



OREGON YOUTH AUTHORITY
Policy Statement
Part I – Administrative Services



Subject

Reimbursement for Personal Property Damage [Staff]

Section – Policy Number:

B: Financial Management – 4.1

Supersedes:

None

Effective Date:

01/24/00

Date of Last Review:

02/27/07

Related Standards and References:

- [ORS 183.310 through 183.502](#) (General Provisions; Adoption of Rules; Contested Cases; Judicial Review; Appeals from Circuit Court; Alternative Dispute Resolution)
- [ORS 420A.220](#) (Damage to property of employee of Oregon Youth Authority; claims; payment)
- Applicable Collective Bargaining Agreements ([SEIU](#); [AFSCME Local 191](#))
- OYA forms: [YA 2235](#) (Personal Property Damage Claim Form)
[YA 8300](#) (Incident/Accident/Hazard Report)
- Other forms: [SAIF 801](#) (Workers' Compensation Claim Form)

Related Procedures:

- None

Interpretation: Business Services

Approved:

Robert S. Jester, Director

I. PURPOSE:

This policy provides general standards for OYA staff reimbursement for personal property damage to include allowances, limitations and the claim process.

II. POLICY DEFINITIONS:

None.

III. POLICY:

In the performance of official duties, staff may incur damage to personal clothing or effects (including eyeglasses, clothing and watches) caused by offenders in OYA custody. In such instances, staff may file a claim for reimbursement pursuant to the general standards delineated in this policy.

IV. GENERAL STANDARDS:

A. Allowances

1. The OYA may audit, allow, and pay a claim made by a staff for damage to personal property if:
 - a) The damage to property arises out of the staff's employment with the OYA, and
 - b) The staff files a written claim with his/her immediate Supervisor/Manager within 180 days after the staff discovers or should have discovered the damage.
2. Claims are limited to the actual costs for replacement or repair of the damage, up to limits prescribed by this policy.
3. Receipts or a substantiated estimate prepared by a company that can replace or repair the item, including the cost of such replacement or repair is required.
4. All claims will be based on reasonable costs, which are subject to agency review.

B. Limitations

No claim will be paid:

1. Where the amount sought exceeds the funds appropriated to the agency for this purpose;
2. Where the damage has been compensated by liability insurance or otherwise;
3. Where the cause of the damage is a result of negligence of the party damaged;
4. Where a suit or an action of law would be barred by any appropriate statute of limitations;
5. Where the claim for damage to a watch and/or watchband exceeds \$50. Reimbursement will be made at \$50.
6. Where the claim for damage to an article of clothing/sundry item such as a blouse, shirt, pants, or similar item exceeds \$35; Reimbursement will be made at \$35.

If the staff has the option of wearing state-provided clothing but is not doing so at the time of damage, the reimbursement rate will be the lesser of the state's rate or staff's actual cost.

7. Where the claim for damage to required glasses or contacts exceeds the cost to repair or replace;
 - a) Reimbursement will be made at the lesser of the two costs.
 - b) Such reimbursement may be allowed only in instances where the glasses or contacts are required in the course/scope of the job and the staff was wearing them at the time of the incident that caused the damage.
8. Where damage is to jewelry, radios, non-prescription sunglasses or other personal items deemed unnecessary to perform the job;
9. Where damage is to personal vehicles;

Submit such claims to private insurance, or to the Department of Administrative Services, Risk Management Division (DAS-RMD) if the state may be liable for damages.
10. Where replacement cost exceeds original cost as documented by original purchase receipt and replacement receipt;

Reimbursement will be made at the lowest cost.

C. Claim process

1. The damaged item will be retained and processed with the written claim.

If such item is maintained by the staff for use (such as damaged eyeglasses that can be temporarily repaired), the Supervisor/Manager will inspect such items and attest to the damage.
2. The staff will complete the YA 2235 including:
 - a) Detail of the circumstances (including date and time) of the events causing the damage;
 - b) Certification that an offender in OYA custody was involved in the incident;
 - c) Copies of all receipts or a substantiated estimate prepared by a company that can replace or repair the item, including the cost of replacement or repair; and
 - d) Names of witnesses to the event.
 - e) In addition, if the claim is for reimbursement for eyeglass or contact lens damage, staff must also:

- 1) Complete a YA 8300.
- 2) If medical treatment is necessary, staff must also complete a SAIF 801.
- 3) SAIF will process the claim for reimbursement.
- 4) Obtain an estimate of repair/replacement.

NOTE: Cost of an eye exam is not reimbursable.

- 5) Submit the claim within 180 days after the staff discovers or should have discovered the damage.

3. Written claims for reimbursement will be processed as follows.

a) The staff completes the YA 2235 and forwards it to his/her immediate Supervisor/Manager who ensures appropriate documentation is provided.

- 1) If insufficient information is supplied, the YA 2235 will be returned to the staff for completion.
- 2) If sufficient information is contained, the YA 2235 will be forwarded to the Superintendent/Camp Director or local Field Supervisor.

b) The Superintendent/Camp Director or local Field Supervisor will:

- 1) Approve the claim and process payment according to local procedures, or
- 2) Deny the claim, and note the decision on the form.

c) The Supervisor/Manager will send a copy of the YA 2235 to the Local Area Safety Committee for consideration in relation to the agency's safety campaign.

The committee will make written safety recommendations designed to limit future incidents.

D. The decision of the OYA to reject any claim filed is final, and is not subject to review under ORS 183.310 through 183.550, or by any other agency or court.

The provisions of this section do not affect any other remedy that may be available to the claimant under law.

- E. If a staff owes a debt to the State of Oregon or any state agency, the OYA will deduct the amount of the debt from the reimbursement.

V. LOCAL OPERATING PROCEDURE or PROTOCOL REQUIRED: NO