Department of Corrections and Community Supervision **DIRECTIVE**	TITLE **Reimbursement of Moving Expenses for Transferred/New Employees**		NO. 2728 DATE 02/04/2025
SUPERSEDES DIR #2728 Dtd. 05/18/20	DISTRIBUTION A	PAGES PAGE 1 OF 5	DATE LAST REVISED
REFERENCES (Include but are not limited to) See Section II	APPROVING AUTHORITY Darren Laycotte		

I. DESCRIPTION: To describe the basis for and process of reimbursing employees and new appointees for moving expenses.

II. REFERENCES

- State Finance Law, Sections 202 and 204
- State Civil Service Law, Article 14
- American Correctional Association (ACA) Expected Practice 5-ACI-1C-19
- Division of the Budget Policy and Reporting Manual, Items G-200 and G-205
- Office of the State Comptroller, Guide to Financial Operations, Chapter XIII.8

III. POLICY: Reimbursement of moving expenses may be authorized when a current employee is promoted or transferred for the express convenience of the State, when a new State employee is appointed for the express convenience of the State, or when an employee is permanently promoted to a full-time position in accordance with State Finance Law, Sections 202 and 204.

For the purposes of this Department, the express convenience of the State may be established by a lack of qualified applicants or candidates who will accept permanent employment in the title or location where the position is officially assigned.

IV. ELIGIBILITY FOR REIMBURSEMENT OF MOVING EXPENSES

A. The following individuals shall be eligible for moving expenses in accordance with the following and any applicable laws, policy, and guidance referenced in this Directive:

1. Employees with permanent status in full-time positions who are promoted, transferred, or reassigned for the express convenience of the State shall be eligible for reimbursement for approved moving and travel expenditures in accordance with the provisions of this directive.
2. Employees transferred or reassigned as a result of a relocation of an agency, or subdivision of an agency, or the abolition of a position shall be deemed transferred or reassigned for the convenience of the State.
3. No reimbursement for moving expenses shall be made to appointees, unless the appropriate appointing authority (for positions outside the competitive class) or by the Department of Civil Services (for competitive class positions) has determined that there exists in New York State a shortage of qualified candidates for the position to which the appointment is made.
4. Employees granted provisional promotions must wait until their appointment becomes permanent prior to being eligible for reimbursement.

B. An employee shall not be eligible for reimbursement for expenses incurred in moving if:

1. The transfer or reassignment is a result of a demotion, either voluntary or following disciplinary action;
2. The transfer or reassignment is made for educational or training purposes;
3. The transfer or reassignment is made at the request of the employee and is not expressly for the convenience of the State; or
4. The distance between the old and new places of employment or between the new place of employment and place of residence at time of employment, as measured over the shortest distance along public highways, is less than 35 miles.

C. In the case of new appointees, it is the policy of the State that such reimbursement may be approved when the Department of Civil Service (for competitive class appointments) or the appointing authority (for appointments outside of the competitive class) determines that there exists in New York State a shortage of qualified candidates for the position to which the appointment would be made and when providing such reimbursement would improve the State's ability to consummate an appointment.

D. Reimbursement shall be made in accordance with the provisions of the Division of the Budget Policy and Reporting Manual provided that claim for such payment is made within one year of the effective date of appointment.

V. RESPONSIBILITY FOR AUTHORIZATION: A Supervisor may recommend reimbursement of moving expenses by forwarding a memorandum describing the circumstances justifying reimbursement to their respective Deputy Commissioner. The Deputy Commissioner shall refer appropriate recommendations to the Commissioner for final decision. If satisfied by the justification, the Commissioner may approve the reimbursement.

NOTE: As indicated in Section IV-C, reimbursement of moving expenses for new competitive class appointees must also be approved by the Department of Civil Service.

VI. ALLOWABLE CONDITIONS FOR REIMBURSEMENT

A. Employees/appointees eligible for reimbursement pursuant to the Division of the Budget Policy and Reporting Manual shall be reimbursed for actual and necessary moving expenses incurred in an aggregate amount not in excess of $3,000 if claim for such payment is made within one year of the effective date of relocation, transfer, reassignment, promotion, or appointment. No waiver of this limit will be endorsed. Three written quotes of moving expenses should be obtained, and the lowest bidder accepted.

B. Subject to the above dollar limitation, an eligible employee/appointee shall be reimbursed for:

1. The basic cost of moving household goods and personal effects from the employee's/appointee's residence at the time of appointment to the residence located near the new place of employment, provided that the mover used a carrier authorized by the New York State Department of Transportation or the Interstate Commerce Commission to perform such service. Three written quotes of moving expenses should be obtained, and the lowest bidder accepted. The basic cost of moving shall mean the cost of loading, transporting, and unloading household goods and personal effects, including necessary expenditures for handling such household goods as pianos, refrigerators, and deep freezers.

Household goods shall not be deemed to include: automobiles; other motor vehicles; trailers, other than house trailers used as employees'/appointees' residences; farm tractors, implements and equipment; livestock; boats; animals raised for profit by the employee; belongings which are not the property of the employee's/appointee's immediate family; belongings related to commercial enterprises engaged in by the employee/appointee or their family; and building materials.

2. The cost of additional insurance above the valuation rate charged.
3. If employees/appointees do not use a commercial carrier or do not rent a trailer or truck from a commercial establishment, then they may be eligible for up to $200 to help cover moving expenses, provided that the claim is accompanied by documentation showing that such expenses were actually incurred.
4. The cost of packing and/or unpacking of household goods and personal effects if such services provided by the carrier are used.
5. If an employee does not use a commercial carrier, they can be reimbursed for the basic cost of moving household goods and personal effects by rented trailers or trucks. The Division of the Budget has determined that reimbursement is to be limited to the actual rental of equipment. Additional expenses, such as loaders, packers, drivers, or un-packers, hired independently by the employee shall not be reimbursable.
6. Reimbursement may be made for the cost of storing goods in-transit up to 30 days, as well as necessary warehouse handling, provided it can be demonstrated that these services were needed. Reimbursement shall not be provided for storage or handling of goods in excess of 12,000 pounds.
7. The cost of transportation of the employee/appointee and their family to the new location at a rate paid by the State for use of personally owned automobiles on official business; the mileage to be measured by the shortest highway route between the two places of residence. Payment shall be made at such rate for one automobile regardless of the number owned or actual method of transportation used.

C. Expenses other than those enumerated above incurred by the employee/appointee as a result of a move occasioned by transfer, reassignment, promotion, or a new appointment shall not be subject to the reimbursement.

VII. REPAYMENT OF MONEYS ADVANCED: It is the responsibility of the Department to enforce applicable provisions of State Finance Law, Section 202, subdivision 3, and Section 204, subdivision 2, which advises that when an employee resigns or voluntarily separates within one year of appointment, transfer, reassignment, or promotion, other than for reasons specified by law, the agency is to collect money provided for moving and related travel expenses. When this action is not feasible, the claim is then transferred to the Attorney General for action. This State Finance Law may be waived by the Director of the Budget if they determine "that such restrictions and limitations would result in an unusual and unavoidable hardship" for the employee.

VIII. PROCEDURE

A. Completion of Forms by Employee/Appointee

1. Follow instructions on the Office of the State Comptroller (OSC) website when completing OSC Forms AC132-S and AC1099-S (see also Attachment A).

2. Complete OSC Form AC132-S, "Employee Report of Travel Expenses and Claim for Payment," following directions on the OSC form.
3. Complete OSC Form AC1099-S, "Request/Agreement for Moving Expense Reimbursement," following directions on the OSC form.

B. Employee/appointee retains copies of OSC Forms AC132-S and AC1099-S for reference.

C. Employee/appointee forwards OSC Forms AC132-S, AC1099-S, and all other supporting documents to the Budget Unit in Central Office. Supporting documents are:

1. Bill of lading and/or invoice (must be an original or a carbon copy), a freight bill issued by the carrier showing charges collected, or receipts from the rental of a moving truck.
2. OSC Form AC3259-S, "Statement of Incidental and Transportation Expenses."
3. Where applicable, an employee should include a copy of the letter from Civil Service stating that there is a shortage of qualified positions in the particular title in the work location.

D. Certification

1. Central Office Budget Unit receives the forms and forwards them to the Director of Budget and Finance or designee.
2. The Director or designee pre-audits OSC Forms AC132-S and AC1099-S, as well as any other supporting documents, as appropriate using guidelines set in this directive, The Budget Policy and Reporting Manual, and Sections 202 and 204 of the State Finance Law.
3. If any required information or documents are inaccurate or missing, the documents are returned with a letter of explanation.
4. If an employee/appointee is ineligible for the reimbursement of moving expenses, the documents are returned with a letter of explanation.

E. Process Forms

1. Central Office Budget Unit returns approved forms to the facility for processing in accordance with current OSC Guide to Financial Operations.
2. Funds to be paid for approved moving expenses are to be charged to the accounts of the facility where the employee will be working.
3. If a Central Office or a Community Supervision charge, then the appropriate Budget and Finance Program Chief will provide coding to process the moving expenses.

Instructions for Processing of Reimbursement Request

1. Please **type** or **print plainly** on all forms.
2. The employee/appointee completes the AC132-S summarizing the detail of allowable expenditures, following the guidelines enumerated in the Division of the Budget Policy and Reporting Manual, Item G-200 for Management/Confidential employees and G-205 for others who negotiate pursuant to Article 14 of the Civil Service Law. The employee/appointee and their supervisor certify the form.
3. The employee/appointee completes the AC1099-S and signs the agreement satisfying the provisions set forth in Sections 202 and 204 of the State Finance Law.
4. If an appointee, attach a copy of the letter from Civil Service stating there is a shortage of qualified positions in the particular title. Non-statutory positions must have the approval from the head of the department or agency.
5. The employee/appointee attaches a bill of lading or freight bill issued by the carrier showing the charges collected and copies of the three estimates, including the receipted bill in the event a certified carrier is not used. Attach a copy of the rental truck agreement, if applicable.
6. The employee/appointee submits AC132-S with all applicable documents attached, including AC1099-S.

Click the links below to access instructions for the completion of Forms AC132-S, AC1099-S, and AC3259-S.

http://osc.state.ny.us/agencies/forms/ac132s_instruction.pdf
http://osc.state.ny.us/agencies/forms/ac1099s_instruction.pdf
http://osc.state.ny.us/agencies/forms/ac3259s_instruction.pdf