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Date: June 1, 2020

**TO: MEMBERS, BOARD OF DIRECTORS**

<b>I. AGENDA ITEM # AND TITLE:</b>	Open Agenda Item 3e – Consent Calendar: Annual Review and Approval of Board Member Education and Travel Expense Reimbursement Policy
<b>II. NAME AND PROGRAM:</b>	Hilda Padua, Board Liaison
<b>III. ACTIVITY:</b>	<input type="checkbox"/> Informational <input type="checkbox"/> Request for Direction <input checked="" type="checkbox"/> Action Proposed <input type="checkbox"/> Exploratory
<b>IV. JUSTIFICATION:</b>	<input checked="" type="checkbox"/> Standard/Required Item <input type="checkbox"/> Board Request – New Item <input type="checkbox"/> New Topic from Staff

**V. EXECUTIVE SUMMARY:**

Insurance Code Section 11770(e), mandates Board of Director subject matter training, and requires that such training be provided by persons or entities not affiliated with State Fund. However, training by State Fund is permitted on topics required to be completed by all State Fund employees, such as preventing sexual harassment in the workplace, and annual fraud prevention and ethics training. State Fund adopted a Board Member Education and Travel Expense Reimbursement Policy on September 11, 2009 and revised it in 2011, 2012, 2016, and 2019.

Part of the Board process and agenda setting is to review the Board Member Education and Travel Expense Reimbursement Policy, periodically, for potential changes, and make recommendations to the Governance Committee and Board to be presented and approved at the May Governance Committee and Board Open meetings. This year, the staff has no recommended changes to the Board Member Education and Travel Expense Reimbursement Policy.

**VI. ANALYSIS:**

Board members’ reimbursement for education and travel is not subject to Department of Personnel Administration imposed rules. Board reimbursement must be for actual and necessary travel expenses incurred in the performance of duties as a member of the Board, pursuant to Insurance Code section 11770(d)(1), which states, “Each member of the board shall receive his or her actual and necessary traveling expenses incurred in the performance of his or her duties as a member and, with the exception of the ex officio members, one hundred dollars (\$100) for each day of his or her actual attendance at meetings of the board.”

At the May 2019 meeting, the Board approved the revised Air Travel section of the Expense Reimbursement Schedule to conform to State Fund’s current airfare reimbursement practice.

Staff reviewed the Board Member Education and Travel Expense Reimbursement Policy this year and has no changes to recommend.

**VII. RECOMMENDATION:**

To recommend, to the Board, the approval of the Board Member Education and Travel Expense Reimbursement Policy as presented.

**VIII. APPENDIX:**

- Copy of Board Member Education and Travel Expense Reimbursement Policy



## STATE COMPENSATION INSURANCE FUND

### BOARD MEMBER EDUCATION AND TRAVEL EXPENSE REIMBURSEMENT POLICY

Adopted September 11, 2009

1<sup>st</sup> Amended: Adopted November 18, 2011

2<sup>nd</sup> Amended: Adopted November 15, 2012

3<sup>rd</sup> Amended: Adopted May 26, 2016

3<sup>rd</sup> Amended: Approved Without Change May 18, 2017

4<sup>th</sup> Amended: Adopted May 24, 2018

5<sup>th</sup> Amended: Adopted May 23, 2019

[Proposed for review and to be approved – no recommended changes for 2020]

Governance Committee: May 28, 2020

Board of Directors: June 16, 2020

#### I. PURPOSE.

The State Compensation Insurance Fund (“State Fund”) Board of Directors (“Board”) recognizes the importance of each of its members’ participation in regular Board and Committee meetings, and their regular education regarding topics pertinent to State Fund. In addition, as required by California Insurance Code section 11770, State Fund seeks to ensure that Board members are properly trained to perform their duties, and are, on an ongoing basis, exposed to up-to-date information regarding best practices in the numerous subject matters that are pertinent to the operation of the State Fund, including, without limitation, the duties and obligations of members of a board of directors, corporate governance, ethics, board of director legal issues, insurance, finance and investment, information technology and cybersecurity.

In furtherance of these purposes and to establish uniform and clear guidelines for the reimbursement for Board members’ travel-related expenses incurred as a result of their performing State Fund duties, the Board adopts this Board Member Education and Travel Expense Reimbursement Policy (“Travel Expense Reimbursement Policy”).

This Travel Expense Reimbursement Policy is intended to be applied and interpreted in compliance with the relevant provisions of the California Insurance Code and California Government Code, all other applicable law, and in harmony with State Fund’s mission statement, policies and guidelines.

#### II. GUIDELINES.

State Fund shall reimburse Board members for their actual and necessary travel expenses incurred while participating in Board and Committee meetings, continuing education programs, and in the performance of any other appropriate State Fund duties. The purpose of this Travel Expense Reimbursement Policy is to set forth approval procedures, to impose certain limitations on travel expense reimbursements, and to promote prudent and cost effective travel.

##### A. Approval.

Travel on State Fund business within California need not be approved in advance, as long as overnight accommodations are not provided. The Board hereby approves for purposes of authorizing reimbursement under this Policy, at their current cost, the actual and necessary costs for attendance at

State Compensation Insurance Fund

Board of Directors – June 16, 2020

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(Copy of Board Member Education and Travel Expense Reimbursement Policy – no recommended changes for 2020)

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the regular and special Board and/or Committee meetings, business review meetings, Town Hall meetings, other State Fund business events, and attendance at professional and educational conferences, classes, meetings, programs or other events that comply with the legislative requirement for continuing education, or that will better prepare Board members to perform their State Fund duties. Board attendance at conferences outside of the United States is generally disfavored.

**Limitation on Attendance by Board Members.**

1. A Board member is authorized to attend up to two (2) approved educational programs that require overnight accommodations each calendar year. A Board member may attend more than two approved continuing education programs in any given calendar year only with prior approval of the Board. Attendance by Board members at any continuing education programs provided by the National Association of Corporate Directors (NACD) or that are sponsored or organized by State Fund are excluded from this limitation.

2. The Board hereby authorizes the President of State Fund to identify and determine those Board continuing education opportunities that Board members may attend. A list of these authorized Board continuing education opportunities shall be provided to every member of the Board on a periodic basis, and not less than once every six months.

3. A majority of Board members, or of a Standing Committee of the Board, may not meet together for business purposes unless there is public notice of the meeting in accordance with the Bagley-Keene Act. Attendance by more than a majority of the members of the Board or a Committee at educational conferences and seminars and social activities at which State Fund business is not discussed, is not a violation of this provision.

**B. Authorized Expenses.**

Board members shall be entitled to reimbursement, either directly or through business expense reimbursement requests submitted by State Fund employees on a Board member's behalf, for travel expenses and for all other necessary expenses incurred in connection with State Fund business on the terms set forth, herein, and as reflected in the schedule attached as Exhibit A to this Policy.

Meals provided by State Fund to Board members while they are conducting State Fund business (and thus not paid for by State Fund through reimbursement requests) are excluded from the attached schedule's limitations.

The Board hereby authorizes State Fund to sponsor educational training programs for the Board, at a calendar year expense to State Fund not to exceed the amount that will be included in a Board Continuing Education Budget and to be adopted by the Board annually.

**C. Claims for Reimbursement.**

Reimbursement for travel by a Board member shall be submitted on State Fund's Expense Reimbursement Forms, which shall be reviewed and approved (or disapproved) by the President, or the President's designee, in accordance with the provisions of this Travel Expense Reimbursement Policy. All claims should be submitted within sixty (60) days following the completion of travel. In no event will a claim for reimbursement be approved if submitted ninety (90) days after the end of the calendar year in which the expense was incurred. Board members shall reimburse State Fund for all advances or reimbursements made in excess of allowable expenses within ninety (90) days from the date State Fund submits a refund request.

**D. Expenses for Traveling Companions.**

Under no circumstances shall State Fund pay or provide reimbursement for the expenses

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of a family member or traveling companion of a Board member; provided, however, that reimbursable expense that would be the same if incurred by a State Fund Board member without a traveling companion (e.g., for a taxi) need not be reduced from the full actual cost.

**E. Limitations on Expense Allowance.**

Reimbursement for expenses shall not exceed that which is reasonable and necessary for travel to the precise destination and on the date of the covered occurrence, whether by private automobile or common carrier. Expense costs for extra days prior to or after a conference and/or meeting will be reimbursed only if such extension results in the same or lower overall trip costs in accordance with this Travel Expense Reimbursement Policy.

**F. Travel and Lodging Cancellations.**

Board members are responsible for the timely cancellation of, or change to, any registration to a conference where fees may be charged and/or travel and lodging reservations are made on their behalf. Board members shall be responsible for the costs of any fees charged as a result of the failure to timely cancel or due to changes to said reservations, unless cancellation is due to State Fund business and unless otherwise approved, on a case-by-case basis, by the President.

**G. Travel Expense Reports.**

The President shall report all travel expenses reimbursed to Board members by State Fund on the consent calendar that is submitted to the Board at each regular Board meeting. All travel expense reimbursements to Board members are subject to review and to a determination by the Board that the payments are in accordance with the provisions of this Travel Expense Reimbursement Policy.

**H. Gifts of Travel and Education.**

Prior to accepting or using payment or reimbursement for travel from any source other than State Fund or a Board member's employer, it is recommended that a Board member obtain the advice of counsel to ensure that such payment complies with the provisions of the Political Reform Act and the implementing regulations adopted by the Fair Political Practices Commission. Board members shall be responsible for tracking and properly reporting any such payments on the Board member's Form 700-Statement of Economic Interests.

All proposed gifts or payments for travel to State Fund must be approved in advance by the Board after obtaining advice from the General Counsel as to whether such payment complies with the provisions of the Political Reform Act and the implementing regulations adopted by the Fair Political Practices Commission.

**I. Travel Arrangements.**

All hotel arrangements for which reimbursement will be sought shall be made through, or coordinated with, the office of the President.

**III. Policy Review.**

This Travel Expense Reimbursement Policy may be amended from time to time by majority vote of the Board.

**BOARD of DIRECTORS of the STATE COMPENSATION INSURANCE FUND**

## **EXHIBIT A -- EXPENSE REIMBURSEMENT SCHEDULE**

### **Airline Travel**

Board members shall be reimbursed for actual and necessary expenses for airfare for approved travel on State Fund business. Any scheduled U.S. or recognized international air carrier may be used for domestic or international travel. A coach class ticket shall be purchased, which shall be at competitive prices.

If savings can be realized on the airfare by having a Board member extend his or her stay to include a Saturday night, at his or her option, said Board member may extend his or her stay in order to realize such savings. State Fund shall reimburse the cost associated with the additional lodging and meals resulting from an extended itinerary, not to exceed the savings in airline fare.

If, at the conclusion of a business-related trip, it would be impractical for a Board member to return home the same day and arrive home prior to 10:00 p.m. California time, due to the distance that must be traveled, or the unavailability of a return flight, the Board member may lay over for one additional night and State Fund shall reimburse the costs associated with the additional lodging and meals resulting from the extended stay.

### **Hotels**

Actual expenses for lodging in a standard class of hotel shall be reimbursed by State Fund. Whenever possible, a request for a government or conference rate should be made. If State Fund has obtained a negotiated rate at a preferred hotel for a particular event, Board members may not be reimbursed for more than the amount of that negotiated rate. While meals charged to the hotel bill shall be reimbursed in accordance with this Travel Expense Reimbursement Policy, State Fund shall not reimburse expenses related to tobacco, in-room movies, barber/beauty shop, gifts, magazines, personal telephone calls, and mini-bar charges. In the case of an extended trip or an emergency situation, laundry and dry cleaning expenses may be reimbursed. Cancellation fees incurred because of urgent State Fund business or the cancellation of a meeting or event by the organizing entity are exempt from this requirement.

Original hotel receipts must be submitted along with a completed State Fund Expense Reimbursement Form to obtain reimbursement.

### **Meals**

Board members shall be reimbursed for actual and necessary expenses for meals for approved travel on State Fund business. Meal expenses on the day of travel may be claimed (i) for breakfast if the departure is prior to 6 a.m., and/or (ii) for dinner if arrival is completed after 7:00 p.m.

A Board member shall be reimbursed for a gratuity of up to 20% of the cost of the meal. A Board member must provide a receipt for any meal that exceeds \$25.00.

When a meal is provided to Board members at a State Fund meeting or other State Fund function, or is included in the cost of a conference registration fee, mode of travel (e.g. airfare), or other State Fund-paid activity, Board members will not be entitled to reimbursement for that meal.

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**Automobile Mileage**

A Board member who uses his/her personal automobile for transportation on State Fund business may be reimbursed for the actual mileage driven on business and shall report such mileage on a State Fund Expense Reimbursement Form. Reimbursement shall be made at the per-mile rate allowed by the Internal Revenue Service.

**Parking and Tolls**

Parking and tolls will be reimbursed at current rates. A receipt is required for amounts over \$25.00.

**Public Transportation**

Use of taxis, hired cars, and public transportation for State Fund business shall be reimbursed at actual rates; however, Board members are encouraged to use the most economically reasonable form of public transportation that is reasonably available to them. A receipt is required for amounts over \$25.00.

**Car Rentals**

The use of a rental car by a Board member shall be reimbursed when it is economically reasonable to rent a vehicle rather than use taxis, hired cars, or public transportation. Rental car discounts must be used whenever possible and appropriate. If available, midsize or smaller vehicles should be requested, unless several Board members will be using the vehicle together. Receipts are required for all car rentals.

**Incidental Business Expenses**

Incidental business expenses reasonably incurred in connection with State Fund business, such as telephone, fax, internet access, and similar business expenses, shall be reimbursed as necessary and appropriate. Receipts are required in each instance of such business expense.

**Porterage**

Maximum reimbursement for porterage is \$10.00 per day of travel. Receipts are not required for porterage.