

Personnel Rule 5.2—Travel

5.2.0 Authority

SMC 4.04.040 and subsequent revisions thereto, Administration

SMC 4.04.050 and subsequent revisions thereto, Rule-making Authority

SMC 4.70 and subsequent revisions thereto, Reimbursement for Use of Personal Automobiles

SMC 4.72 and subsequent revisions thereto, Travel Expenses

29 CFR 790 General Statement as to the Effect of the Portal to Portal Act of 1947 on the Fair Labor Standards Act of 1938

5.2.1 Definitions

- A. "Appointing authority" shall mean the head of an employing unit authorized by ordinance or City Charter to employ others on behalf of the City, or a designated management representative. The term includes and can be used interchangeably with department head, department director, superintendent, or chief.
- B. "Employing unit" shall mean any department of the City and, within the Executive and Legislative Departments, any office created by ordinance.
- C. "Finance Director" shall mean the head of the department charged with managing the City's financial accounts or his or her designated management representative.
- D. "Hourly employee" shall mean an employee who is compensated on an hourly basis for each hour of work performed, including time worked beyond 40 hours in a workweek.
- E. "Personnel Director" shall mean the head of the Personnel Department or his or her designated management representative.
- F. "Regularly appointed employee" shall mean an individual who has a probationary, regular or exempt appointment to a position of City employment.

5.2.2 Application of this Rule

- A. The provisions of this Rule apply to regularly appointed employees.
- B. For regularly appointed employees who are represented under the terms of a collective bargaining agreement, this Rule prevails except where it conflicts with the collective bargaining agreement, any memoranda of agreement or understanding signed pursuant to the collective bargaining agreement, or any recognized and established practice relative to the members of the bargaining unit.
- C. This Rule does not apply to individuals who are employed under the terms of a grant that includes employment provisions that conflict with this Rule.
- D. This Rule does not apply to individuals hired by the City on a temporary, intermittent or seasonal basis, or for a work schedule of fewer than 20 hours per week, nor does it apply to individuals hired under contract to the City. These individuals are subject to all applicable federal, state and City laws.
- E. Appointing authorities may establish written policies and procedures for the implementation and administration of this Rule to facilitate the management of the personnel system within their employing units, provided that such policies and procedures do not conflict with the provisions of this Rule.

5.2.3 Personal Automobile Use Expense Reimbursement

When, in the course of performing assigned job duties, an employee finds it necessary to use his or her personally owned vehicle, the employee shall be reimbursed for such use at the rate established by the Personnel Director.

5.2.4 Travel Expenses

When traveling outside the City at the direction of the appointing authority, employees shall be reimbursed for:

- A. Actual expenses incurred for registration fees for conventions, seminars, or similar events;
- B. Actual expenses incurred or the standard mileage rate set by the Personnel Director, provided that reimbursement for mileage shall not exceed the round-trip coach-class air fare of a common carrier;
- C. Actual expenses incurred for meals when travel outside the City is not a routine or normal part of the employee's job, provided that the reimbursement shall not exceed the amount established by the City's Finance Director;
- D. Actual expenses for automobile rental or other local transportation;
- E. Actual necessary expenses for lodging, provided that costs do not exceed the amount set by the City's Finance Director; and
- F. Other reasonably necessary expenses related to the City business being performed, including, but not limited to, writing materials, reading materials, and telecommunications.

5.2.5 Compensable Hours

- A. An hourly employee may not work more than his or her scheduled hours without the explicit prior approval of his or her supervisor. Hourly employees may be disciplined for working unauthorized overtime.
- B. When an hourly employee's workday has begun prior to, and is completed subsequent to work related travel, time spent in transit shall be included in the computation of the employee's hours worked.
- C. Except as covered by Rule 5.2.5(B), time spent in travel to and from work shall not be compensable.
- D. Time spent in travel that keeps an hourly employee away from his or her home community overnight will be considered work time when the hours spent traveling correspond to hours worked by said employee on a normal work day. Hours of travel outside of hours that correspond to the employee's regular work hours are not compensable.

5.2.6 Working Conditions

An employee shall be covered by the City's workers' compensation plan for all job-related injuries or illnesses occurring as a result of participation in work related travel. If an employee has incurred a work-related injury or illness while traveling, the employee shall notify his or her supervisor immediately and complete all necessary documents concerning the injury or illness.

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