

March 29, 2017

TO: All Attorneys  
FROM: Leela Kapur, Chief of Staff  
SUBJECT: MCLE REIMBURSEMENT (UPDATED PROTOCOL)

Per our City Attorney labor agreements, effective January 1, 2017, the City will reimburse attorneys in the Office for the cost of Minimum Continuing Legal Education (MCLE) courses. This includes costs for registration fees, travel, lodging, and per diem related to MCLE approved courses, workshops, seminars and conferences. All costs must comply with the City of Los Angeles Administrative Code, Division 4, Chapter 5, Article 4, Section 4.242.1 *et seq*, a copy of which is attached, and the Controller's guidelines, a summary of which is also attached.

#### Reimbursement Procedures

The maximum reimbursement is **\$1,250** per calendar year per attorney. Reimbursements will be paid **after attendance**, upon submission and approval of documentation of claimed expenses, including the MCLE provider-issued certificate of participation.

While the Office encourages attorneys to take MCLE courses that are related to their current work assignment, no pre-approval of courses is required for reimbursement purposes as long as they are MCLE approved.

Once you have completed your eligible course/s:

- Fill out the attached form
- Include copies of invoices for all costs for which you are seeking reimbursement
- Include a copy of the MCLE provider-issued certificate of participation
- Submit to the Business Office **within 30 days** of completing course to ensure timely reimbursement

\*Please note that **no reimbursements** will be provided without the documentation detailed above. Reimbursement will be made as soon as possible after receipt of all required documentation.

## **Work Hours**

“HOURS WORKED” (HW) may be claimed for time spent attending any MCLE course, up to the maximum MCLE approved credit hours for that course.

Where a supervisor specifically recommends that an attorney attend a particular MCLE course relevant to his or her assignment, the attorney may be able to claim additional HW for some or all travel time involved, with the supervisor’s approval.

For time that is not allowed to be claimed as HW, attorneys may use pre-approved Compensated Time Off (CTO).

As always, all absences during normal work hours must be pre-approved and supervisors will review and approve D-time.

If you have any questions, please contact Mitchi Reyes at 213-978-7020.

Attachments





CHAPTER 5, ARTICLE 4

POLICY FOR TRAVEL EXPENSES, NON-TRAVEL EXPENSES AND ELECTED OFFICIALS' CONTINGENCY ACCOUNT EXPENDITURES

Section	
4.242.1	Scope.
4.242.2	Definitions.
4.242.3	Allowable Travel Costs.
4.242.4	Non-reimbursable Travel Costs.
4.242.5	Expenses Not Involving Travel Exclusive of Contingent Expenses.
4.242.6	Contingency Expense.
4.242.7	Documentation of Expenses.
4.242.75	Documentation of Purpose and Benefit of Travel.
4.242.8	Advances and Reimbursements of Funds.
4.242.9	Required Approval.

Sec. 4.242.1. Scope.

The purpose of this article is to establish City policy relative to:

(1) allowable costs for travel and for non-travel related expenses for all City employees and elected officials and,

(2) reimbursable expenses for elected officials' contingency accounts. This article applies to all costs incurred under the stated categories notwithstanding the source of funds and supersedes all existing provisions governing expenditures for these purposes.

SECTION HISTORY

Art. 4, Ch. 5, Div. 4, repealed and re-enacted by Ord. No. 150,608, Eff. 4-6-78.

Sec. 4.242.2. Definitions.

The words and terms defined in this section shall have the following meanings in this article:

(a) "Department" means any department, bureau, agency, body, office, or Board of the City of Los Angeles.

(b) "Department head" means the general manager, Board, body, or elected or appointed officer having control and management of any department. In the case of the City Council, each member of the Council shall be considered as the Department head for his or her staff, and the President of the Council or his or her designated representative shall be considered the Department head for all other Council employees.

(c) "Employee" means any officer or employee of the City other than an elected official.

(d) "Elected official" means the Mayor, each member of the City Council, the City Controller or the City Attorney.

(e) "Convention" means a regularly recurring or special conference or meeting of the membership of a professional, technical, fraternal or any other type of organization the subject matter of which conference or meeting only broadly relates to City operations.

(f) "Travel costs" include all transportation costs, registration or attendance fees, subsistence costs and other costs reasonably and necessarily incurred which are paid for by the City or which are paid for by the employee or elected official subject to reimbursement by the City when an employee or elected official is required to travel outside the geographic boundaries of Los Angeles County on official City business.

(g) "Non-travel costs" include all transportation costs, registration or attendance fees, subsistence costs and other costs reasonably and necessarily incurred which are paid for by the City or which are paid for by the employee or elected official subject to reimbursement by the City when an employee or elected official is conducting official City business within the geographic boundaries of Los Angeles County.

(h) To constitute "official City business", the activities of an employee or elected official of the City of Los Angeles shall demonstrate:

1. A valid City interest to be served or gained thereby; or
2. Relevance to the City operations or the individual's role in such operations; or
3. The promotion or development of City programs, methods or administration; or
4. Compliance with instructions or authorization of the Mayor or the City Council.

#### SECTION HISTORY

Art. 4, Chap. 5, Div. 4, repealed and re-enacted by Ord. No. 150,608, Eff. 4-6-78.

#### Sec. 4.242.3. Allowable Travel Costs.

It is expected in each instance that an employee or elected official will only incur expenses that a reasonable and prudent person would incur if traveling on personal business. It is also expected that before an employee or elected official incurs expenses due consideration be given to such factors as suitability, convenience, and the nature of the business involved. The following costs are allowable where in conformity with Charter requirements, when employees and elected officials travel on official City business:

##### (a) Transportation Expenses.

1. Except in the case of official necessity, air travel expenses are allowable only for the lowest regular fare available for regularly scheduled airlines for the date and time selected. Claims for reimbursement of higher fare or extra charges for transportation by scheduled airlines are allowable only if certified by the Department head that he or she has reviewed and concurs with the facts constituting the official necessity.

2. In the case of travel by modes of transportation other than regularly scheduled airlines, transportation costs shall be the regular fare for the mode of transportation chosen. In the instance of the use of private automobile, mileage shall be in accordance with mileage provisions of Division 4, Chapter 5, Article 2 of the Administrative Code. In all instances where a mode of transportation other than regularly scheduled airlines is chosen, the Department

head shall authorize such alternate mode of transportation in advance and the allowable cost shall be the actual cost of the alternate mode of transportation or the cost allowable under Subsection (a)1, whichever is less.

(b) **Meals and Lodging.** In the selection of restaurants and hotel rooms, it is expected that individuals will seek moderately priced establishments of acceptable quality.

1. An employee or elected official must consider transportation costs, time and other relevant factors in selecting the most economical and practical accommodations. This section is not intended to preclude an employee or elected official from staying in a hotel where the meeting or convention to be attended is held.

2. Expenses incurred by an employee or elected official for food and beverage served at meals, scheduled receptions or other functions necessary for the conduct of City business are allowable to a maximum of three meals a day. In order for such expenses to be allowable for persons other than the employee or elected official, the Department head must certify that such expenditures were for a public purpose and necessary for the conduct of City business. All employees and elected officials of the City must specify the name(s) and organization(s) of the person(s) hosted and the nature of the City business discussed.

(c) **Ground Transportation.** The least expensive and most practical form of public transportation shall be used, taking into consideration such factors as time, availability, and personal safety or health.

(d) **Automobile Rental.** Such expenses are allowable if traveling by car is less expensive or more appropriate for the efficient conduct of City business than by taxi or bus.

(e) **Laundry Service.** Such expenses are allowable if the duration of the trip, traveling conditions, or some other special circumstances dictate.

(f) **City Business Telephone Calls.**

(g) **Personal Telephone Calls.** Such expenses are allowable as follows:

One call to the employee's or elected official's immediate family in the locale of the residence of the employee or elected official, if travel is in excess of three (3) days, and one such call for each successive three (3) days thereafter.

(h) **Gratuities.** Such expenses, not exceeding 15%, are allowable where reasonable and customary.

(i) **Registration, Seminar or Meeting Fees Where Required.**

(j) **Other Expenses.** Expenses not specifically set forth in other subsections of this section that are incurred by an employee or an elected official are allowable where deemed necessary in the conduct of City business; provided that such expenses have been reviewed and certified by the Department head as reasonable and proper and incurred in pursuit of City business. Wherever the type of expenditure is not specifically listed in this section, the employee or elected official should be prepared to absorb the cost as a personal expenditure in the event that such expense is not certified by the Department head.

SECTION HISTORY

Art. 4, Ch. 5, Div. 4, repealed and re-enacted by Ord No. 150,608, Eff. 4-6-78.

**Sec. 4.242.4. Non-Reimbursable Travel Costs.**

Expenditures which are incurred by an employee or elected official that are of a purely personal nature will not be reimbursed by the City.

(a) Auto repairs, replacement or towage to personal vehicle when such use has been authorized (see established City procedures for repair to City vehicle);

(b) Flight insurance;

(c) Personal telephone calls (except those specified in Section 4.242.3 (g) of this article);

(d) Expenses for persons other than the employee or elected official, except as specified in Section 4.242.3 (b) 2.

SECTION HISTORY

Art. 4, Ch. 5, Div. 4, repealed and re-enacted by Ord. No. 150,608, Eff. 4-6-78.

**Sec. 4.242.5. Expenses Not Involving Travel Exclusive of Contingent Expenses.**

Employees or elected officials may be authorized to incur expenses within Los Angeles County provided they are incurred in the conduct of City business. Conditions and approval of such expenses shall be in accord with the provisions of Section 4.242.3, and with applicable Charter requirements.

SECTION HISTORY

Art. 4, Ch. 5, Div. 4, repealed and re-enacted by Ord. No. 150,608, Eff. 4-6-78.

Amended by: Renumbered due to typo error by Ord. No. 150,957, Eff. 6-13-78, Oper. 4-17-78.

**Sec. 4.242.6. Contingency Expense.**

Contingency items are those expenses incurred by elected officials of the City of Los Angeles that would not be incurred by them if they were not an elected official. Each expenditure shall be itemized indicating the date, purpose and amount of expenditure. All such expenses shall be certified as being for City public purposes and incurred in the performance of the duties of the elected official. Conditions and approval of such expenses shall be in accord with the provisions of Section 4.242.3, and with applicable Charter requirements.

SECTION HISTORY

Art. 4, Ch. 5, Div. 4, repealed and re-enacted by Ord. No 150,608, Eff. 4-6-78.

**Sec. 4.242.7. Documentation of Expenses.**

All expenses claimed shall be listed on separate forms provided and used for required documentation of travel expense, non-travel related expenses, and contingency expenses.

Completed travel expense forms shall be forwarded to the Controller within thirty (30) days of the conclusion of the trip. Non-travel related expenses and contingency expense forms shall be submitted at least on a quarterly basis to coincide with the fiscal year.

The Department head shall certify that all expenditures were incurred in pursuit of City business. Falsification of such certification shall be grounds for appropriate disciplinary action and such other sanctions provided by law.

Receipts shall be provided for transportation costs incurred under Section 4.242.3(a), lodging, and for any single item of expenditure in excess of \$25.00. Receipts for expenditures under \$25.00 should be presented when available.

#### SECTION HISTORY

Art. 4, Ch. 5, Div. 4, repealed and re-enacted by Ord. No. 150,608, Eff. 4-6-78; Title, Ord. No. 169,134, Eff. 12-22-94.

#### Sec. 4.242.75. Documentation of Purpose and Benefit of Travel.

(a) Any employee who travels or who attends a convention, the costs of either of which are paid in full or in part by the City, shall, within 30 days of completion of the travel or convention, submit a report to his or her appointing authority summarizing the nature and purpose of the travel or convention and describing the significant information gained and/or the benefits which will accrue to the City as a result.

(b) An elected official shall not be subject to this requirement.

#### SECTION HISTORY

Added by Ord. No. 169,134, Eff. 12-22-94.

#### Sec. 4.242.8. Advances and Reimbursements of Funds.

Travel, non-travel and contingency expenses shall be subject to budget limitations for these items. Contingency expenses shall be on a reimbursable basis only. The Controller shall advance, when in conformity with applicable Charter requirements, the amount of funds

requested for these purposes upon certification by the Department head that they will be incurred for City business. Requests for an advance for funds shall be submitted to the Controller, where feasible, at least ten (10) days in advance of the beginning of the planned expenditure of funds and such request shall include the persons traveling, period covered, and the destination. In addition, the request should state the purpose of the trip, the nature of the City business to be conducted on the trip, and the proposed total estimated expenditure. Documentation of actual expenses incurred shall be submitted to the Controller in conformance with Section 4.242.7.

#### SECTION HISTORY

Art. 4, Ch. 5, Div. 1, repealed and re-enacted by Ord. No. 150,608, Eff. 1-6-78.

#### Sec. 4.242.9. Required Approval.

(a) Advance Council approval shall be needed for foreign travel (except to Canada or Mexico) involving more than one City commissioner. A request for such foreign travel shall be filed with the City Clerk for placement on the next available Council agenda.

(b) With the exception of employees of the City Council or Office of the Mayor, all non-elected City officials and all other City employees shall notify the Mayor, the Chair of the Committee that oversees the Intergovernmental Relations function, and the Chief Legislative Analyst prior to traveling on official City business to Sacramento or to Washington, D.C.

#### SECTION HISTORY

Added by Ord. No. 169,134, Eff. 12-22-94.

Amended by: Subsec. (b) Amended, Subsec. (c) Repealed, Ord. No. 173,492, Eff. 10-10-00; Subsec. (b), Ord. No. 182,435, Eff. 3-25-13.

## CONTROLLER'S TRAVEL GUIDELINES

### LODGING

Travelers will be reimbursed for actual hotel expenses, not to exceed the Federal per diem rate for the destination and length of stay. An itemized receipt is required for lodging reimbursement.

### FLIGHTS

Air travel expenses are allowable only for the lowest regular fare for regularly scheduled flight for the date and time selected. First class, business class, and refundable tickets are **not allowed**.

### GROUND TRANSPORTATION

Travelers must use the most economical means of ground transportation for travel between their home and airport and between the airport and their hotel. A receipt is required for ground transportation reimbursement. Tips are reimbursable for up to 15% of the fare if reflected on the receipt.

### AIRPORT PARKING

Travelers will be reimbursed up to the most economical rate listed below. Receipt is required for airport parking reimbursement.

- Burbank Bob Hope Airport - Lot A (\$10 per day)
- John Wayne International Airport - Main Street Lot (\$14 per day)
- Long Beach Airport - Lot B (\$17 per day)
- Los Angeles International Airport (LAX) - Lot C (\$12 per day)
- Ontario International Airport - Lot 5 (\$9 per day)

### BAGGAGE

Travelers will be reimbursed for airline charges on their first checked bag, each way. Receipt is required for checked bag reimbursement.

### PER DIEM (MEALS AND INCIDENTALS (M&IE))

Reimbursements will be for actual costs incurred (not exceeding the federal per diem limit). Itemized receipts must be submitted for reimbursement. M&IE reimbursements for the travel days are capped at 75% of the federal per diem rate. There is a \$5.00 daily limit for transportation to procure meals. Gratuities for meals are limited to 15% of restaurant bill, excluding taxes. Expenditures for alcohol will not be reimbursed.