

REIMBURSEMENT OF EXPENSES

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Authority and Application

Clause 32 of the Victorian Public Service Enterprise Agreement 2016 (the Agreement), applies to Victorian Public Service Departments and Agencies (Employers) and their Employees covered by the Agreement.

Overview

Clause 32 of the Agreement sets out the process for Employees to seek reimbursement of reasonable out of pocket expenses incurred in the course of their duties.

The Agreement provides a range of supplementary provisions relating to the reimbursement of expenses, including those specific provisions contained in the Appendices of the Agreement.

Relevant provisions of the VPS Enterprise Agreement

Clause 32. Reimbursement of Expenses

32.1 General provisions

- (a) The Employer will reimburse the Employee for his or her reasonable out of pocket expenses actually and necessarily incurred in the course of his or her authorised duties.
- (b) The Employer must apply the rulings of the Commissioner of Taxation (Australian Tax Office) relating to reasonable allowances in determining the maximum rates payable, unless otherwise agreed.
- (c) The amount of an expense will be considered reasonable where it does not exceed the relevant amounts set by the Australian Tax Office as adjusted from time to time.

32.2 Allowable expenses

Allowable expenses include:

- (a) travelling, accommodation, meals and other incidental expenses associated with an overnight absence from home or part day duties away from the normal work location; and
- (b) expenses incurred in using private mobile and home phones in accordance with **clause 32.3**; and
- (c) expenses incurred in using private vehicles in accordance with **clause 32.4**.

32.3 Private mobile and home phone use

- (a) An Employee required to use his/her private mobile phone or home phone in the course of their employment will be reimbursed for work-related calls under their plan.
- (b) The Employee must obtain the prior approval of the Employer before using their private mobile or home phone during the course of their employment.
- (c) Following use, the Employee must submit an itemised statement of the calls made and their cost.

32.4 Private motor vehicle use

- (a) An Employee, required to use his/her private motor vehicle in the course of his/her employment, will be reimbursed for kilometre costs and any other motor vehicle reimbursement expenses incurred in the course of the Employee's employment and authorised by the Employer.
- (b) The Employee must obtain the prior approval of the Employer before using their private motor vehicle during the course of their employment.
- (c) Following use, the Employee must submit a declaration stating the date, the purpose of the trip, the number of kilometres travelled and the type of vehicle used.
- (d) The rates payable in respect of motor kilometre costs will be the rates determined by the Australian Tax Office from time to time.

32.5 Expense claims

- (a) The Employer may require an Employee to submit to the Employer official receipts substantiating allowable expenses incurred by the Employee as soon as practical after incurring the expense, except where the Employee uses his/her own motor vehicle for work purposes in which case the Employee will submit a declaration in accordance with **clause 32.4(c)**.
- (b) A declaration from the Employee that the expense was incurred may be accepted by the Employer if the official receipt is lost or misplaced, and suitable verification can be made. A declaration from the Employee that an incidental expense was incurred may be accepted if the Employer and the Employee agree that the obtaining of a receipt was impractical.

32.6 The Employer will pay the Employee money owing under this clause in a manner to be agreed between the Employer and Employee as soon as practicable but not later than two pay periods after the Employee submits a claim.

32.7 Upon request, the Employer will provide an advance for the expected costs associated with work related travel or any other exercise where an Employee is likely to incur work related expenses. As soon as practicable after the event, the Employee will provide the Employer with an account of all expenses incurred

together with receipts (and where necessary a statement) together with any balance owed to the Employer.

32.8 Agency-specific reimbursement arrangements

The reimbursement of meal and travel expenses for Employees in Victoria Police will be in accordance with **clause 1 of Appendix 8**.

32.9 Excess Travelling Time

An Employee who is temporarily required to undertake duties at a location other than his or her usual place or places of work will have any period of additional travelling time regarded as time worked.

32.10 Permanent relocation of usual place of work

(a) Subject to **clause 32.10(d)**, an Employee who is required by the Employer to travel to a new work location as a result of transfer or redeployment, will be paid a once only allowance in compensation for all disturbance factors arising from transfer or redeployment not otherwise provided for in this Agreement.

(b) The payments in **clause 32.10(c)** will be as follows:

Date of Effect	Payments
1 January 2016	\$1,340
1 January 2017	\$1,384
1 January 2018	\$1,429
1 January 2019	\$1,475

(c) The allowance(s) will be paid on the following basis:

(i) an allowance in accordance with **clause 32.10(b)** for the first 30 minutes of additional total daily travel time required or 30 kilometres additional daily distance or part thereof; and

(ii) a further equivalent allowance in accordance with **clause 32.10(b)** for each additional 30 minutes or 30 kilometres or part thereof.

(d) An exception to this is that no such allowance will be paid where the total additional distance to be travelled is ten kilometres or under.

32.11 Reasonable relocation principles

Where the Employer considers that it is reasonable and necessary for an Employee to move residence as a result of relocation from one work location to another, and the relocation arises from promotion or transfer as a result of an advertised vacancy, or redeployment, the Employee will be entitled to:

(a) up to three days' paid leave associated with the relocation; and

- (b) reimbursement of reasonable expenses associated with the relocation as per **clause 32.12**.

32.12 Reasonable relocation expenses

Relocation expenses include reasonable expenses directly incurred by the Employee and his or her family as a result of:

- (a) the journey to the new location, including meals and accommodation;
- (b) removal, storage and insurance; and
- (c) selling and purchasing of a comparable residence.

Clause 31.2 First aid allowance

- (b) The Employer must reimburse any additional costs incurred by the Employee in obtaining and maintaining the first aid qualification.

Clause 31.5 Stand-by/ recall allowance

- (d) An Employee on stand-by:
 - (i) must be able to be contacted immediately by an agreed means of communication;
 - (ii) must be able to travel to their usual place or places of work within a reasonable time;
 - (iii) will, if required to be recalled to work, be provided by the Employer with appropriate transport or be reimbursed travel expenses in accordance with **clause 32** of this Agreement...

Clause 39. Childcare

Where Employees are required by the Employer to work outside their ordinary hours of work and where less than 24 hours' notice of the requirement to perform such overtime work has been given by the Employer, the Employee will be reimbursed for reasonable childcare expenses incurred. Evidence of expenditure incurred by the Employee must be provided to the Employer as soon as possible after the working of such overtime.

Specific arrangements for Employees (Appendices 2, 3, 4, 5, 6, 7, 8, 11, 12, 13 & 14)

The table outlines other relevant provisions which contain specific reimbursement arrangements for eligible Employees of Appendix 2, 3, 4, 5, 6, 7, 8, 11, 12, 13 & 14.

Employees should contact their Human Resources or People and Culture Unit to discuss specific reimbursement arrangements applying to these provisions.

Appendix	Department / Agency	Part	Clause	Topic
2	Department of Education and Training	Part 2 - Senior Medical Advisors	5	Special Leave
3	Environmental Protection Authority Victoria	Part 1 – Common Provisions	3.5(e)	Arrangements for Employees on stand-by
		Part 3 – After hours roles	8.2	Meal and Overtime Stays
			8.3	Overseas Travel
4	Department of Health and Human Services	Part 1 – General	5	Overtime (Child and Dependent Care), Sleepover and Court Allowances
		Part 2 – Child Protection	8	Rural After Hours Stand-by
			12	Reimbursement of Damaged Clothing – Child Protection Practitioners
		Part 4 – Youth Justice Custodial Centres (Note: This Part of Appendix 4 now applies to the Department of Justice and Regulation)	24	Provision of Protective Clothing – Youth Justice Custodial Centres
			26.4	Stand-by / Recall Allowance – Youth Justice Custodial Centre
		Part 5 – Housing Programs	29	Provision of Work Clothing – Housing Programs
		Part 6 – Senior Medical Advisors	34.2	Special Leave
5	Department of Economic Development, Jobs,	Part 1 – Stand-by Recall and Related Matters	12	Overseas and Interstate Travel

Appendix	Department / Agency	Part	Clause	Topic
	Transport and Resources		13.3(i)	Overtime
		Part 3 – Fisheries Officers Matters	40	Replacement of Damaged Clothing – Fisheries Officers
6	Department of Environment, Land, Water and Planning	Part 2 - Overtime	2.2(i)	Overtime
		Part 3 - Allowances	6	Overseas and Interstate Allowance
7	Department of Premier and Cabinet	Ministerial Chauffeurs	4.2	Expenses – Travel
			4.3	Incidental Expenses
			4.4	Telephones
			4.5	Uniforms
			5	Drivers Licence – Proof of Currency
8	Victoria Police	Part 1 - General	1	Allowances
11	Court Services Victoria	-	4.4 & 4.7	Circuit Court Allowance
12	Office of the Governor	-	2.4	Clothing Allowance – Aides to the Governor
			3.2 and 3.3	Allowance and Expenses – Transport Officers / Drivers
13	Victorian Commission for Gambling and Liquor Regulation	-	2.3	Restraint of Trade Allowance
14	Game Management Authority	-	6	Overseas and Interstate Travel

Supplementary Guidance Information

1. Claims for reimbursement of expenses - Guiding principles

- 1.1. All claims for the reimbursement of expenses will be assessed considering factors including:
 - 1.1.1. that expense was actually and necessarily incurred; and
 - 1.1.2. that the expense was incurred during the course of authorised duty.
- 1.2. Employees should, where reasonably practicable, discuss expenses likely to be incurred during the course of authorised duty prior to incurring the expense.

- 1.3. Employers should have in place acceptable evidence requirements to assess the reasonableness of expenses claimed.
- 1.4. Employees should submit a claim for reimbursement as soon as reasonably practicable after the expense was incurred. Employers should ensure reimbursements are processed as soon as practicable ensuring payments are made not later than two pay periods after the Employee submits a claim consistent with clause 32.6 of the Agreement.
- 1.5. For general expenses associated with an overnight absence from home or the normal work location(s) reasonably incurred in the course of an Employee's authorised duty, clause 32.1(c) of the Agreement makes it clear that an expense will be considered reasonable where it does not exceed the maximum amounts prescribed by the ATO. In most cases these amounts should cover expenses reasonably incurred in the course of Employee's duty. Where an expense claimed exceeds the amount prescribed by the ATO, the Employer should make an assessment as to the reasonableness of the expense claim based on the specific circumstances.
- 1.6. Reimbursement of expenses incurred as a result of work-related travel is only available while the Employee continues to be required to be away from their usual place(s) of work. Reimbursement of expenses do not apply for permanent or long-term changes to work locations.

2. Reimbursement of accommodation and meal expenses

- 2.1. Employees are entitled to claim reasonable accommodation and meal expenses, where those expenses were incurred as a result of authorised duty involving an overnight absence from their home or part day duties away from their normal work location, unless those expenses pertain to a permanent or long term change to work location(s).
- 2.2. Where an overnight stay(s) is required, an Employee is entitled to claim reimbursement for dinner, lunch and/or breakfast if the expense is not:
 - 2.2.1. directly billed to the Employer;
 - 2.2.2. covered by a payment made in advance under 5.1 below;
 - 2.2.3. included in the cost of the accommodation; or
 - 2.2.4. covered by an overtime meal payment made to the Employee under clause 36.11 of the Agreement.
- 2.3. The following parameters should apply with respect to the Employer determining the reasonableness of meals expenses, unless otherwise agreed:
 - 2.3.1. Overnight absences
Meal expenses incurred as a result of authorised duty involving an overnight absence from the normal work location(s) should be reimbursed in accordance with the following tables:

First day of an overnight absence				
	Time	Breakfast	Lunch	Dinner
Commences travel at or before	0700	X	X	X
Commences travel at or before	1200		X	X
Commences travel at or before	1700			X

Intermediate day(s) of an overnight absence			
	Breakfast	Lunch	Dinner
Absent from usual place of work for the entire day	X	X	X

Last day of an overnight absence				
	Time	Breakfast	Lunch	Dinner
Returns at or after	0930	X		
Returns at or after	1400	X	X	
Returns at or after	2000	X	X	X

2.3.2. Part day absences

Meal expenses incurred as a result of authorised duty involving a part day absence from the normal work location(s) will be reimbursed in accordance with the following table:

Part day absence		
	Time	Entitlement
Start at or before Unable to return to work location before	0700 0930	Breakfast
Start at or before Unable to return to work location before	1200 1500	Lunch
Start at or before Unable to return to work location before	1700 2000	Dinner

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- 2.3.3. Where an Employee is provided reasonable notice of the requirement to undertake part day duties away from the normal work location(s) and appropriate facilities are available at the alternative work location, it will not be considered reasonable for the Employee to claim reimbursement for meals.
 - 2.4. To be eligible for reimbursement in accordance with the above tables, the Employee must:
 - 2.4.1. be on authorised duty involving an overnight absence or part-day duties away from the normal work location(s);
 - 2.4.2. travel a reasonable distance away from their usual place or places of work;
 - 2.4.3. incur an expense for that meal; and
 - 2.4.4. the travel must not relate to the Employee attending their scheduled shift or ordinary hours of work at the usual place or places of work.
 - 2.5. Alcohol is not generally considered to be a reasonable expense for which an Employee can seek reimbursement.

3. Incidental expenses

- 3.1. Employees will be reimbursed for incidental costs reasonably and necessarily incurred as a result of work related travel. However, reimbursement of incidental costs is limited to incidentals that were non-discretionary in the course of the Employee's duties.

4. Authorisation

- 4.1. Prior to using their private vehicle, mobile or home phone in the course of their employment the Employee must obtain written approval of their Employer. Expense claims made for the use of these personal items during the course of Employment will not be approved where prior authorisation has not been obtained and/or where an itemised statement (see clause 32.3(c) of the Agreement) or in the case of use of a private motor vehicle, detailed trip information (see clause 32.4(c) of the Agreement) is not provided.

5. Payments in advance

- 5.1. An Employee may request from their Employer an advance payment of costs that are likely to be reasonably, actually and necessarily incurred in the course of their duties.
- 5.2. If the Employee makes such a request, the Employer, should have an appropriate procedure in place to assess the request and ensure any amount paid is reasonable.
- 5.3. If the Employee receives an advance payment, the Employee must provide the Employer with an account of all expenses incurred, receipts or other acceptable supporting evidence of expenses incurred, and the remaining balance of the advance. The Employee is required to provide this

documentation and the remaining balance of the advance as soon as reasonably practicable after the expense(s) have been incurred.

6. Excess travel times

- 6.1. An Employee will be entitled to have extra travel time regarded as time worked where an Employee is directed to temporarily undertake duties at a place or places of work other than their usual place or places of work and as a result incurs additional travelling time. Employers should reach agreement about the travel arrangements with the Employee prior to undertaking the travel.
- 6.2. This does not apply in relation to permanent changes of work location.
- 6.3. Consistent with other provisions of clause 32 of the Agreement, Employers should have in place acceptable methods to evidence and substantiate the amount of additional time spent travelling.

7. Permanent relocation of usual place of work

- 7.1. The payment particularised in clause 32.10 of the Agreement represents compensation by way of one-off payment for all disturbance factors arising from a transfer of employment or redeployment not expressly provided for in the Agreement.
- 7.2. The allowance rates prescribed in clause 32.10(b) of the Agreement represents the amount of compensation payable to the Employee for each 30 minutes or 30 kilometres of additional travel required (or part thereof).
- 7.3. In the case of permanent relocation of the Employee's usual place(s) of work under clause 32.10 of the Agreement, references to the first 30 minutes of additional total daily travel time required or 30 kilometres additional daily distance, will be measured using the shortest distance by road. The usual mode(s) of transport the Employee takes to work will also be considered. Where travel is required during peak hour the Employer will ensure this is taken into consideration when assessing travel times.

8. Reasonable relocation expenses

- 8.1. Clause 32.12 of the Agreement provides a non-exhaustive list of expenses that may be considered to be reasonable relocation expenses.
- 8.2. Guidance can also be derived from other provisions of clause 32 of the Agreement as to what constitutes a reasonable expense and what amount constitutes a reasonable amount (i.e. meal and accommodation expenses).
- 8.3. An Employee should discuss with the Employer at the earliest opportunity the nature and value of any proposed claim for relocation expenses. As the agreement requires that expenses be reasonable, Employees should not incur expenses with the expectation that they will be fully met by the Employer prior to this discussion.

9. First aid qualifications

- 9.1. Clause 31.2(b) of the Agreement requires that where an Employee, in addition to their normal duties, agrees to be appointed by the Employer to perform first aid duties, the Employer must reimburse the Employee any additional costs incurred by the Employee in obtaining and maintaining the first aid qualification (for example, where the costs of attending a first aid course are not directly billed to the Employer).
- 9.2. The Employer may require the Employee provide proof of qualification issued by St. John Ambulance Australia or an equivalent qualification and an official receipt showing actual costs incurred before reimbursement will be approved.

Making decisions under this policy

Under section 20(1) of the *Public Administration Act 2004*, the public service body head has all the rights, powers, authorities and duties of an employer, which will usually be delegated to staff within their Department or Agency. Employers should ensure that any actions under this policy are only taken by an Employee with the delegation to do so. Each Department and Agency should give effect to this policy in accordance with its own delegations.

Dispute resolution

An Employee who is directly affected by a decision made or action taken pursuant to clause 32 or any of the provisions identified in this policy may apply for a review of actions under the Employer's review of actions policy or seek to resolve a dispute through the Resolution of Disputes procedure at clause 12 of the Agreement.

Further Information

Employees should refer to their Department or Agency's intranet for information on procedural requirements, systems and approval delegations.

For further information and advice please contact your local Human Resources or People and Culture Unit (or equivalent).

Related policies or documents

VPS Enterprise Agreement Common Policies

- Jury Service

All policies in the VPS Enterprise Agreement Common Policies collection, can be found at <https://vpssc.vic.gov.au/vps-enterprise-agreement-common-policies/>