



UNITED STATES
CIVILIAN BOARD OF CONTRACT APPEALS

October 22, 2014

CBCA 3729-TRAV

In the Matter of MATTHEW C. ALTLAND

Matthew C. Altland, DPO Area Americas, Claimant.

James E. Hicks, Office of Chief Counsel, Department of Justice, Springfield, VA,
appearing for Department of Justice.

ZISCHKAU, Board Judge.

The claimant seeks supplemental reimbursement for the cost of additional airline tickets he purchased for himself and his family on his return from home leave due to his having missed his originally scheduled flights. We deny the claim because the claimant failed to exercise prudent care in traveling. He did not attempt to contact the agency's travel office once he had missed his flight, and he did not attempt to timely cancel his original tickets once he realized he would not be able to board the original flight.

Matthew C. Altland is a civilian employee of the Department of the Justice, currently assigned to an overseas country office, where he first reported in October 2011. He was approved for tour renewal agreement travel on January 23, 2013. On January 25, 2013, he signed a service agreement in which he agreed to extend his tour at that duty station for an additional two years. He also signed a tour renewal agreement in order to receive travel orders for home leave. In connection with his home leave, he and his family left his duty location on July 19, 2013, and traveled to Denver, Colorado. Problems arose during their planned August 15 return trip from Denver to his duty location. He and his family arrived at the Denver airport an hour and a half before departure time, but by the time they cleared long lines at the security area, and took a terminal train to the gate, they were told that boarding had closed ten minutes earlier, thus causing them to miss the first leg of their return flight from Denver. The airline informed him that there were no other connecting flights that day. He purchased tickets directly from the airline for a flight departing the next day. At no point did Mr. Altland seek to cancel the unused, non-refundable tickets, or notify the agency or the agency's approved travel office that had booked his travel regarding other flights.

On September 4, well after the return travel was complete, he contacted the agency and explained the travel circumstances, and requested that the additional travel expenses, amounting to \$4181.88, be included in his travel authorization. An agency review determined that the additional expenses could not be reimbursed because he had not followed the procedures for altering travel arrangements as required by the Federal Travel Regulation (FTR). On September 17, Mr. Altland submitted a travel voucher that included the cost of the original airline tickets and related expenses totaling \$8245.62. He was reimbursed \$7683.12 after authorized expenses were certified. Mr. Altland submitted a supplemental travel voucher, claiming an additional \$4181.88 in expenses for the second set of airline tickets he had purchased directly from the airline. The agency finance officer notified Mr. Altland that the agency would not be reimbursing him for the supplemental voucher expenses. Mr. Altland then filed this claim with the Board.

The FTR at 41 CFR 301-10.113 (2013) provides as follows:

What must I do if I change or do not use a common carrier reservation?

If you know you will change or not use your reservation, you must take action to change or cancel it as prescribed by your agency. Also, you must report all changes of your reservation according to your agency's procedures in an effort to prevent losses to the Government. Failure to do so may subject you to liability for any resulting losses.

The FTR also requires that an employee "must exercise the same care in incurring [travel] expenses that a prudent person would exercise if traveling on personal business." 41 CFR 301.2.3. Agency policy reiterates this rule. The agency argues that Mr. Altland did not exercise due care, first by failing to arrive at the airport early enough so as not to miss his flight, and second by failing to cancel any portion of the missed flights and to notify the agency and the travel office. Had he done so, he might have received authorization for the changes and funding, at least in part.

In a supplemental submission to the Board in May 2014, Mr. Altland states that he had made a prior request to the airline to reconsider the costs assigned to him for the return travel from Denver. The airline notified Mr. Altland that it would reimburse him \$3647.02, leaving a remainder of \$534.86 charged to him. Thus, Mr. Altland has adjusted his request to the Board for this reduced amount.

We conclude that the agency's position should be sustained. Mr. Altland has not shown that he met the prudent traveler standard when he failed to attempt to contact the

agency's travel office once he had missed his flight, and further when he failed to attempt to timely cancel his original tickets once he realized he would not be able to board the original flight. Although Mr. Altland states that he saved the Government the travel agency administrative fee by purchasing the tickets himself directly from the airline, we agree with the agency that where there is a change in flight scheduling which potentially will involve a significant additional expense (in this case, the cost of six additional airline tickets), the traveler should make every reasonable effort to contact the agency and the agency travel agent to seek guidance and assistance in rescheduling flights. Fortunately for Mr. Altland, the airline gave him relief for the vast majority of the additional costs that he incurred due to missing his originally scheduled return flight.

The claim is denied.

JONATHAN D. ZISCHKAU
Board Judge