

QUESTIONS AND ANSWERS RE: ARTICLE V

General

Q1: Who is covered by Article V?

A1: Article V covers all traveling employees on traveling gangs (e.g., mobile gang, service lane gangs, system gangs, etc.) and who are assigned to work away from home. Article V has no application to employees on headquartered gangs, who will continue to be subject to their existing travel and expense reimbursement rules. When Article V applies, the reimbursements described therein are in lieu of any other travel or expense reimbursements.

Q2: Can BMWED elect to preserve existing local agreements or negotiate new ones?

A2: Yes. BMWED will have the right, within 10 days of ratification, to elect that any local property keep the existing travel and expense reimbursement framework and rates on a particular property in lieu of the framework and rates described in the national agreement. Additionally, the local parties also may, by mutual agreement, modify these rules to address property-specific issues.

Mileage

Q3: What is the IRS mileage rate?

A3: The Internal Revenue Service (IRS) standard mileage rate for business use is a rate based on an annual study of the fixed and variable costs of operating an automobile. It is normally adjusted by the IRS once per year but may be adjusted more often. As of July 1, 2022, the IRS mileage rate was increased to 62.5 cents per mile driven.

Q4: Will employees receive mileage for non-business travel while on business trips?

A4: No. The IRS mileage rate will be paid only for business travel. Miles associated with personal travel, such as trips to restaurants, gas stations, or stores, while away from home on a business trip are not eligible for reimbursement.

Q5: How will mileage be calculated for an employee who lives away from the system?

A5: Existing administrative rules and understandings regarding the location of an employee's home for mileage purposes (e.g., rules providing that an employee who lives off the carrier's system will have a location on the system designated as the

employee's "home station" per Article VII of the May 31, 2001 Agreement for purposes of calculating mileage) will continue to control.

Q6: Do employees receive a travel payment or allowance when riding as a passenger in a vehicle?

A6: Passengers do not receive IRS mileage or any other travel allowance other than the M&IE per diem payment (when applicable).

Q7: Will the national fly home rule of Article XIV, Section 2 of the September 26, 1996 Agreement remain in effect?

A7: Yes, in places where the national fly home rule currently is in effect.

Q8: Are tolls for "express lanes" or similar travel reimbursed by the carrier?

A8: No. The carrier will reimburse tolls that are necessary to complete the travel. Unless authorized by the carrier, this does not include tolls for express lane travel or other tolls incurred for the convenience of the employee or to expedite travel.

Meals and Incidental (M&IE) Expenses

Q9: What is the GSA M&IE rate?

A9: The GSA generally establishes the CONUS standard M&IE per diem rate once per government fiscal year. The M&IE rate for Fiscal Year 2023, which begins on October 1, 2022, is \$59 per day.

Employees will receive the M&IE rate that is in effect at the time of their travel. The M&IE rate is reduced to 75% of the full rate on the first and last days of a travel period if those days consist only of travel.

Q10: Do employees need to submit meal receipts for their purchases in order to receive M&IE payments?

A10: No.

Lodging

Q11: Can a carrier still use camp cars and trailers to lodge employees?

A11: No, *except in emergency circumstances*. Those *emergency circumstances* are limited to natural disasters such as earthquakes, hurricanes, tornados, wildfires, and flooding that would make appropriate single-occupancy lodging inaccessible.

Q12: When appropriate single-occupancy lodging is not provided by the carrier, what is the rate for lodging reimbursement?

A12: When appropriate single-occupancy lodging is not provided, an employee who incurs lodging costs will be reimbursed up to the GSA CONUS standard lodging rate. For Fiscal Year 2023, the lodging rate is \$98 per night.

An employee also will be reimbursed for taxes on lodging up to the \$98 per night threshold. For instance, if an employee chooses to stay in a \$105 hotel room, the employee will receive \$98 in lodging reimbursement plus reimbursement for taxes on the first \$98 in lodging costs. The employee will be responsible for the additional \$7 in lodging costs plus the taxes on the additional \$7.

The carriers will not pay for or reimburse employees for food that is charged to the hotel room or other similar room charges. Rather, employees should cover these costs on their own using their M&IE per diem.

Q13: Am I eligible for lodging reimbursement if I stay at a bona fide “bed and breakfast” or home-sharing site, such as an Airbnb, while working away from home (if lodging is not provided by the carrier)?

A13: Yes, up to the GSA CONUS standard lodging rate and taxes as described in Q&A 10 above (with substantiation).

Q14: Are there circumstances where an employee is entitled to lodging following the last workday in the work week even when less than 300 miles from home?

A14: Yes. Local management retains the ability to approve lodging or reimbursement for lodging in unique circumstances (provided the expenses are substantiated).

Q15: What happens if appropriate single occupancy lodging is not reasonably available?

A15: The employee will be allowed to make their own lodging arrangements at the nearest appropriate lodging location that falls within the GSA’s standard CONUS lodging rates and the designated assembly point. Otherwise, the employer will make a payment to each employee in double occupancy lodging consistent with current rules (where applicable).

Q16: Will an employee who is unable to work due to illness or injury while away from home be provided with lodging or reimbursement for lodging?

J.D.C 9/10/22

A16: Local rules and practices will continue to determine whether and when an employee remains at the work site or returns home following an injury or illness. However, when an employee does remain away from home while they are injured or ill, they will continue to be provided with lodging or reimbursement for lodging (and per diem) under the provisions of Article V in the same manner as employees who are working.

J.D.C.
9/19/22

EXAMPLES

Example 1: John Smith is a Welder Foreman on a Mobile Gang with a "4-10" work week of Monday through Thursday, 10 hours each workday, with rest days of Friday, Saturday, and Sunday. John's Gang is currently headquartered 400 miles from his residence. John drives 400 miles in his personal vehicle (via the most direct route) to his Gang's reporting location at a carrier provided hotel on Sunday, works Monday through Thursday, and drives 400 miles back home on Friday. John would be reimbursed/paid as follows:

- \$500 for his 800 miles driven in his personal vehicle.
- \$324.50 total for GSA M&IE per diem (\$44.25 for his travel day on Sunday, \$59 for each workday, Monday through Thursday, and \$44.25 for his travel home day on Friday).
- \$0.00 for lodging because carrier provided appropriate single occupancy lodging.

Example 2: Jane Doe is a Machine Operator on a Mobile System Gang, working a "7 on/7 off" schedule (workdays of Monday through Sunday followed by 7 consecutive rest days of Monday through Sunday). Jane's Gang is currently headquartered 250 miles from her residence. Jane drives 250 miles in her personal vehicle to her Gang's reporting location at a carrier provided hotel on Sunday (her last rest day), works her entire work cycle and drives 250 miles home after work on her last workday of the work cycle. All driving is via the most direct route. Jane would be reimbursed/paid as follows:

- \$312.50 for her 500 miles driven in her personal vehicle.
- \$457.25 total for GSA M&IE per diem (\$44.25 for her travel day on Sunday, and \$59 for each workday, Monday through Sunday).
- \$0.00 for lodging because carrier provided appropriate single occupancy lodging.

Example 3: John Henry is a Foreman on a System Gang working a "8 days on/6 days off" schedule (workdays of Monday through the following Monday, followed by 6 consecutive rest days, Tuesday through Sunday). John's Gang is currently headquartered 915 miles from his residence. John drives 305 miles in his personal vehicle on Saturday and stays in a hotel that costs \$98 per night plus taxes of \$12 and he paid for such out of his pocket. He then travels the remaining 610 miles on Sunday and arrives at the Gang's reporting location at the carrier provided hotel. All driving is via the most direct route. He works his entire work cycle, stays in carrier provided lodging at his headquartered location following his last workday, and travels all 915 miles home on his first rest day. John would be reimbursed/paid as follows:

- \$1,143.75 for his 1,830 miles driven in his personal vehicle
- \$634.25 total for GSA M&IE per diem (\$44.25 for his travel on Saturday, \$59 for his full day of travel on Sunday, \$59 for each workday on Monday through the following Monday, and \$44.25 for his day of travel home on Tuesday).
- \$110 total for hotel lodging (\$98 for the lodging plus the taxes limited to the reimbursable lodging costs of the current GSA standard CONUS scheduled amount for single occupancy lodging room).

Example 4: John Smith and Jesse James are working on the same Mobile Gang, working "9 days on/5 days off" work cycle schedule (workdays of Monday through the following Tuesday, followed by 5 consecutive rest days, Wednesday through Sunday). Their Gang is currently headquartered 500 miles away from John Smith's house and he lives 15 miles from Jesse James' house. John Smith drives 515 miles in his personal vehicle and Jesse James rides with him on Sunday and they arrive at the Gang's reporting location at the carrier provided hotel. They work their entire work cycle, stay the night one the last work night at the carrier provided hotel, and John Smith drives them back all 515 miles on their first rest day of Wednesday. John Smith and Jesse James would be reimbursed/paid as follows:

John Smith:

- \$625 for his 1,000 miles drive (via the most direct route) in his personal vehicle.
- \$619.50 total for GSA M&IE per diem (\$44.25 for each travel day and \$59 for each workday).
- \$0.00 for lodging because carrier provided appropriate single occupancy lodging.

Jesse James:

- \$0.00 because he did not drive his personal vehicle.
- \$619.50 total for GSA M&IE per diem (\$44.25 for each travel day and \$59 for each workday).
- \$0.00 for lodging because carrier provided appropriate single occupancy lodging.

Example 5: John Smith is a Welder Foreman on a Mobile System Gang, working a "4-10" workweek of Monday through Thursday, 10 hours each workday, with rest days of Friday, Saturday, and Sunday. John's Gang is currently headquartered 250 miles from his residence. John drives 250 miles in his personal vehicle to his Gang's reporting location at a carrier provided hotel on Sunday (his last rest day) and works two days. His worksite is changed to a location 125 miles further away and he drives his personal vehicle to the new reporting location, taking the most direct route that has a \$5 toll. John also has to arrange and pay for his own hotel lodging at the new reporting location, which costs \$95 per night plus \$15 in taxes and fees. John works the next day and stays another night in same hotel and again pays for it out of his pocket, again at \$95 plus \$15 in taxes. On Friday, his first rest day, he drives 375 miles home via the most direct route and has to pay another \$5 toll during his travel home. John would be reimbursed/paid as follows:

- \$468.75 for his 750 miles driven (via the most direct route).
- \$10 total for tolls.
- \$324.50 total for GSA M&IE per diem (\$44.25 for each travel day and \$59 for each workday).
- \$220 for his hotel lodging reimbursement.

J.D.C 9/10/22