

Chapter VII Expenses

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Force Account Payroll

Payroll records must show as a minimum the pay period, name, job classification, number of hours worked each day, total hours each pay period, rate of pay, (regular or overtime), total earnings, and paycheck number. Records must additionally indicate which job site the employee was working on each hour of the day, if he worked on more than one job site in a single day. This will enable the official to show exactly who did what, when and for how long on each job site. This should be done at least once a week.

STATE OF COLORADO TRAVEL EXPENSE

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	TRAVEL				<u> </u>	MILEAGE		MEALS AND LODGI				NG		
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be reim while or the Fisc basis. F on this	bursed to me from State business all Rules; and the further, I hereby form constitute a	nents in the above om any other sou is and that no clain nat I actually incurauthorize the Sta approval for use of met and adhered	rces; that ms are inc rred or pai ate to dedi of private a	travel per luded tor d the ope act from r	formed formed for expense expense expense for expense	for which a es of a per kpenses o ny amoun	advance/rein rsonal or pol f the motor v t paid to me	nbursementical naturation of the contract of t	nt is claime re or tor an which rein of my actu	ed was or ly other ex nbursemer ual incurre	will be perfo penses not nt is claimed d expenses.	rmed by r authorize I on a mile . The sign	me d by eage natures	
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VLEFT.XLS (Revised 10/07)

STATE OF COLORADO TRAVEL EXPENSE REIMBURSEMENT FORM INSTRUCTIONS

TRAVEL

For each date of reimbursable expenses, the facility or city **FROM** which the travel began and the facility or city **must** be entered. Various is not acceptable.

TIME DEPART AND TIME RETURN

For each date of reimbursable expenses, the time of departure from the originating facility or city and the time of return are very important. These times are required for meal reimbursement.

MILEAGE

1st column is for actual miles driven. 2nd column is for the approved two or four wheel rate. 3rd column is the total to reimbursed.

MEALS AND LODGING

The per diem rates for travel are in Appendix A, B, and C of Chapter 5 of the State of Colorado Fiscal Rules. If meals are paid for multiple days, there must be a notation in the lodging box. It may be the actual cost, direct bill (DB), prepaid (PPD) or other (O)—explain reason marked other (O). No lunch will be paid for single day travel.

LESS TRAVEL ADVANCE

If a travel advance was given, the amount of the advance must be entered here. If the advance is more than expenses, attach payment for the difference.

MISCELLANEOUS EXPENSE

ter any approved reimbursable expense that are not included in the upper portion of the form. Use page two additional space. Examples of miscellaneous expenses are \$3 incidental, business phone calls, parking, tolls, rental cars, gas, cabs, shuttles, and tips (other than for meals), etc. Use this space for any unusual or additional information that will thoroughly explain why you are requesting payment.

PURPOSE OF TRIP

Briefly explain the purpose of the trip. If the form covers multiple purposes or trips, list each one separately with associated dates. Use page two for additional space.

PERSONS AND AGENCIES CONTACTED

Briefly list the agencies and/or people contacted for each specific purpose.

PAYEE INFORMATION

It is important that all employee information be completed to insure the prompt processing of your Travel Expense Reimbursement. If reimbursement is to be made by EFT (electronic funds transfer), COFRS must be set up in advance and the box next to "Please pay by electronic funds transfer" checked on each submission.

RECOMMENDED FOR APPROVAL

An authorized signature must be given for processing to continue.

COFRS CODING INFORMATION

The appropriate coding string must be entered and must be operating funds.

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Trective	October 1, 2007	M&I				
State	City	County	Seasona	M&I Rate		
California_	Yosemite National Park	Mariposa	10/1/2006	3/31/2007	\$64	
California	Yosemite National Park	Mariposa	4/1/2007	8/31/2007	\$64	
California	Yosemite National Park	Mariposa	9/1/2007	9/30/2007	\$64	
Colorado	Aspen	Pitkin	10/1/2006	11/30/2006	\$64	
Colorado	Aspen	Pitkin	12/1/2006	4/30/2007	\$64	
Colorado	Aspen	Pitkin	5/1/2007	8/31/2007	\$64	
Colorado	Aspen	Pitkin	9/1/2007	9/30/2007	\$64	
Colorado	Boulder / Broomfield	Boulder and Broomfield			\$54	
Colorado	Colorado Springs	El Paso			\$44	
Colorado	Cortez	Montezuma	10/1/2006	5/31/2007	\$39	
Colorado	Cortez	Montezuma	6/1/2007	8/31/2007	\$39	
Colorado	Cortez	Montezuma	9/1/2007	9/30/2007	\$39	
Colorado		Gunnison		11/30/2006	\$49	
Colorado	Crested Butte / Gunnison	Gunnison	12/1/2006	1/31/2007	\$49	
Colorado	Crested Butte / Gunnison	Gunnison	2/1/2007	4/30/2007	\$49	
Colorado _	Crested Butte / Gunnison	Gunnison	5/1/2007	9/30/2007	\$49	
ിorado	Denver / Aurora	Denver / Adams / Arapahoe / Jefferson Counties	. •		\$49	
`orado	Douglas County	Douglas			\$54	
_ Jiorado	Durango	La Plata	10/1/2006	5/31/2007	\$49	
Colorado	Durango	La Plata	6/1/2007	9/30/2007	\$49	
Colorado	Fort Collins / Loveland	Larimer	-		\$44	
	Glenwood Springs /					
Colorado	Grand Junction	Garfield / Mesa			\$49	
Colorado	Montrose	Montrose	10/1/2006	5/31/2007	\$39	
Colorado	Montrose	Montrose	6/1/2007	9/30/2007	\$39	
 Colorado	Silverthorne / Breckenridge	Summit	10/1/2006	11/30/2006	\$54	•
Colorado	Silverthorne / Breckenridge	Summit	12/1/2006	4/30/2007	\$54	
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Colorado	Breckenridge	Summit	5/1/2007	9/30/2007	\$54	
Colorado	Steamboat Springs	Routt	10/1/2006		\$54	
Colorado	Steamboat Springs	Routt	12/1/2006	3/31/2007	\$54	
Colorado	Steamboat Springs	Routt	4/1/2007	9/30/2007	\$54	
Colorado	Telluride	San Miguel	10/1/2006	1/31/2007	\$59	
Colorado	Telluride	San Miguel	2/1/2007	4/30/2007	\$59	
Colorado	Telluride	San Miguel	5/1/2007	9/30/2007	\$59	
Colorado	Vail	Eagle	10/1/2006	11/30/2006	\$64	
Colorado	Vail	Eagle	12/1/2006	3/31/2007	\$64	
Colorado	Vail	Eagle	4/1/2007	9/30/2007	\$64	
Connecticut	Bridgeport / Danbury	Fairfield			\$64	
necticut		Middlesex			\$44	<u>.</u> _
necticut	Hartford	Hartford			\$49	
Connecticut	Lakeville / Salisbury	Litchfield	· ·		\$64	
Connecticut		New Haven			\$64	
Connections	New London / Groton	New London	_		\$64	

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State of Colorado Fiscal Rules Chapter 5: Travel and STMP Related Rules FAQ

Inquiry:

Friday, August 17, 2007

One question I needed answered was travel rule 4.7 that the amount paid is reportable as income on an employees W2. We currently reimburse employees through the employee expense form and if the type of reimbursement is 1099 reportable and over \$600.00, we send out a 1099 to that employee.

My question is do we have to report all employee reimbursable expenses to payroll to be added to the W2?

Response: It all starts with "if the person receiving payment" is an employee. If the person receiving payment is an employee, all payments are to be recorded and reported on form W-2 unless the payment is specifically excluded from withholding in the Internal Revenue Code. If the person receiving payment is not an employee, then the payments are to be recorded and reported on form 1099. Why do some of our employees receive a 1099? Services performed by an employee but in an "independent contractor" relationship (employed as an Admin Assistant (W-2) but is also contracted as the janitorial service (1099)) are the payments that should be recorded and reported on a 1099. All remuneration to an employee is taxable income unless specifically excluded in the Internal Revenue Code. By issuing a 1099 on reimbursements after \$600 has accumulated, not only are we not legally reporting taxable income, but the employee is losing out on Medicare credit.

Please let me know if there are any questions.

Please see below for my references:

Section 6041A of the Internal Revenue Code states:

- (a) Returns regarding remuneration for services
- (1) any service-recipient engaged in a trade or business pays in the course of such trade or business during any calendar year remuneration to any person for services performed by such person, and
- (2) the aggregate of such remuneration paid to such person during such calendar year is \$600 or more, then the service-recipient shall make a return, according to the forms or regulations prescribed by the Secretary, setting forth the aggregate amount of such payments and the name and address of the recipient of such payments. For purposes of the preceding sentence, the term "service-recipient" means the person for whom the service is performed.

and

(c) Certain services not included

No return shall be required under subsection (a) or (b) if a statement with respect to the services is required to be furnished under section 6051, 6052, or 6053.

Section 6051 of the Internal Revenue Code states:

(a) Requirement

Every person required to deduct and withhold from an employee a tax under section 3101 or 3402, or who would have been required to deduct and withhold a tax under section 3402 (determined without regard to subsection (n)) if the employee had claimed no more than one withholding exemption, or every employer engaged in a trade or business who pays remuneration for services performed by an employee, including the cash value of such remuneration paid in any medium other than cash, shall furnish to each such employee in respect of the remuneration paid by such person to such employee during the calendar year, on or before January 31 of the succeeding year, or, if his employment is terminated before the close of such calendar year, within 30 days after the date of receipt of a written request from the employee if such 30-day period ends before January 31, a written statement showing the following:

- (1) the name of such person,
- (2) the name of the employee (and his social security account number if wages as defined in section 3121 (a) have been paid).
- (3) the total amount of wages as defined in section 3401 (a),
- (4) the total amount deducted and withheld as tax under section 3402,
- (5) the total amount of wages as defined in section 3121 (a),
- (6) the total amount deducted and withheld as tax under section 3101,
- (7) the total amount paid to the employee under section 3507 (relating to advance payment of earned income
- (8) the total amount of elective deferrals (within the meaning of section 402 (g)(3)) and compensation deferred under section 457,
- (9) the total amount incurred for dependent care assistance with respect to such employee under a dependent care assistance program described in section 129 (d),
- (10) in the case of an employee who is a member of the Armed Forces of the United States, such employee's earned income as determined for purposes of section 32 (relating to earned income credit),
- (11) the amount contributed to any Archer MSA (as defined in section 220(d)) of such employee or such employee's spouse,
- (12) the amount contributed to any health savings account (as defined in section 223(d)) of such employee or such employee's spouse, and
- (13) the total amount of deferrals for the year under a nonqualified deferred compensation plan (within the meaning of section 409A (d)).

The instructions for form W-2 states:

Employee business expense reimbursements. Reimbursements to employees for business expenses must be reported as follows:

- Generally, payments made under an accountable plan are excluded from the employee's gross income and are not reported on Form W-2. However, if you pay a per diem or mileage allowance and the amount paid exceeds the amount treated as substantiated under IRS rules, you must report as wages on Form W-2 the amount in excess of the amount treated as substantiated. The excess amount is subject to income tax withholding and social security and Medicare taxes. Report the amount treated as substantiated (that is, the nontaxable portion) in box 12 using code L. See Code L- Substantiated employee business expense reimbursements on page 12.
- Payments made under a **nonaccountable plan** are reported as wages on Form W-2 and are subject to federal income tax withholding and social security and Medicare taxes.

Inquiry:

Tuesday, February 20, 2007

- 1.) Under the exceptions to the rule, .07 allowances for travel wholly within a single day. If reimbursing for breakfast and/or dinner, is the amount paid reportable as income?
- 2.) Currently it states that "If breakfast and/or dinner is paid for an employee while **not** traveling,...." If they were not traveling, we wouldn't reimburse them in the first place. So

should it be reading, "while traveling"?

Response:

- 1.) Yes, this amount is reportable as income to the employee. An employee traveling wholly within a single day who does not stop to "rest" or sleep is not considered in travel status per IRS rules. Thus, the expense is not deductible. Therefore, if it is reimbursed by the state, it is includible as income to the employee. (On a side note, "rest" is strictly defined in the IRS rules)
- 2.) Per the above, this situation is not considered "travel status" according to IRS rules. That is probably where the wording above came from. The Office of the State Controller agrees that this language is confusing and will work to clarify in the new fiscal rules update.

Inquiry:

Thursday, February 15, 2007 12:50 PM

Just for my knowledge. Can you refer me to the state rule where the exception can be given under medical conditions and the requirements to get that exception?

Response:

There is not an exception listed in the travel fiscal rule related to using most economical means of transportation. However, the last paragraph on page one of the fiscal rules states the following:

"Should any of these fiscal rules create undue administrative or financial hardship on a state agency or institution of higher education, a written request for exemption and/or alternative policy may be submitted by the state agency or institution of higher education's chief fiscal officer to the State Controller with notification to the state agency or institution of higher education's chief executive officer."

The Field Accounting Services Team has been delegated authority from the State Controller to review and approve (if applicable) fiscal rule waivers. All requests should be sent to the FAST representative for that agency or institution of higher education. The request should state the rule that is creating hardship, identify the hardship, describe in detail what the agency is proposing instead of the rule or if they are requesting exemption. The team discusses these requests and comes to consensus on whether or not to approve the fiscal rule waiver request.

Inquiry:

Wednesday, February 07, 2007 4:06 PM

If a traveler chooses to drive to his/her destination and the mileage alone is more than airfare, how do we reimburse the traveler in this situation?

Response:

There is not an exception listed in the travel fiscal rule related to using most economical means of transportation. However, the last paragraph on page one of the fiscal rules states the following:

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Inquiry:

Wednesday, January 31, 2007 9:11 AM

Can you tell me if there are any fiscal rules regarding business travel seating on aircraft for international travel exceeding a certain number of hours in the air? I thought I remember seeing or being told something a few years ago that if the passenger were in the air so many hours they were able to fly business class instead of coach. Please advise me or direct me to the publication with that information.

Response:

The Federal government allows for an automatic upgrade from coach to business class if travel exceeds 4 hours. The State of Colorado does not have a fiscal rule specific to this issue. However, the following fiscal rule in regards to transportation supports that flying coach for international travel would "satisfactorily accomplish the state business.":

.03 Transportation

Employees authorized to travel shall be reimbursed only for the cost equivalent of the most cost

beneficial method of transportation available, which will satisfactorily accomplish the state business.

Travelers wanting to fly business class would be required to pay the difference between coach and business.

Inquiry:

Friday, January 26, 2007 10:01 AM

Rental Car Gizmos

Response:

Electronic Toll payment- we felt that this was an acceptable reimbursable item. (Benefit exceeded cost).

Satellite radio- we felt that this was not an acceptable reimbursable item. Comfort to the employee, yes I know there are parts of southern Utah where all you get is Country music.

Navigation system- we felt that this could be an acceptable reimbursable item, based on situational circumstances. (Ex.- going from the airport to the hotel where a conference will be held, probably not since they could have gotten directions from Mapquest prior. Going to multiple destinations in unfamiliar territory, like the audit of businesses, could be an acceptable charge).

OnStar- since this is no cost, not an issue. If there was a cost this could be ok too, for the safety of the driver.

Wireless Internet- we felt that this could be an acceptable reimbursable item, based on situational circumstances. This one really depends on what all the particulars would be.

As with all of these things the underlying basis should be reasonable and necessary, and that each agency's executive director would have the final call.

Inquiry:

December 11, 2006

Can the Central Travel card (aka event) be used for non-employee travel?

Response:

The use of the Central Travel (aka event) card CAN be used for employee travel or any other business rental needs of the University. Each rental car vendor had established a Third-Party Billing process (see: BOA Matrix) to pay for individuals that do not have a individual state travel card. Hence whether using the individual state travel card or the central travel card - the CDW (collision damage waiver) is covered **FREE** of charge by way of the VISA rental car insurance. If the rental meets the parameters of the BOA agreements (e.g. vehicle class, awarded city) then \$600,000 of liability insurance is in place which covers any damage to a third party (e.g. other vehicle).

Inquiry:

October 23, 2006

To our study abroad programs, we added new this year travel and international health insurance for all students going on our programs. How do I find out if this is a cost I can charge on my Central Travel (aka) Event card?

Response:

At this point in time - please move forward with using the Central Travel card for these travel related purchases -

Chapter 5: Exceptions To Rule:

.11 Travel Insurance

Travel insurance may be purchased when it benefits the state if approved in writing by the approving authority.

Inquiry:

October 18, 2006

I have recently been on a 7-week trip to Florida and Texas and had paid for a mail-forwarding service by the US postal service. When trying to get reimbursed for this, I had to learn that it is not an "allowable expense", without any further explanation. I would like to hear the reason why this would not apply as a travel expense. After all, i am on government travel, and I can't see how it could be expected from me not to have access to my mail, especially for bills that I need to pay for during my travel time. I would appreciate an explanation for this.

Response:

Questions come up occasionally that are rare and should not apply to every state travel instance. Since the travel rules definitely do not reimburse for this cost, the agency should fall back on fiscal rule 2.1, Propriety of Expenditures. The rule states:

All expenditures by state agencies and institutions of higher education shall meet the following standards of propriety:

- .01 Are for official state business purposes only.
- .02 Are reasonable and necessary under the circumstances.

Therefore, each agency is responsible to determine whether or not the cost incurred by the employee truly complies with this rule. Is it reasonable to have all of your mail forwarded to pay bills when bills can be either paid in advance or paid online? I can't answer that question because I do not have all of the facts. The agency needs to determine this in a fair and consistent manner based on the individual circumstance.

Inquiry:

September 9, 2006

I have searched but not found the definition of individual liability as it pertains to the US Bank Corporate Visa card. One of our departments needs to make it clear to the travelers that these cards are indiv. liability and exactly what that means.

Response:

The following language is the the U.S. Bank Contract:

5.) Liability for Charges; Billing Procedures.

A.) Corporate Cards: The Employee Cardholder shall be liable for all Charges made to his or her Corporate Card as provided in the <u>Cardholder Agreement</u>. The State or Affiliate shall have contingent liability for payment of Legitimate Business Charges, but excluding Personal Charges, Fraudulent Charges and Legitimate Business Charges previously reimbursed by State or Affiliate to the Employee Cardholder.

Additional language can be found in the "State Travel Cardholder Agreement - Individual"

Inquiry:

June 28, 2006

One of the campus departments asked me about making a profit on airfares when bumped from a flight.

If our traveler is bumped from flight because it was overbooked and is paid \$200 to take another flight, does the traveler keep the money since he/she was inconvenienced, even thought he University paid for the ticket?

Response:

Since the fiscal rules are silent on this issue, departments (including institutions of higher education) could address this situation in their own policies and procedures if they feel it is necessary. If the department decides to include in their policies and procedures, they should keep in mind the following:

The department should use the following guiding principles: 1) be consistent with the fiscal rules, 2) be consistent across the department -- don't treat certain employees differently from other employees, 3) use a reasonable business approach, 4) write well-defined procedures so everyone understands them and can follow them without seeking further interpretation.

The employee's delayed flight, however, should never result in additional costs to the state than those that would have resulted with the original flight. (i.e., the employee accepts a delayed flight and then incurs an extra night of lodging which is then charged to the state.)

Inquiry:

March 28, 2006

I am aware that the State Fiscal Rules require original gas receipts for rental cars. However, we seem to have exceptions where a gas receipt cannot be provided due to a faulty dispenser and/or the station being closed. Are credit card statements acceptable in that case? What has been your experience with this issue?

Response:

STMP has not experienced any issues with providing receipts for gas purchased. However, by IRS rule, the best copy is appropriate. Therefore, the credit card statement would suffice as being the best copy available.

Inquiry:

August 16, 2005

For reimbursement, our travelers generally submit the cardboard "Passenger Receipt" from business trip airfare when they have paid for the airfare themselves. (Of course, that is only when the travel agency could not meet or beat the price.)

However, travelers tell us that some airlines do not give a passenger receipt when the airfare has been booked over the internet. Some travelers do not retain it. In your experience, is there always a passenger receipt? Do other State agencies require it or is the internet e-ticket sufficient for reimbursement?

Response:

In response to the specific question, there is only one place in Fiscal Rule 5-1 that uses the word "original" receipt and it applies to meal receipts.

Concerning Transportation 5-1 says "If travel includes commercial transportation and the travel tickets were purchased by the state for the traveler, ticket receipts need not be submitted with the travel voucher. If, however, the travel tickets were purchased by the traveler, a receipt shall be submitted with the travel voucher."

Additionally, each employee signs their travel expense form, and this form should have the following statement (again from 5-1) which states "I certify that the statements in the above schedule are true and just in all respects; that payment of the amounts claimed herein has not and will not be reimbursed to me from any other sources; that travel performed for which reimbursement is claimed was performed by me on State business and that no claims are included for expenses of a personal or political nature or for any other expenses not authorized by the Fiscal Rules; and that I actually incurred or paid the operating expenses of the motor vehicle for which reimbursement is claimed on a mileage basis."

Inquiry:

August 14, 2005

We have a traveler who wants to rent a small aircraft to fly him around different areas for his research. **Do you know if he has to have special approval to rent a small aircraft?** The information I am finding relates to renting State owned aircraft or for personal aircraft. Any information you can provide would be appreciated.

Response:

In order to rent an aircraft, a state employee needs 2 approvals. The first is a sign off by the Dept of Public Safety. They review the person's pilot log and currency of any certificates. The other is a pre-approval by the state's Office of Risk Management. I know the second one must be done for each rental. Not sure about the first.

Definition: Temporary Work Location

November 8, 2005

The temporary work location referred to in the exception .09 to Fiscal Rule 5-1 is based on the IRS regulations concerning commuting.

Both: 1) the place needs to be at a location other than then main work location, and 2) the time needs to be for one year or less.

The IRS guidance is as follows:

Determining temporary or indefinite. You must determine whether your assignment is temporary or indefinite when you start work. If you expect an assignment or job to last for one year or less, it is temporary unless there are facts and circumstances that indicate otherwise. An assignment or job that is initially temporary may become indefinite due to changed circumstances. A series of assignments to the same location, all for short periods but that together cover a long period, may be considered an indefinite assignment.

www.irs.gov/publications/p17/ch28.html#d0e65330

Inquiry:

May 10, 2005

Does the State permit **reimbursement of emergency insurance** (illness and evacuation) for travelers abroad, spec. in Japan?

I was under the impression that travel insurance in general was not reimbursable, but the Fiscal Rules do no prohibit reimbursement of it that I can find.

Response:

Fiscal rule clearly indicates for example, that trip cancellation insurance is "non-reimbursable" as indicated below. However, the "exceptions to rule" indicate it to be appropriate to reimburse travel insurance "when it benefits the state". Is this insurance being offered/promoted by one of the awarded travel agencies?

.02 Non-reimbursable travel expenses

- E. Travel insurance expenses paid by the traveler.
- a. Collision damage waiver/loss damage waiver for rental cars
- b. Supplemental liability insurance on rental vehicles
- c. Value premiums on airline tickets
- d. Trip cancellation insurance
- e. Additional liability for rental cars
- f. Personal accident insurance on rented vehicles
- g. Supplemental life insurance for airline or common carrier travel.

EXCEPTIONS TO RULE:

.11 Travel Insurance

Travel insurance may be purchased when it benefits the state if approved in writing by the approving authority.