



UNITED STATES
CIVILIAN BOARD OF CONTRACT APPEALS

June 26, 2013

CBCA 3220-TRAV

In the Matter of KENNETH R. CHANEY

Kenneth R. Chaney, Roswell, GA, Claimant.

Lucinda E. Davis, Office of General Counsel, Social Security Administration, Baltimore, MD, appearing for Social Security Administration.

WALTERS, Board Judge.

As noted in our decision of April 30, 2013, claimant, Kenneth R. Chaney, regularly commutes to his office at the Social Security Administration (SSA) area director's office (ADO) in Atlanta, Georgia, principally by means of train. He drives to the train station, parks (for free) at the station, and is provided a subsidy to take the train to work. Mr. Chaney used his privately-owned vehicle (POV) on the ten days in question, in order to have it available for travel to other local sites for official SSA business. The SSA travel policy and rules set forth in its Administrative Instruction Manual System (AIMS) provided that, when reimbursing an employee for POV use, the employee's "normal commuting costs" are to be deducted. In our decision, we interpreted this AIMS provision as precluding reimbursement for any costs incurred to make the employee's normal commute from his home to and from his office, regardless of whether the employee might ordinarily utilize a less costly method of effecting the commute. *See* AIMS 07.13.02.B ("Employees must bear the cost of transportation between their residence and office. The transportation expenses . . . employees incur between their residence and office constitute their normal commuting costs."). Thus, we disallowed reimbursement to Mr. Chaney for any mileage he expended with his POV traveling to and from the ADO and any parking fees he incurred for parking the POV at the ADO, and only allowed him reimbursement for mileage, tolls, and parking fees incurred in conjunction with traveling to the other local sites.

Mr. Chaney seeks reconsideration of the Board's decision and, in this connection, advances two arguments. First, he alleges that the Board improperly interpreted the word "normal" as used in the AIMS when specifying the deduction for "normal commuting costs." Second, he contends that the Board ignored certain AIMS provisions – AIMS 07.13.04A, AIMS 07.13.02 C.2, and AIMS 07.13.09 – when making its decision. Mr. Chaney is incorrect on both counts.

Prior to arriving at its decision, the Board considered fully each of the cited AIMS provisions and the parties' respective arguments regarding them. Indeed, we do not view any of those provisions as inconsistent with our interpretation and ruling. Moreover, the argument regarding the Board's interpretation of the word "normal" put forth in Mr. Chaney's request for reconsideration is essentially the very same argument that Mr. Chaney presented in his earlier filings and that the Board rejected. Requests for reconsideration should "state the reason why the Board should consider the request. *Mere disagreement with a decision or re-argument of points already made is not a sufficient ground for seeking reconsideration.*" Board Rule 407 (emphasis added); *Gary L. Watson*, CBCA 2504-TRAV, 12-2 BCA ¶ 35,142; *Robert B. Barnes*, CBCA 2073-TRAV, 11-1 BCA ¶ 34,619 (2010); *Susan M. Spillman*, CBCA 1619-TRAV, 10-1 BCA ¶ 34,401.

Decision

The request for reconsideration is denied.

RICHARD C. WALTERS
Board Judge