a week. He is asked to report to his official duty station office on Tuesday (normally a telework day). What is Henry's local travel reimbursement?

<u>Explanation</u>: Henry would not receive a local travel reimbursement. Travel to the 'official' duty station is considered a normal commute and commuting is non-compensable.

4. Henry's approved telework schedule indicates he teleworks on Tuesday, Wednesday, and Thursday; he reports to his official duty station two days a week. He is asked to report to an alternate location (neither his telework location or his official duty station) on Tuesday (normally a telework day). What is Henry's local travel reimbursement?

<u>Explanation</u>: Henry would receive a local travel reimbursement for any expenses incurred above and beyond his normal commuting expenses.

- 5. Sandra teleworks most of the week, going into her official duty station 2 days per pay period (her official duty station is her agency's USDA worksite); she uses transit subsidy benefits to cover here round-trip commuting expenses for the days she travels to the official worksite.
 - a. If Sandra must attend a meeting at the office (i.e., her official duty station), then she is not entitled to local travel reimbursement; she can use transit subsidy benefits for any round-trip travel expenses incurred to get to the official worksite.
 - b. If Sandra must attend a meeting on a day she reports to her official worksite (not teleworking), then she is entitled to a reimbursement for expenses incurred for round-trip travel between the official worksite and the meeting location based on the method of travel that is most beneficial to the agency.

The scenarios below apply when an employee is notified or *chooses* to report to the agency worksite/other site or event **prior to** or **after** the start of the workday.

6. The supervisor notifies Paul in advance of a scheduled telework day to report to the agency worksite for the full workday, so Paul travels to the agency worksite prior to the start of his workday. In this scenario, Paul's telework is cancelled for the affected day. Local travel reimbursement is not authorized.

Explanation: Paul has a normal workday at the agency worksite, and time spent traveling to and from the agency worksite is considered commuting time that is not hours of work.

7. Anna begins working at home as a teleworker but is then required by a supervisor to report to an agency worksite (after the start of her workday). In this scenario, telework status for the remainder of the workday is cancelled. Local travel reimbursement is not authorized.

Explanation: Local travel between the agency worksite and home is considered commuting.

8. Smitty begins working at home as a teleworker, then chooses to report to an agency worksite after the start of his workday. In this scenario, Smitty's telework status for the remainder of the workday would be cancelled. Local travel reimbursement is not allowed.

<u>Explanation</u>: Local travel between the agency worksite and home is considered commuting.

Remote Worker Scenarios

The scenarios below presuppose that an employee is reporting to the official worksite/other site or event at the start of the workday.

1. Monica is approved for remote work from her residence in Long Beach, CA (making this her official duty station). She is asked by her supervisor to attend an event (business meeting, conference, training, etc.) in Los Angeles, CA, which is 35 miles one-way (70 miles round-trip) from her residence. Monica is authorized to drive her POV and park (\$25) at the offsite location. What is Monica's reimbursable local travel expense?

Explanation: Monica's home is considered her USDA office; therefore, she is entitled to be reimbursed the full round-trip mileage (70 miles) and the \$25 parking fee to depart from and return to her USDA office.

2. Steve works remotely from his residence in St. Louis, MO. He decides to drive his POV to the local USDA building, 60 miles round-trip from his residence, as a matter of preference without prior approval. Steve pays \$30 to park at the USDA building. What is Steve's reimbursable local travel expense?

<u>Explanation</u>: Since Steve works remotely from his residence (his USDA office), the local USDA building is considered an off-site location. Steve's supervisor did not request or approve the travel to the off-site location; therefore, Steve is not entitled to be reimbursed for local travel expenses.

3. Joanne is a remote worker who works within a 50-mile radius of Agency worksite. She is required to go into the Agency worksite for a meeting. What local travel reimbursement is Joanne entitled to?

<u>Explanation</u>: Although Joanne is a remote worker, she is still within the local commuting area of her hiring organization; Joanne would not receive reimbursement for local travel expenses.

4. Marisa is a remote worker who resides in Chicago, outside a 50-mile radius of her hiring organization's local commuting area (Washington, DC). If Marisa's supervisor requires her to come to the agency worksite for an All-Hands meeting, then she is entitled to round-trip reimbursement for travel.

<u>Explanation:</u> Marisa's hiring agency's main office is in Washington, DC, and her approved remote work site is in Chicago, IL. Marisa is entitled to round-trip TDY expense reimbursement (through the electronic travel system) if she is required to travel to Washington, DC, for official business.

5. Hannah is a remote employee who lives 56 miles from the agency worksite. The agency notifies Hannah a week in advance that she will need to come into the agency worksite 1 day every 2 weeks for a meeting. Local travel reimbursement is only authorized for the number of miles above the 50-mile distance going to the worksite and the number of miles above the 50-mile distance returning from the worksite as explained in the Agency Travel Regulation, ATR.

Explanation: In this scenario, time spent traveling to the agency worksite time spent traveling back to Hannah's residence is considered commuting. The employee was given enough time to plan for the workday at the agency worksite. The ATR explains there will be a reimbursement for the number of miles over the 50-mile distance on each route of commuting because the employee is on a "remote work schedule." The employee can process a claim for reimbursement for a total of 12 miles; 6 miles each way.