

State Travel Policy and Procedures

SBEX Policy No. 442-50

Adopted: July 1, 1996

Last Amended: January 28, 2025

Authority Idaho Code § 67-2004

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Statement of Philosophy

The State Board of Examiners, as established by the Constitution of the State of Idaho (Article IV, section 18), is authorized by Idaho Code Title 67, Chapter 20, to adopt policies and procedures for travel and related expenses claimed against the State.

This State Travel Policy, as adopted by the State Board of Examiners, was developed in accordance with Sections 67-1001, 67-2004, 67-2005, 67-2006, 67-2007, 67-2008 Idaho Code, and shall apply to every individual at all agencies, elected offices, boards, commissions, institutions, and any and all other forms of Idaho State Government or its agents who can incur travel and related expenses paid for from State government resources, unless specifically exempt by Idaho Code.

This State Travel Policy is intended to establish guidelines and limits that promote cost-effective and efficient methods for incurring travel and related expenses while performing official business of the State of Idaho. All travel costs and related expenses claimed to the State must be properly authorized, actually incurred, essential in achieving the goals or fulfilling the responsibilities of the State government entity, and conducted in the most economical and practical manner for the State.

When determining the most cost-effective and efficient method for conducting travel, the entity should also consider any additional actual costs of the traveler's compensation from wages or contract services fees, including the value of any accrued compensatory time by State employees.

These policies may not cover every possible situation, but the intention is that all travelers and approving authorities within each entity of Idaho State Government embrace the concepts of "cost-effective" and "efficient methods" when deciding the nature, type, timing, and necessity of travel and related expenses while performing official business of the State of Idaho.

It remains the responsibility of each entity's management to develop, document, and implement appropriate internal control procedures over travel and related expenses that assure compliance with these policies, and to develop and retain sufficient and appropriate documentation and evidence to show that compliance to these policies was maintained.

No entity may authorize the payment of claims for travel and related expenses that are not specifically allowed or exceed the rates established by these policies, or institute internal controls or documentation requirements that are more liberal than those provided in these policies. Entities may authorize internal policies and internal controls that are more restrictive than those provided in these policies if the entity's management determine that such more restrictive policies are in the best interest of the entity to carry out its authorized mission. Each entity's management shall make certain that all individuals who travel for official purposes which results in claims against the State are aware of this State Travel Policy and any internal entity policies if applicable.

Policy

1. Approval and Authorization

A. Designation of Authority

All payments of claims for travel and related expenses must be authorized by the Idaho State Government entity's senior management or by a duly authorized and designated representative(s). Written evidence of the delegated authority must be on file at the entity, dated, and signed by the senior management and designated representative(s).

B. Requirements and Methods for Approval

The method for granting and documenting this authorization is left to the discretion of the Idaho State Government entity's senior management.

C. Eligibility

A traveler is eligible for travel cost reimbursement only when they are on official travel.

2. Payment Methods, Forms, and Documentation

A. Payment Methods

To the extent practical, all costs for travel shall be incurred originally with State funds or through the use of a State P-card or other methods to minimize the need for the traveler to incur costs prior to being reimbursed.

B. Travel Expense Voucher Form

It is the duty of the State Controller, as authorized by Idaho Code 67-2005, to prescribe forms of vouchers on which all requests for expenditure of State moneys must be submitted, and when such forms of vouchers have been prescribed, no request for expenditure of State moneys shall be received and filed by the State Controller unless the same shall be presented on the proper form.

Idaho Code 67-2006 further requires that on all vouchers submitted for travel expenses, there must appear a certificate signed by the head of the entity, or their designee, for which travel was performed, stating that the travel was performed under competent orders, the purpose for which it was undertaken, and that the same was necessary in the public service. The person submitting a voucher for travel expenses must sign thereon a certificate that the account is correct and just.

C. Documentation

All travel and related costs must be documented and itemized on a travel expense voucher and identify the following elements:

- 1) Identification of the traveler's official primary work station
- 2) Specific reason for travel which demonstrates a direct relationship to the State Government entity's mission
- 3) Sequential and logical order of dates of travel, including departure and arrival times
- 4) Mode of travel identified and consistent with the itinerary, locations, purpose, and cost
- 5) License plate number of State-owned vehicle
- 6) Costs incurred for each day of travel, including, mileage, meals, and lodging
- 7) Explanations for any gaps in the days or locations of travel or when the final destination is not the traveler's official primary work station.
- 8) Explanations or other evidence for omitted costs or those costs shared with other travelers
- 9) Signatures of the traveler and designated approver with the required certifications

D. Evidence of Expenditure

Specific evidence, such as an invoice or receipt, is required for the following travel costs and must be attached to the travel voucher or specifically identified if paid through direct bill, P-card, third party, or other traveler:

- 1) Lodging expense
- 2) Airfare
- 3) Airline baggage fee
- 4) Taxi, airport shuttle, or other public transportation
- 5) Rental vehicle
- 6) Fuel purchase for rental vehicle
- 7) Parking fees at airport, lodging facility, or work-related location
- 8) Conference registration fee and agenda
- 9) Telephone, internet access, or other communication fees
- 10) Laundry and dry cleaning costs
- 11) All other expenses not specifically described but are reasonable and necessary in the conduct of official State business.

Evidence of expenditure must contain the date of transaction, vendor name and location, description, and individual cost of each item or service that is claimed. The traveler is expected to clearly document this information if the original invoice or receipt does not contain all required information. If an original invoice or receipt is not provided by the vendor or is lost, the traveler must provide an explanation and document the required information to the extent possible.

E. Evidence Not Required

Specific evidence is not required for the following:

- 1) Meals and related costs covered under Section 6 - "Per Diem Allowance."

- 2) Tips, gratuity, and other items covered under Section 7 - "Incidental Expenses."

F. Internal Audit of Travel Voucher

Each entity shall develop and follow procedures for auditing all claims for travel and related expenses for compliance with the standards and limits established by these policies or those more restrictive standards and limits adopted by the entity's internal policies and procedures. At a minimum, these auditing procedures should include verification of the following items:

- 1) The specific purpose of the travel is documented on the voucher.
- 2) Travel duration does not exceed the trip requirements, and the beginning and ending hours and dates are shown for each location or component of the trip.
- 3) Mileage claimed for using a personal vehicle is properly calculated and supported, and any vicinity mileage is reasonable and based on the purpose and location of the work assignment.
- 4) Meals claimed do not exceed the allowance established by these policies and any meals provided at conferences or other official activities as shown on an official agenda or schedule are properly excluded from the amounts claimed.
- 5) Daily lodging costs are supported by a detailed invoice and any allowable costs other than the daily rate plus taxes are detailed separately in the "Miscellaneous Expenses" section of the voucher. Any costs on the lodging invoice for meals, beverages, entertainment, or items of a personal nature must be excluded from the costs claimed for reimbursement.
- 6) The purpose and nature of each item in the "Miscellaneous Expenses" section is clearly identified and supported.
- 7) The details of all P-card transactions and any cash advances related to the trip are listed in the "P-Card or Cash Advance" section of the voucher.
- 8) All sub-totals and the grand total are mathematically correct.
- 9) Documentation of all costs incurred and claimed are attached or properly referenced on the voucher.
- 10) Any additional expenses resulting when travel deviates from the authorized purpose are not claimed or are properly approved and documented by the approving authority.

The entity shall maintain all records of travel expense vouchers and supporting documentation for a period of three (3) years or until the next audit is completed.

G. Costs Paid Through Direct Billing, P-Card, Third Party, or Other Traveler

All costs of official State travel must be specifically identified on the travel expense voucher even if the amount was paid through direct billing, P-Card, third party, or other traveler. A full and complete accounting of the costs incurred and paid by other methods, and any funds advanced to the traveler, is necessary to identify the net amount owed to or due from the traveler. The travel expense voucher must be completed, even if the net amount due to or owed by the traveler is zero, in order to satisfy the certification requirements of Idaho Code 67-2006 by the traveler and approving authority.

H. Documentation When Travel Deviates From Authorized Purposes

A traveler may be authorized to extend the duration of a trip or deviate from the most direct and cost-effective route and mode of travel for personal or other non-official business purposes. In these situations, the traveler must document the actual costs incurred with a detailed comparison to the amounts that would have been incurred had the trip included only the authorized and required duration, destinations, and followed the most direct and cost-effective route and mode of travel.

If the deviation from the authorized purpose of the travel involves airfare, the cost without the deviation must be documented within a reasonable time frame of the date the actual airfare reservation was made, preferably the same day. In no event will the total allowed costs exceed the actual costs incurred.

3. Mode and Route of Travel

A. Mode of Travel

Travelers shall use the most cost-effective and efficient mode of travel. Exceptions to this requirement may be allowed due to unusual or unforeseen circumstances that are properly documented and authorized by the approving authority. Supporting documentation must be attached to the travel expense voucher.

When for personal reasons the mode of travel used is not the most cost-effective and efficient mode available and such a deviation is specifically authorized by the approving authority, only those costs which would have been incurred using the most cost-effective and efficient mode available will be allowed. Any costs associated with excess travel time resulting from the use of other modes of travel for personal reasons shall not be allowed. If the traveler is a State employee, the excess time shall be charged to accrued leave balances or other leave types.

B. Route of Travel

Travelers must use the most direct and/or efficient route of travel that considers actual costs and travel time. Additional factors can be considered when selecting the route of travel, such as weather conditions or other issues which could increase travel time or hazards to the traveler.

C. Private Vehicle Mileage Reimbursement

Mileage for using a private vehicle for official State business shall be computed according to MapQuest, Yahoo or Google Maps, or other source which supports the distance as the most direct and/or efficient route. Mileage will be reimbursed at the rate established by the State Board of Examiners. Odometer readings are permissible only when mileage computations cannot be readily or easily determined from these independent sources. Under no circumstance is the purchase of gasoline dispensed into a private vehicle an allowable expense in lieu of mileage reimbursement for using a private vehicle for official State business.

COMMUTING: Expenses are not allowed for travel between home and office or for other non-official purposes, except for expenses incurred by a state employee to participate in an approved agency commuting plan. Commuting plans must be submitted by a state agency in writing and approved by the Office of the Governor.

Mileage from the official primary work station to the airport is reimbursable. Mileage from the traveler's home to the airport is not reimbursable unless it is a shorter distance.

If a State-owned vehicle is available to the traveler but for personal reasons a private vehicle is used, the mileage reimbursement shall be limited to one-half the established rate, unless the full rate is authorized by the approving authority with documentation supporting the reason for authorizing the full rate.

D. Vicinity Mileage

Mileage incurred for official State business within the traveler's official primary work station area or other locations are allowable and may be consolidated on a daily basis and reported as "vicinity travel" on the travel expense voucher and reimbursed at the allowed rate.

E. Vehicle Parking Fees

Fees for vehicle parking are an allowable expense based on the proximity to the temporary work location and are usual and customary, such as parking meters or garages, airports, or hotels that include parking fees in their published fee schedules.

F. State Vehicle Usage

The use of a State vehicle for personal or other non-official business is strictly prohibited. Commuting from the traveler's primary work location and declared residence using a State vehicle is permissible only when the official travel purpose begins or ends outside the traveler's usual daily work schedule, such as before 7 am or after 6 pm, or for other reasons considered in the best interest of the State that are specifically documented and authorized by the approving authority.

State vehicles shall not be operated by or used to transport individuals who are not directly involved in the official State travel purpose unless prior approval has been granted by the approving authority. State vehicles shall be operated only by individuals who possess a valid operator's license.

The names and an explanation of the responsibilities of administrative personnel determined by the Idaho State Government entity's senior management to require the permanent assignment of a state vehicle shall be furnished to the Board of Examiners for approval.

G. Rental Vehicle

A rental vehicle may be authorized by the approving authority when such use is determined and documented to be the most effective and cost-efficient means of transportation for performing official business. The size and style of the rental vehicle shall be consistent with the travel needs. The selection of a rental vehicle vendor shall consider the overall cost, location, convenience, vehicle type, and the availability of vendors enrolled in statewide contracts. Additional insurance should not be purchased when using a vendor enrolled in statewide contracts. The coverage is included in the contract.

H. State-owned or Private Aircraft

The use of State-owned or private aircraft may be appropriate when it is more cost-effective or efficient than other modes of transportation. The specific issues considered that support the decision must be documented, including the travel itinerary, scheduling challenges, accessibility, number of travelers, and overall costs as compared to other modes of travel. When using a private aircraft, evidence of public liability and property damage insurance must be on hand pursuant to Idaho Code.

I. Traffic Violations

Any infractions of traffic laws and resulting fines are the sole responsibility of the traveler and are not a reimbursable expense by the State. Traffic and parking tickets are an infraction of state or local traffic laws and are not reimbursable regardless of whether you are in a personal or state vehicle.

J. Taxi and Other Public Transit

Taxi services, airport shuttles, or other public transit while traveling for official State business are allowable expenses. Evidence must be submitted that identifies the itinerary of each use which coincides with the official travel requirements.

K. Commercial Airfare and Related Costs

The cost for commercial airfare shall be limited to the lowest available class of passage rate, such as "coach" or similar classification. Airfare at other classes and seat selection or other upgrade fees are not allowed unless properly documented that the seat selection, upgrade fees, or class of passage at a higher rate was necessary due to availability, physical limitations, or other factors and that the ticket was purchased at the earliest opportunity. Baggage fees charged by commercial airlines are allowable not to exceed one checked bag and one carry-on bag per departure unless additional baggage costs are necessary and approved in advance. Any additional costs, such as in-flight services, internet access, or entertainment, are not allowable and are the responsibility of the traveler, unless a valid business purpose is identified and approved in advance by the designated authority.

4. Travel Status

A. Duration

The duration of official travel shall not exceed the maximum time necessary to conduct State business for the stated purpose of the travel. It is appropriate for the traveler to leave their official primary work station or declared residence in sufficient time to arrive at an airport or other point of public transit by the recommended pre-departure time. Actual time while in official travel status for any and all reasons must be documented on the voucher.

B. Personal Leave While in Official Travel Status

A traveler who has been granted leave while on official travel status shall identify on the travel voucher the exact dates and times of departure and return to official State business. If official travel includes personal travel components, allowable travel costs shall not exceed the amounts that would have been incurred had the traveler not combined personal travel with business travel. Combining personal travel with official State travel is not justification for using a private vehicle and receiving full mileage reimbursement when a State-owned vehicle is available. Use of the State P-Card for personal portions of a business trip is prohibited.

C. Changes to Official Travel Status for Unusual Circumstances

Any changes to the duration of official travel resulting from unusual circumstances, such as severe weather, road conditions, airline delays, illness, or other situations beyond the traveler's control, must be fully documented and approved by the approving authority to support the increase or decrease of allowable costs and time resulting from the unusual circumstance.

5. Lodging

A. Selection Process

The process for selecting a lodging vendor for each official travel day shall consider the proximity to the required work location, room type, and daily rate. Other amenities or premiums offered by lodging vendors can be considered in the selection process, such as on-site restaurants, internet access availability, free breakfasts, and beverages, or other services, but the proximity and daily rate should be the primary consideration. At the time a reservation is made or when registering on-site, travelers should request the "government rate" if available.

Lodging provided by relatives or other individuals is not an allowable expense unless they are in the business of providing such services which are publicly advertised and a formal invoice is provided.

No claim will be paid for lodging if the traveler is not in official travel status.

6. Per Diem Allowance

A. Daily Per Diem Allowance Rates

A daily Per diem allowance shall be paid to the traveler in accordance with the amounts and hours of the day as established by the State Board of Examiners pursuant to Appendix B. The Per diem allowance is a fixed amount for a full day of official travel status and is not a reimbursement for actual costs incurred. No receipt or other evidence of expenditure is required. The Per diem allowance is intended to cover the cost of

food, beverages, and related gratuities and no portion of these costs shall be reimbursed as separate items. The Per diem allowance shall be based on the rate at the temporary work location, and on the final day of travel, the allowance shall be the rate for the location where the traveler last stayed the night prior to returning to their official primary work station.

B. Timeframes for Partial Day Per Diem Allowance

The amount of the Per diem allowance when the employee is in official travel status that does not involve an overnight stay, or for the first and last day of a multiple-day trip, shall be calculated based on the percentages of the daily Per diem allowance as established by the State Board of Examiners.

- 1) 25% for breakfast (leave at 7:00 am or earlier/return at 8:00 am or later)
- 2) 35% for lunch (leave at 11:00 am or earlier/return at 2:00 pm or later)
- 3) 55% for dinner (leave at 5:00 pm or earlier/return at 7:00 pm or later)

Each entity of State government may adopt an internal policy regarding the time frames for allowing partial day Per Diem allowance in order to consider the effects of swing shifts and other flexible work schedules that are usual and customary to the entity.

C. Meals Provided by Others and at Conferences

When meals are furnished by others or as part of a meeting or conference and are identified on an official agenda, the Per diem allowance for the day shall be calculated for only those meals not provided. The allowable amount shall use the following percentages applied to the allowable Per diem allowance for each meal not provided by others or as part of a meeting or conference:

- 1) 25% for breakfast
- 2) 35% for lunch
- 3) 55% for dinner

Complimentary meals or beverages provided by lodging vendors, commercial airlines, or other commercial entities will not be considered when determining Per diem allowances.

7. Incidental Expenses

A. Communications While in Travel Status

- 1) Telephone - The cost of personal telephone calls to others within the U.S. while on official travel status is allowable. Travelers are allowed to incur the cost of one phone call for each full or partial day of official travel through commercial telephone service or calling card not to exceed ten (10) minutes per call.
- 2) Internet Access - The cost to gain access to the internet at the temporary work location or lodging vendor for official State business is allowable. The cost to access the internet aboard airplanes, or other locations may be allowable, provided that a justification is attached to the travel voucher that such access at the time and location is essential in the performance of official State business and is not predominately for personal convenience or entertainment.

B. Tips and Gratuity

Tips and gratuity are included in the Per diem allowance amount and cannot be claimed separately, even if the gratuity is unrelated to a meal expense. This includes all amounts related to taxi or airport shuttle services, baggage handling, hotel services, or for which gratuities are usual and customary for the services provided.

C. Laundry and Dry Cleaning Services

The costs for laundry and dry cleaning services are allowable if the duration of the official travel exceeds five (5) calendar days.

D. Entertainment

The costs for entertainment, such as in-room movies, video games, pay-per-view television programs, or similar items, are not allowable.

E. Other

Expenses not specifically described in these policies but which are necessary in the performance of official State business and properly authorized and documented, are allowable.

8. Travel Premiums

A. Travel Premiums

Travel premiums and benefits, such as frequent flyer miles or hotel points, awarded as a result of official State travel are the property of the traveler and will not be claimed by the State.

9. Third-Party Funded Travel

A. Reimbursements

Each entity is charged with the responsibility of identifying any travel costs paid for or reimbursed by outside sources to ensure that all travel is justified by the entity's mission. When a third party has directly paid or reimbursed the cost of any part of the travel costs, the name and billing address of the third party must be identified and attached to the travel voucher. Any reimbursement must be paid directly to the entity or endorsed over to the entity by the traveler.

Each entity is charged with the responsibility of identifying all employee travel for business purposes to ensure that all travel is justified by the entity's mission. When a third party has reimbursed the cost of any part of previously paid State travel costs the name and billing address of the third party must be identified and attached to the travel voucher. Any reimbursement must be paid directly to the entity or endorsed over to the entity by the traveler. Any third-party reimbursement that exceeds allowable costs of these policies should be returned to the third party or retained by the State government entity if the third party does not provide for partial refunds. Under no circumstance shall the traveler retain any excess over allowable costs.

B. Direct Pay

Each entity is charged with the responsibility of identifying all employee travel for business purposes to ensure that all travel is justified by the entity's mission. If the business travel is covered 100% by the third party and the State has no financial liability for the travel costs, is not providing a travel advance, not providing travel reimbursement, and a state P-card is not used for the travel; then an approved travel authorization will serve as documentation for the travel and a travel expense voucher is not required.

Any employee's travel for business purposes that is covered in whole or part by a Third Party is required to adhere to all State Laws covering ethics in government, including the Bribery and Corrupt Influence Act, the Prohibition Against Contracts with Officers Act, and the Ethics in Government Act. (For further information, employees are encouraged to read and understand the Idaho Ethics in Government Manual, produced by the Idaho Office of the Attorney General.)

10. Other Items

A. Meals and Refreshments at Entity-Sponsored Meetings

The State Board of Examiners recognizes the importance of sponsoring meetings and training sessions for specific purposes, and that refreshments and meals may be provided to ensure the best utilization of attendee time under the following criteria:

- 1) Refreshments:
 - a) The meeting has a published agenda where attendance is mandatory.
 - b) The meeting has an intended duration of three (3) hours or more as shown on the agenda.
 - c) There are five (5) or more attendees.
 - d) The total cost per attendee PER DAY cannot exceed twenty-five percent (25%) of the in-state daily Per diem allowance established by the Board.
- 2) Meals:
 - a) The meeting has a published agenda and attendance is mandatory, for an identified business purpose.
 - b) The meeting has an intended duration of six (6) hours or more as shown on the agenda.
 - c) There are five (5) or more attendees.
 - d) The meeting's purpose is furthered by presentations or interpersonal exchange during the meal period.
 - e) The total cost per attendee cannot exceed the partial day Per diem allowance for the period of the meal as established by the Board.
 - f) Location or scheduling conflicts are not sufficient grounds for a meal recess.

Routine employee, staff meetings, department-sponsored social gatherings, or similar gatherings shall not qualify for refreshment or meal costs.

B. Meals and Refreshments for State Appointed Volunteers

The State Board of Examiners recognizes the importance of state appointed volunteers that have been appointed by a state department, agency or Idaho state government entity to attend meetings, participate in policy discussions, or provide services for the benefit of the public. Refreshments and meals may be provided to state appointed volunteers under the following criteria:

- 1) For state sponsored meetings and trainings, refreshments and meals may be provided to state appointed volunteers under the following criteria:

Refreshments:

- a) The meeting was at the request of the state agency and has a business purpose; and
- b) The total cost per attendee PER DAY does not exceed twenty-five percent (25%) of the in-state daily per diem allowance established by the Board.

Meals:

- a) The meeting has a published agenda and attendance is mandatory, for an identified business purpose.
- b) The meeting has an intended duration of six (6) hours or more as shown on the agenda.
- c) There are five (5) or more attendees.
- d) The meeting's purpose is furthered by presentations or interpersonal exchange during the meal period to ensure the best utilization of time.
- e) The total cost per attendee cannot exceed the partial day Per diem allowance for the period of the meal as established by the Board.
- f) Location or scheduling conflicts are not sufficient for a meal recess.

Routine employee, staff meetings, department-sponsored social gatherings, or similar gatherings shall not qualify for refreshment or meal costs.

- 2) For other volunteer services, refreshments may be provided as a gesture of appreciation to volunteers during or after work is performed under the following criteria:
 - a) The services are being provided under the organization and supervision of a state department, agency, entity and are for the benefit of the public.
 - b) The total cost per attendee PER DAY does not exceed twenty-five percent (25%) of the in-state daily per diem allowance.

C. Foreign Travel, Currency Exchange, and Other Costs

The State of Idaho foreign travel policy, pursuant to Idaho Code §67-2008A, shall be as follows:

The [foreign travel per diem allowance \(FTPDA\)](#) is a payment in lieu of reimbursement for actual expenses. The FTPDA is intended to cover the costs of meals at adequate, suitable, and moderately priced facilities including costs of mandatory service charges, taxes, laundry, and dry cleaning. The FTPDA will be based on the most current publication of the U.S. Department of State Maximum Travel Per Diem Allowances for Foreign Areas. The daily FTPDA will be 100% of the listed M & IE rate in the above publication. The actual cost of lodging plus applicable tax and service charge will be allowed to the traveler.

D. Travelers with Disabilities

With prior approval of the State government entity's approving authority, travelers with disabilities are allowed payments of certain additional travel expenses to accommodate their disabilities, such as but not limited to subsistence and transportation of an attendant when the employee requires assistance, cost of specialized transportation, increased cost of specialized services for public carriers, or special baggage handling fees.

For travelers with disabilities, reasonable accommodations regarding specific situations not addressed by these policies are allowable if properly documented and authorized by the approving authority.

E. Use of Statewide Open Contracts Relating to Travel Services

Approving authorities shall inform all travelers about the availability of statewide open contracts relating to travel services, as issued by the Department of Administration, Division of Purchasing, and that these vendors should be considered to the extent possible.

F. Commuting Expenses

Expenses for commuting between the traveler's declared residence and official primary work station are not allowable, except for expenses incurred by a State employee to participate in an approved agency commuting plan submitted by a State agency in writing and approved by the Office of the Governor.

G. Compensatory Time for Travel

Compensatory time for travel will be granted in accordance with Fair Labor Standards Act (FLSA) Regulations 29 C.F.R. § 785.38, 785.39, 785.40, 785.41, to all employees except those listed as "non-covered" under the FLSA, elected officials, those included in the definition of § 67- 5303(j) and 67- 5302(12) Idaho Code, bona fide volunteers, independent contractors, prisoners, and "trainees".

11. Definitions

Daily Per Diem

The daily per diem is the amount given to a traveler to cover expenses such as meals, meal gratuities, and fees and tips given to porters, baggage carriers, bellhops, hotel maids, stewards or stewardesses on ships, and hotel servants in foreign countries.

Employee

An employee is a person, other than a patient, inmate, or student employed in a state institution, who receives a payroll warrant or direct deposit from the State Controller as payment of wages for services rendered to, and on behalf of, a department or agency legally recognized as an entity of Idaho State government or local health district.

Official Primary Work Station

The official primary work station is the location where the employee regularly performs his or her duties. If the employee's work involves recurring travel or varies on a recurring basis, an area defined by the agency that includes the location where the employee regularly performs his or her duties is considered the official primary work station.

Official Travel

Travel performed the purpose for which it was undertaken was necessary in the public service.

Official Travel Status

Official travel status is when the traveler is physically away from their official primary work station by a distance of 50 miles or more or includes an overnight stay.

Traveler

A traveler is any person traveling on behalf of the State of Idaho for the purpose of official State business.

Vicinity Travel

Travel for official purposes in and about a city, including travel within a traveler's official primary work station, when not constituting a trip between two communities is considered vicinity travel.

State Appointed Volunteer

A person, other than an employee or contractor, that is specifically appointed by a state department, agency, or legally recognized entity of Idaho state government, to participate or attend meetings or trainings, or provide services to the state. This includes members of the public that are appointed to advisory boards, panels, task force work groups, or other positions created by statute or executive order, and includes volunteers that perform services or work specifically organized and supervised by a state department, agency, or entity.

12. Idaho Code References Relating to State Travel

A. Regulation of Per Diem: 67-2004

The state board of examiners is hereby authorized to adopt regulations fixing the daily, half-day, and quarter-day allowances to be made to state officials and employees traveling on official business, within the lawful maximum daily subsistence allowance rate, and to require, by such regulations, such proofs in support of travel subsistence claims as may be deemed by it conducive to public economy.

B. Voucher Forms: 67-2005

It is the duty of the state controller to prescribe forms of vouchers on which all requests for expenditure of state moneys must be submitted, and when such forms of vouchers have been prescribed no request for expenditure of state moneys shall be received and filed by the state controller unless the same shall be presented on the proper form.

C. Travel Expense Vouchers: 67-2006

On all vouchers submitted for travel expenses, there must appear a certificate signed by the head of the department for which the travel was performed, stating that the travel was performed under competent orders, the purpose for which it was undertaken, and that the same was necessary in the public service. The person submitting a voucher for travel expenses must sign thereon a certificate that the account is correct and just.

D. Standard Travel Pay and Allowances: 67-2007

This act may be cited as the "Standard Travel Pay and Allowance Act of 1949." It is the express intention of this act that the provisions hereof shall supersede and control the language of any statute heretofore enacted relating to the allowance of requests for reimbursement for travel and/or subsistence, including, but without limitation, statutes which provide for the payment of actual and necessary expenses to any officer, agent, employee, clerk, board, or commission of the state; and it is further intended that the provisions of this act, and regulations issued hereunder, shall apply to and govern all acts authorizing the payment for travel and/or subsistence which may be enacted hereafter unless the same shall be expressly exempted from the terms of this act. Such acts shall be construed as being subject to the provisions of this act unless an express exemption shall be set forth in such subsequent act.

E. Determination of rate of allowance: 67-2008

(1) At its first meeting after the effective date of this act, and thereafter as it shall deem appropriate, the board of examiners shall by regulation fix a rate of allowance for per diem subsistence for officers, agents, and all other employees of the state who are absent from their post of duty on official business, which shall be effective for the year in which such allowance is fixed, and shall fix a rate of allowance for mileage for official travel executed by privately owned means of conveyance, which rate of allowance shall be effective for the year in which it is fixed; provided, however, that the board shall fix no rate of per diem allowance which is higher than:

- a) Actual lodgings (maximum to be set by the board of examiners) and per diem allowance which is no higher than allowed under the Internal Revenue Code for travel within the state; and
- b) Actual lodgings (maximum to be set by the board of examiners) and per diem allowance which is no higher than allowed under the Internal Revenue Code without the state; and
- c) A rate of mileage allowance which is no higher than the standard mileage rate for the business use of an automobile allowed under the Internal Revenue Code for income tax purposes; and
- d) The mileage allowance for private aircraft travel shall be set by the board and shall be no higher than that allowed for automobile travel, calculated as if the travel had been by highway route.

(2) In fixing rates of allowance under this act, the board shall consider the prevailing cost of executing such travel, generally prevailing economic conditions, and the rates of allowance made applicable to similar travel by the Federal Government and private employers within the state.

(3) For a period where employees are to be absent from their post on official business for less than twenty-four (24) hours, the board's regulations shall provide for partial days' subsistence rates.

F. Rates of Allowance Foreign Travel

The board of examiners shall determine reasonable rates of allowance for per diem subsistence for officers, agents, and employees of the state who are absent from their post of duty on official business in a foreign country. In determining such rates of allowance, the limitations of § 67-2008, Idaho Code, shall not apply. The board shall determine rates of allowance which are reasonable based upon factors such as the prevailing cost of executing such travel, generally prevailing economic conditions, and the rates of allowance made applicable to similar travel by the federal government and private employers within the state.

Appendix A: History of Rate Changes

History of Rate Changes:			
<u>Effective Date</u>	<u>Private Vehicle</u>	<u>MEALS In-State</u>	<u>MEALS Out-State</u>
7-1-74	15 cents car		
7-1-75		\$10.00	\$14.00
7-1-78	15 cents car / 17 cents air	\$12.00	\$15.00
7-1-79			\$17.00
8-15-79	17 cents car		
5-1-80	18 cents car	\$15.00	\$20.00
7-1-84	22 cents car		
1-1-85	20.5 cents car		
12-13-88	22 cents private vehicle/aircraft		
7-1-90	26 cents car	\$20.00	\$30.00
7-1-96	31 cents private vehicle/aircraft	\$20.00	\$30.00
2-13-00	32.5 cents private vehicle/aircraft	\$20.00	\$30.00
1-2-01	34.5 cents private vehicle/aircraft	\$20.00	\$30.00
7-1-01	34.5 cents private vehicle/aircraft	\$30.00	\$30.00 or Federal Rate
1-1-02	36.5 cents private vehicle/aircraft	\$30.00	\$30.00 or Federal Rate
1-1-03	36.0 cents private vehicle/aircraft	\$30.00	\$30.00 or Federal Rate
1-1-04	37.5 cents private vehicle/aircraft	\$30.00	\$31.00 or Federal Rate
4-12-05	40.5 cents private vehicle/aircraft	\$30.00	\$31.00 or Federal Rate
9-1-05	48.5 cents private vehicle/aircraft	\$30.00	\$31.00 or Federal Rate
1-1-06	44.5 cents private vehicle/aircraft	\$30.00	\$39.00 or Federal Rate
1-1-07	48.5 cents private vehicle/aircraft	\$30.00	\$39.00 or Federal Rate
1-1-08	50.5 cents private vehicle/aircraft	\$30.00	\$39.00 or Federal Rate
7-1-08	58.5 cents private vehicle/aircraft	\$30.00	\$39.00 or Federal Rate
1-1-09	45.5 cents private vehicle/aircraft	\$30.00	\$39.00 or Federal Rate
10-1-09	45.5 cents private vehicle/aircraft	\$30.00	\$46.00 or Federal Rate

(Approved on 12-15-09)			
7-1-12	55.5 cents private vehicle/aircraft	\$30.00	\$46.00 or Federal Rate
10-1-15	55.5 cents private vehicle/aircraft	\$45.00	\$51.00 or Federal Rate
1-1-16	54 cents private vehicle/aircraft	\$45.00	\$51.00 or Federal Rate
1-1-17	53.5 cents private vehicle/aircraft	\$45.00	\$51.00 or Federal Rate
10-1-18	53.5 cents private vehicle/aircraft	\$45.00	\$55.00 or Federal Rate
2-19-19	58 cents private vehicle/aircraft	\$49.00	\$55.00 or Federal Rate
1-1-20	57.5 cents private vehicle/aircraft	\$49.00	\$55.00 or Federal Rate
1-1-21	56 cents private vehicle/aircraft	\$49.00	\$55.00 or Federal Rate
1-1-22	56 cents private vehicle/aircraft	\$55.00	\$59.00 or Federal Rate
1-18-22	58.5 cents private vehicle/aircraft	\$55.00	\$59.00 or Federal Rate
7-19-22	62.5 cents private vehicle/aircraft	\$55.00	\$59.00 or Federal Rate
1-17-23	65.5 cents private vehicle/aircraft	\$55.00	\$59.00 or Federal Rate
2-1-24	67.0 cents private vehicle/aircraft	\$55.00	\$59.00 or Federal Rate
2-1-25	70.0 cents private vehicles/aircraft	\$58.00	\$68.00 or Federal Rate

Change to Mileage Rate

- If the Federal Mileage rate is set below the current State of Idaho mileage rate, then the State of Idaho mileage rate will automatically decrease to match the Federal rate.
- If the Federal Mileage rate is set above the current State of Idaho mileage rate, then the Board of Examiners will review the change at their next meeting to see whether a change is merited.
- If the State of Idaho updates the State mileage rate, the Secretary to the Board of Examiners will send notification to all agencies.

Appendix B: Examples

Maximum Per Diem Allowance

Daily Per Diem Allowance (see definition of “per diem” in Section 11)

- In State \$58.00 day
- Out-of-State Per Diem Allowance \$68.00 per day is the base, but would allow the higher federal rate

Partial Day Per Diem Allowance

Where employees are to be absent from their primary official station on official business for less than twenty-four (24) hours, partial day per diem allowance is equal to a maximum of twenty-five percent (25%) of the total per diem allowance for breakfast, thirty-five percent (35%) for the total per diem allowance for lunch, and fifty-five percent (55%) of the total per diem allowance for dinner.

Partial Day Per Diem Allowance		
	In-State	Out-of-State
Breakfast – 25%	\$14.50	\$17.00 or 25% of Federal Rate
Lunch – 35%	\$20.30	\$23.80 or 35% of Federal Rate
Dinner – 55%	\$31.90	\$37.40 or 55% of Federal Rate

Official Conferences or Conventions

For meals not included in the registration, the above limits upon partial day per diem reimbursements do not apply to official conferences or conventions as described in Section 6. C. herein whether at the official station or not. As to such conferences or conventions, only the statutory daily limits of I.C. §67-2008 will apply.

Agencies may adopt maximums of lesser amounts than those established by the Board of Examiners.

Appendix C: Examples

Per Diem examples

- Employee attends a conference at their home station and lunch is provided as part of the conference registration fee (registration fee was paid by the employer). The meal is allowable and no reimbursement for the meal cost is due back to the employer from the employee. Providing the conference meets the definition listed in Section 6. C. of the Board of Examiners Travel Policy. (Please note on this example the employee is not in travel status since the conference is at their home station, and is not eligible for per diem allowance.)

- B. Employee is in travel status and the hotel they are staying at offers a continental breakfast. Employee does not have to deduct the partial day per diem amount for the continental breakfast (see Section 6. C. of the Board of Examiners Travel Policy). The employee can voluntarily choose to deduct the partial day per diem amount for the continental breakfast, if they utilized that service, but it is not required.
- C. Employee is in travel status and attends a conference out of town and lunch is provided as part of the conference registration fee (registration fee was paid by the employer) then the employee can only be reimbursed the per diem amounts for any meals not provided (see Section 6. C. of the Board of Examiners Travel Policy).
- D. Employee is in travel status and attends an agency-sponsored meeting or training and lunch is provided, then the employee can only be reimbursed for any meals not provided (see Section 6. C. of the Board of Examiners Travel Policy).

Appendix D: When Travel is Time Worked (per FLSA)

§ 785.33 General.

The principles which apply in determining whether or not time spent in travel is working time depend upon the kind of travel involved. The subject is discussed in §§ 785.35 to 785.41, which are preceded by a brief discussion in § 785.34 of the Portal-to-Portal Act as it applies to traveltime.

§ 785.34 Effect of section 4 of the Portal-to-Portal Act.

The Portal Act provides in section 4(a) that except as provided in subsection (b) no employer shall be liable for the failure to pay the minimum wage or overtime compensation for time spent in "walking, riding, or traveling to and from the actual place of performance of the principal activity or activities which such employee is employed to perform either prior to the time on any particular workday at which such employee commences, or subsequent to the time on any particular workday at which he ceases, such principal activity or activities." Section 4(a) further provides that the use of an employer's vehicle for travel by an employee and activities that are incidental to the use of such vehicle for commuting are not considered principal activities when the use of such vehicle is within the normal commuting area for the employer's business or establishment and is subject to an agreement on the part of the employer and the employee or the representative of such employee. Subsection (b) provides that the employer shall not be relieved from liability if the activity is compensable by express contract or by custom or practice not inconsistent with an express contract. Thus travel time at the commencement or cessation of the workday which was originally considered as working time under the Fair Labor Standards Act (such as underground travel in mines or walking from time clock to work-bench) need not be counted as working time unless it is compensable by contract, custom or practice. If compensable by express contract or by custom or practice not inconsistent with an express contract, such traveltime must be counted in computing hours worked. However, ordinary travel from home to work (see § 785.35) need not be counted as hours worked even if the employer agrees to pay for it.

(See *Tennessee Coal, Iron & RR. Co. v. Musecoda Local*, 321 U.S. 590 (1946); *Anderson v. Mt. Clemens Pottery Co.*, 328 U.S. 690 (1946); *Walling v. Anaconda Copper Mining Co.*, 66 F. Supp. 913 (D. Mont. (1946).) [26 FR 190, Jan. 11, 1961, as amended at 76 FR 18860, Apr. 5, 2011])

§ 785.35 Home to work; ordinary situation.

An employee who travels from home before his regular workday and returns to his home at the end of the workday is engaged in ordinary home to work travel which is a normal incident of employment. This is true whether he works at a fixed location or at different job sites. Normal travel from home to work is not worktime.

§ 785.36 Home to work in emergency situations.

There may be instances when travel from home to work is overtime. For example, if an employee who has gone home after completing his day's work is subsequently called out at night to travel a substantial distance to perform an emergency job for one of his employer's customers all time spent on such travel is working time. The Divisions are taking no position on whether travel to the job and back home by an employee who receives an emergency call outside of his regular hours to report back to his regular place of business to do a job is working time.

§ 785.37 Home to work on special one-day assignment in another city.

A problem arises when an employee who regularly works at a fixed location in one city is given a special 1-day work assignment in another city. For example, an employee who works in Washington, DC, with regular working hours from 9 a.m. to 5 p.m. may be given a special assignment in New York City, with instructions to leave Washington at 8 a.m. He arrives in New York at 12 noon, ready for work. The special assignment is completed at 3 p.m., and the employee arrives back in Washington at 7 p.m. Such travel cannot be regarded as ordinary home-to-work travel occasioned merely by the fact of employment. It was performed for the employer's benefit and at his special request to meet the needs of the particular and unusual assignment. It would thus qualify as an integral part of the "principal" activity which

the employee was hired to perform on the workday in question; it is like travel involved in an emergency call (described in § 785.36), or like travel that is all in the day's work (see § 785.38). All the time involved, however, need not be counted. Since, except for the special assignment, the employee would have had to report to his regular work site, the travel between his home and the railroad depot may be deducted, it being in the "home-to-work" category. Also, of course, the usual meal time would be deductible.

§ 785.38 Travel that is all in the day's work.

Time spent by an employee in travel as part of his principal activity, such as travel from job site to job site during the workday, must be counted as hours worked. Where an employee is required to report at a meeting place to receive instructions or to perform other work there, or to pick up and to carry tools, the travel from the designated place to the work place is part of the day's work, and must be counted as hours worked regardless of contract, custom, or practice. If an employee normally finishes his work on the premises at 5 p.m. and is sent to another job which he finishes at 8 p.m. and is required to return to his employer's premises arriving at 9 p.m., all of the time is working time. However, if the employee goes home instead of returning to his employer's premises, the travel after 8 p.m. is home-to-work travel and is not hours worked.

(Wallingv. Mid-Continent Pipe Line Co., 143 F. 2d 308 (C. A. 10, 1944))

§ 785.39 Travel away from home community.

Travel that keeps an employee away from home overnight is travel away from home. Travel away from home is clearly worktime when it cuts across the employee's workday. The employee is simply substituting travel for other duties. The time is not only hours worked on regular working days during normal working hours but also during the corresponding hours on nonworking days. Thus, if an employee regularly works from 9 a.m. to 5 p.m. from Monday through Friday the travel time during these hours is worktime on Saturday and Sunday as well as on the other days. Regular meal period time is not counted. As an enforcement policy the Divisions will not consider as worktime that time spent in travel away from home outside of regular working hours as a passenger on an airplane, train, boat, bus, or automobile.

§ 785.40 When private automobile is used in travel away from home community.

If an employee is offered public transportation but requests permission to drive his car instead, the employer may count as hours worked either the time spent driving the car or the time he would have had to count as hours worked during working hours if the employee had used the public conveyance.

§ 785.41 Work performed while traveling.

Any work which an employee is required to perform while traveling must, of course, be counted as hours worked. An employee who drives a truck, bus, automobile, boat or airplane, or an employee who is required to ride therein as an assistant or helper, is working while riding, except during bona fide meal periods or when he is permitted to sleep in adequate facilities furnished by the employer.