

Enterprise Services Administrative Policy No. FO.01.05

Travel Reimbursement by Non-State Entities Policy

Title:	Travel Reimbursement by Non-State Entities Policy
Applies To:	All DES employees
Authorizing Sources:	<ul style="list-style-type: none">• State law – <u>RCW 43.19.011 Director – Powers and duties</u>• State policy - <u>SAAM Section 10.20 Travel Reimbursement Principles</u>• Advisory opinion – <u>Executive Ethics Board AO 01-07A</u>
Information Contact:	Contracts and Legal Division
Original Effective Date:	October 1, 2011
Last Update:	September 9, 2013
Sunset Review Date:	September 30, 2016
Approved By:	<hr/> Chris Liu Director

Background

In advisory opinion (AO) 01-07A, the Executive Ethics Board (Board) speaks to gift restrictions on donations to the state made by non-state entities.

Because the Board is seriously concerned about the appearance of a regulatory agency receiving a gift from a person regulated by the agency, they recommend that state agencies adopt guidelines which make sure that any gift accepted by the agency is not directly related to, or does not have the appearance of intent to influence an official state action.

In addition, the Office of Financial Management (OFM) requires agencies to adopt policies and procedures when travel or training expenses are reimbursed by a person or a non-state entity.

Purpose

The purpose of this policy is to:

- Speak to situations where travel or training costs are paid for or reimbursed by a person or non-state entity;
- Avoid an ethical violation and reduce any appearance of intent to influence the Department of Enterprise Services (Enterprise Services) or its employees in these situations.

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Executive Ethics Board

Date: 11-8-13

Policy

From time to time, non-state entities offer to pay an employee's travel and training expenses or to pay for an employee's travel and training arrangements. This is beneficial to the agency because travel and training expenses are reduced and training opportunities are increased.

State law and agency policy places restrictions on gifts that can be received by state employees including gifts of travel and training. Because these restrictions do not apply to gifts made to the state or its agencies, all travel or training reimbursement by non-state entities will be paid directly to the agency.

Enterprise Services is concerned about the appearance of receiving a gift from anyone regulated by the agency or that contracts with the agency. Because of this, Enterprise Services will not accept gifts from anyone that is regulated by the agency, contracts with the agency, or seeks to contract with the agency. This includes reimbursement for travel or training expenses.

A. The Director or the Director's designee will decide whether to accept gifts of travel or training. Consideration of the appropriateness of accepting the gifts will be a factor in the decision.

Deputy directors and division heads are delegated authority to approve travel or training that will be reimbursed by a non-state entity (see RCW 43.19.011 Director – Powers and duties). No further authority may be implied from this delegated authority. Further delegation of this authority is prohibited.

B. Approval is required before any travel or training arrangements are made.

Written approval is required before making travel or training arrangements when Enterprise Services will be reimbursed for some or all related costs by non-state entities.

The approval and all related supporting documentation must be provided to the Finance Division upon the completion of the travel or training.

Employees will request approval from their division head. Division heads will request approval from their Deputy director. Deputy directors will request approval from the agency director or designee.

The approval documentation must include, at a minimum:

- The purpose of the trip;
- The relationship Enterprise Services has with the individual or entity that is reimbursing the agency;
- The expected benefits to the employee's work assignment that will result from the travel and training; and
- The anticipated costs associated with the travel or training (those to be incurred by Enterprise Services and afterward reimbursed/paid for from the non-state entity).

The approval of the director or designee is needed for out-of-state travel. Also, the director and the Office of the Governor are required to provide prior approval of employee travel outside the continental United States, Alaska and British Columbia.

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C. Reimbursement is made directly to Enterprise Services.

Before the travel or training takes place, the non-state entity must agree to reimburse Enterprise Services and not directly pay for any related costs.

The Finance Division will bill the non-state entity for reimbursement and will determine how to record and track gifts of travel funds as state funds.

D. Allowable travel costs.

Travel costs incurred by employees or paid for by non-state entities must be within the travel costs that are eligible for reimbursement under SAAM Section 10.20 Travel Reimbursement Principles.

Reimbursements for travel or training shall not be used to pay for additional or unreasonable expenses. Some examples are payment for hotel rooms that exceed the Office of Financial Management travel rules or travel by a spouse or family member.

Definitions

Non-state entity means any business, organization, or individual that is not a State of Washington entity. Some examples of non-state entities are: federal government agencies, local government agencies, other states, contractors or vendors, professional or trade associations, non-profit entities, consortiums, and cooperative purchasing alliances. This definition also includes the employees of non-state entities.

History

Amended: *September 25, 2013* – Changes were made in order to make it clear that employees are not permitted to be directly reimbursed for travel or training paid for by a non-state entity. Ownership of this policy was also transferred from the Finance Department to the Contracts and Legal Department. This was done because the policy content is primarily ethics based.

Need a copy of a prior version of this policy? Email the agency Policy Manager at policy@des.wa.gov

Questions? Contact the agency Ethics Officer