

The Corporation of the Municipality of Brockton



By-Law 2023-082

Being a By-Law to Adopt a Mileage Allowance Policy for the Municipality of Brockton.

Whereas The Council for The Corporation of the Municipality of Brockton deems it expedient to establish policies;

And Whereas the *Municipal Act 2001, S.O. 2001, c 25, Section 5(3)*, as amended provides that a municipal power, including a municipality's capacity rights, powers and privileges under section 9, shall be exercised by by-law;

Now Therefore the Council of The Corporation of the Municipality of Brockton enacts as follows:

- 1.0 That The Corporation of the Municipality of Brockton Council hereby adopts a Mileage Allowance Policy as contained in the attached Schedule "A" to this By-Law.
- 2.0 This By-Law shall come into full force and effect upon final passage.
- 3.0 This By-Law may be cited as the "Adopt Mileage Allowance Policy By-Law".

Read, Enacted, Signed and Sealed this 29th day of August, 2023.

Mayor – Chris Peabody

Director of Legislative and Legal Services (Clerk)
– Fiona Hamilton

Department:	All Council and Staff	Policy Number:	F09-0500-23
Section:	Employee/Council Expenses	Effective Date:	September 2023
Subject:	Mileage Allowance Policy	Revised Date:	
Authority:	Canada Revenue Agency – Automobile and Motor Vehicle Allowance, By-Law 2023-082		

Purpose:

The purpose of this policy is to provide a consistent and fair approach to reimbursing The Municipality of Brockton Council and employees for mileage expenses, parking transit and highway toll charges incurred as part of their employment. Brockton acknowledges that Council and employees should be compensated for the expenses associated with the use of personal vehicles for municipal business. Further, the Municipality recognizes that setting standards for drivers' licences, qualifications and automobile insurance are important to protect employees and to minimize risk and liability to the Municipality.

Scope:

This policy applies to all Municipality of Brockton Council, employees, and volunteer firefighters who are engaged in work-related activities outside of their normal work location. This allowance is for use of their own vehicle in connection with or in the course of their employment. The allowance is a taxable benefit unless it is based on a reasonable per-kilometre rate as per the rate set by the Canada Revenue Agency (CRA).

Procedures:

1. Councillors, employees, or volunteer firefighters who are required to use their personal vehicle for authorized municipal business outside of the Municipality shall be reimbursed at the rates established by the Federal Department of Finance (CRA) for tax exempt amounts.
2. The allowance amounts reflect the key cost components of owning and operating an automobile such as, but not limited to, depreciation, financing, insurance, maintenance and fuel costs.
3. The claim must include the origin, destination, and the purpose of the trip. For purposes of calculating mileage, the claim for mileage is from the normal work location to the visiting site location, not including any travel between home and the employee's normal work location.
4. Employees who are required to report to an alternate location, may claim mileage only if the distance to the alternate location is farther than the distance to their regular workplace from their place of residence. The mileage claimed for alternate locations, as indicated above, would be the shorter of the distance between the regular workplace and the alternate location or place of residence to the alternate location.
5. Driving beyond the borders of Ontario is to be pre-approved in writing by the employee's supervisor prior to travel.
6. Mileage reimbursement must be authorized by a Department Head or Supervisor and shall be claimed using the Municipality's Employee Expense Report Form.

7. All expenses incurred, including tabulations shall be checked by the CFO (Chief Financial Officer) against all motions and policies of council and should there be any discrepancies, the expense report form shall be returned to the employee who shall correct such discrepancies. In lieu of not being able to provide correct back up the employee shall remove the unsubstantiated expense from the report. Expenses shall not be paid until:
 - a) The travel expense form complies with the motions/policies of Council;
 - b) The CFO or CAO authorizes the expenses.
8. Mileage claims are processed through Accounts Payable and shall be paid to the employee by direct deposit.
9. Contract employees are governed by the terms and conditions as set out in their offer of employment or contract agreement.
10. Pre-authorized toll charges (e.g. Highway 407) incurred while on authorized Municipal business will be reimbursed; transponder fees do not qualify for reimbursement. All such charges shall be supported with documentation appended to the Employee Expense Report Form.
11. Employees will be reimbursed for all reasonable parking expenses incurred in the performance of their duties. Expenses must be supported by paid receipts appended to the Employee Expense Report Form.
12. Employees will be reimbursed for all authorized transit fares as a result of travel for authorized municipal business.

Employee Automobile Insurance:

All employees using a personal vehicle for municipal business purposes are required to have \$1,000,000 liability coverage for bodily injury or death. The employer may require proof of automobile insurance coverage.

Drivers' Licence:

An employee who is required to drive a Municipal vehicle must possess a valid drivers' licence in good standing, free of driving offences under the *Criminal Code of Canada*, R.S.C. 1985, c. C-46, as amended, for a period of five (5) years, unless other requirements appear in the particular job description, and additional qualifications such as a DZ licence, as applicable. Proof of the qualifications such as a Drivers Abstract should be presented at time of hire. Employees who are required to drive a Municipal vehicle or use a private vehicle for Municipal business are subject to an annual drivers' licence check applying Ministry of Transportation of Ontario information.

Vehicle Accident Report:

Municipal employees using a municipal vehicle or private vehicle must complete a detailed report of a vehicle involved in any accident occurring while using the vehicle for municipal business purposes within twenty-four (24) hours of the incident to be submitted to their supervisor who shall forward the report to the CAO and Health and Safety Coordinator. In cases where there is personal injury or damage that exceeds the amount stipulated under the *Highway Traffic Act*, R.S.O 1990, c. H.8 as amended, as a reportable accident, the Police must be notified within twenty-four (24) hours.

Traffic Violations:

The cost of fines resulting from traffic violations, parking offences, etc. will not be borne by the Municipality, whether operating a municipal vehicle or the employee's private vehicle. They are the responsibility of the vehicle operator at the time of the offence.

Responsibilities:

Employees are responsible to:

- Know and comply with this policy.
- Keep accurate records of mileage when using their vehicle on municipal business. Complete the Employee Expense Report Form for review and approval by their Department Head or designate.
- Submit requests for mileage reimbursement on a regular and timely basis.
- Maintain a valid driver's licence and automobile personal liability insurance when using their private vehicle for municipal business purposes. Employees should inform their insurance carrier if they use their private vehicle for municipal business purposes. The cost of additional coverage, if any, is the responsibility of the employee.
- Inform their Department Head of any change in the status of their drivers' licence if required to drive a municipal vehicle in the course of their duties.
- Complete detailed reports of any accident, as applicable.

Department Heads are responsible to:

- Monitor submissions of mileage claims for accuracy and consistency.
- Consult with the CFO if unable to resolve a concern regarding a mileage claim.
- Approve mileage claims and forward to Accounts Payable for processing.
- Consult with Human Resources to review options in all situations of loss/suspension of a drivers' licence when the employee is required to drive a Municipal vehicle.

Human Resources are responsible to:

- Support the implementation of the mileage policy.
- Support Department Heads in the resolution of issues concerning the application of this policy.
- Ensure that drivers' abstracts are obtained and drivers' licences/qualifications are verified as part of the recruitment process, as appropriate.
- Conduct annual checks through the Ministry of Transportation for all employees required to drive a municipal vehicle.
- Work with Department Heads to deal with situations where loss/suspension of a drivers' licence impacts on the employee's ability to carry out the duties of their position