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**DECISION**



**THE COMPTROLLER GENERAL  
OF THE UNITED STATES**  
WASHINGTON, D. C. 20548

*[Request for Reimbursement of Travel Expenses]*

FILE: B-197954

DATE: August 19, 1980

MATTER OF: Morley V. Adams, Jr. - Travel expense -  
Abandonment of temporary duty

**DIGEST:** Employee did not abandon temporary duty for training. He may be reimbursed his allowable travel expenses and is not liable for return transportation to permanent duty station. Although employee was 1 day late for training course and therefore was required to immediately return to his headquarters, late arrival resulted primarily from communications breakdown concerning commencement of classes and is excusable under the circumstances.

The issue in this case is whether Mr. Morley V. Adams, Jr., should be denied travel expenses because he reported 1 day late for a course of instruction at his temporary duty station and was therefore required to return to his headquarters without completing the instruction.

Mr. Adams, a civilian employee of the Defense Logistics Agency, Defense Property Disposal Service, Sheppard Air Force Base, Texas, had been scheduled to attend a Precious Metals Recovery Program Course, at Fort Lee, Virginia, during August 1979. However, because of an unexpected vacancy in the May class, Mr. Adams, on or about April 17, 1979, was rescheduled to take the course in May 1979. An airlines strike was impending and because no travel orders had been received as of April 27, 1979, he then obtained airline reservations for departure on Monday, May 7, and return on Friday, May 11. He considered travel was appropriate on these days, since his previous course had required travel on Monday to avoid Sunday overtime travel. However, when he arrived at Fort Lee, he found that classes had commenced at 8 a.m., May 7, rather than May 8, the first day he reported for instruction. Because he had missed 1 day of classes, he was dismissed from the course on May 8 and ordered to return to his permanent duty station.

Ms. B. Lehman, Chief, Defense Property Disposal Office, Sheppard Air Force Base, believes that Mr. Adams should not be required to reimburse travel expenses because his class attendance was terminated. She mentions the impending airlines strike, the absence of travel orders on April 17, and the practice of avoiding Sunday travel as reasons justifying the May 8 reservations. Further, the usual notice

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confirming the course starting date did not arrive because of the course rescheduling from August to May. She also reports that Mr. Adams is a wage grade employee covered by the Fair Labor Standards Act and, thus, possibly entitled to overtime for Sunday travel.

Mr. David W. Green, Deputy, Defense Property Disposal Region Office, Memphis, Tennessee, agrees that because of extenuating circumstances repayment would be inappropriate. Mr. Glen Edwards, Acting Chief, Management Support Office, Defense Property Disposal Region Office, Memphis, Tennessee, concluded that communications breakdowns at all levels appeared to warrant consideration of the claim.

Mr. Robert A. Young, Comptroller, Defense Property Disposal Service, advises that the Government paid for the air travel and that Mr. Adams is claiming per diem and other expenses. Mr. Young says that if Mr. Adams' late arrival at the TDY point can be justified, the claim should be honored. The Office of the Comptroller, Defense Logistics Agency, through the Per Diem, Travel and Transportation Allowance Committee, PDTATAC Control No. 80-11, requests an advance decision on the allowance of travel expenses.

Paragraph C4463 of the Joint Travel Regulations, Volume 2, provides that if an employee abandons his travel for personal reasons which are acceptable to the employing agency, only the expense to the point of abandonment is allowable. If Mr. Adams had been totally at fault for missing the first class day, his actions justifying his termination could be considered abandonment of temporary duty. The administrative reports, however, show that a combination of circumstances, including a lack of timely communication to Mr. Adams, was primarily responsible for his late arrival. Therefore, it appears to us that his late arrival was excusable and that he did not abandon temporary duty.

Consequently, Mr. Adams may be paid his allowable travel expenses and is not required to repay the cost of return transportation to his permanent duty station.

*Milton J. Fowler*

For the Comptroller General  
of the United States