TO: All Regional Directors, Officers-in-Charge, and Resident Officers

FROM: Anne Purcell, Associate General Counsel

SUBJECT: Oversight and Management of the Usage of POV and Leased Vehicles

Pursuant to OM 15-01 and OM 05-04, an audit of vehicles the Agency leases from the General Services Administration (GSA) for use in the field offices was completed. The audit reviewed GSA car use and records management for the vehicles in seven Regional offices, four Subregional offices, and three Resident offices. The audit also reviewed records in offices that do not lease GSA vehicles that show employees driving either rental vehicles or personally owned vehicles (POVs) for official business had a valid operator’s license during FY 14. The following deficiencies were noted:

1. Failure to keep accurate records as required in OM 03-98 (missing mileage information and/or mileage discrepancies in vehicle log, insufficient information concerning trips, and missing driver’s license certifications).
2. Failure to solicit POV/GFV elections within 15 days after entry on duty.
3. Failure to properly monitor availability/usage of GFV cars which resulted in overpayment to employees for use of their POVs).

The audit revealed vehicle logs were not properly maintained. For example some entries contained incorrect mileage information; some logs were missing mileage information, or failed to indicate the case that was being investigated. As set forth in OM 03-98, to ensure proper oversight and management of the GSA car program in the Field, Regional Directors should designate a Regional manager who is responsible for ensuring that adequate records are maintained for each GSA car assigned to the Region. These records must be maintained in the Region for one year after the close of the fiscal year in which the records were generated. The records should be destroyed thereafter. At a minimum, the records maintained by the Region should include beginning and ending mileage, the name of the operator, purpose of the travel including case name and case number where applicable and condition of the vehicle. It is important that the vehicle logs be as accurate as possible so that they can be used as a record for utilization of the vehicle for case related travel. To ensure that Regions are recording the use of its GSA vehicle in a uniform fashion, beginning October 1, 2015, all
Regions will use the vehicle log which is attached as Attachment A. This log should be filled out by employees. Additionally, at the conclusion of each trip, employees should complete and return the form attached as Attachment B so that utilization of the vehicle is properly tracked. Regions must also have a system in place that agents use to reserve a GSA car as well as a system to cancel a reservation if the GSA car is no longer needed. This process will ensure that a record exists to justify a higher reimbursement rate for employees who have designated the use of a GSA car, when one is not available for their use.

At the beginning of each fiscal year, Regions should conduct a staff training session concerning GSA vehicle use. The training should include discussion of vehicle log information requirements, how to reserve the GSA vehicle, and how to cancel GSA vehicle reservations. Regions should also collect driver’s license certifications at the beginning of each fiscal year. Regions may either generate a single employee list signed and dated by each employee indicating whether the employee currently has a valid driver’s license or may collect copies of employee driver’s licenses.

2. Failure to solicit POV/GFV elections within 15 days after entry on duty.

The audit revealed employees had not timely completed election forms. Article 29, Section 2 Elections provides:

“ . . . within 15 days after entry on duty or assignment to duties requiring travel by automobile, employees will be asked in writing whether the employee wishes to elect to use a POV or a GFV. The Agency will notify the employee in writing of the election options and that failing to make a choice will be construed as having elected to use a GFV. The default GFV election shall be revocable at any time if the Agency has failed to provide the employee with the written notice of election options and the outcome of failing to make a choice.

To achieve better compliance with these provisions, as set forth in OM 03-98, Regions should ensure that employees are aware of the provisions of Article 29 and secure written designations from employees who travel on official business as soon as they start working in the Region. To ensure prompt solicitation of this election, the election form will be added to the Onboarding checklist.

3. Failure to properly monitor availability/usage of GFV cars which resulted in overpayment to employees for use of their POVs.

Employees using a POV for official business are compensated at different rates, depending on whether they have elected to use a GSA car and if one is available for their use. Article 29 Section 2 of the field collective-bargaining agreement describes the
procedures for employees to designate whether they will use a POV or GSA car and provides that if they fail to do so, they are presumed to elect to use a GSA car. If an employee elects, in writing, to use their POV for official travel, they will receive (currently) $0.575 per mile. If an employee elects to use the GSA vehicle, Section 3 of the article sets forth the reimbursement rates for the employee depending on the usage and available of the GSA vehicle. This provision tracks the Federal Property Management Regulations (FPMR). Specifically, employees who elect to use GSA cars, or fail to make a written designation, and use their POV may only be reimbursed at the rate of (currently) $.23 per mile if a GSA car was available for their use.

The audit revealed employees who elected to use GSA cars were paid $.057 per mile for use of a POV when a GSA car was available. These payments are improper under the FPMR and Article 29. Managers who review and approve travel vouchers are responsible for ascertaining that reimbursement for the use of POV at the higher rate is appropriate and, if necessary, supported by documentation indicating that no GSA car was available. In order to ensure the appropriate documentation is provided, the employee seeking higher reimbursement for use of their POV, must submit a written request at the time his/her travel voucher is submitted. A sample request form is attached as Attachment C. Travel vouchers seeking the higher reimbursement rate without the appropriate written request should not be processed.

A few reminders about using the GSA car:

- In the event a GSA car is involved in an accident, an accident report must be completed immediately and submitted to the office manager. The office manager will notify Fleet Manager, Facilities and Property Branch Andrew McDonald of the accident and will provide him with a copy of the accident report via email.

- Unauthorized use of the GSA car such as engaging in personal, non-Agency related travel, will result in appropriate administrative discipline including where circumstances warrant a 30 day suspension from duty without pay or removal from employment. See 31 U.S.C.A § 1349. In circumstances where the non-official use is considered willful, the Agency has no discretion regarding the minimum discipline; the discipline must be for at least 30 days. For additional guidance concerning the use of a GSA vehicle please see GSA, Official Use of Government Vehicle.

- In order to keep track of the Agency’s fleet of GSA vehicles, Regions should notify Fleet Manager Andrew McDonald of the Facilities and Property Branch each time a GSA vehicle is turned in for a different vehicle Regions should provide the make, model, year and vehicle identification number of both the vehicle being returned and the replacement vehicle. Whenever possible, Regions should be requesting hybrid or alternate fuel vehicles to replace vehicles being returned.
If you have any questions regarding these matters, please feel free to contact DAGC Dolores Boda or myself.

/s/
AP

cc: NLRBU