Office of Facilities Services August 18, 2015

STANDARD OPERATING PROCEDURES

TRANSPORTATION BENEFITS VERIFICATION ISSUING AND ACCOUNTABILITY PROCESS

PURPOSE:

To establish standard operating procedures, for the management, use, issuance and accountability for the Transit Benefit Program.

I. Procedures For The CPSC Transit Benefit Process:

1. The Office of Facilities Services (EXFS) is responsible for the Transit Benefit Issuance Program and administered the contract with the U.S. Department of Transportation TRANServe (DOT TRANServe).

2. All eligible employees must properly complete the DOT TRANServe Transit Benefit Online Application. Individual participants will be notified via email when their applications have been submitted to their Supervisors, when their applications have been approved or when their applications have been disapproved. The TSBP Program Coordinator will be notified via email when the applications are waiting to be processed.

3. The CPSC Transit Benefits Program Coordinator and the Employee's Supervisor respectfully, are responsible for approving or disapproving all applications and worksheet information.

4. All CPSC employees who receive monthly parking passes are not eligible to download transit benefits for that month.

II. Procedures For Transit Benefit Verification:

1. Employees daily expenses will be verified using the Washington Metropolitan Area Transit Authority (WMATA) website by the Transit Benefits Program Coordinator.

2. Employees home address will be verified through the Office of Human Resource Department by the Transit Benefits Program Coordinator.

III. Procedures for Safeguarding Applications, SmarTrip Cards, Debit Cards and Transit Benefit Reports:

1. The Office of Facilities Services (EXFS) will ensure that all records and fare media are stored in a secure and locked safe within Room 519.

2. The EXFS will ensure access to the safe will be limited to the identified EXFS staff positions.

3. The EXFS will maintain electronic and/or hard copy records of all applications and worksheets.

4. The EXFS will maintain electronic and/or hard copy records of Transit Benefit Reports furnished by DOT.

IV. Procedures for Issuance of Smart Benefits and Debit Cards:

1. All employees who have access to Smart Benefit machines for their daily commute must use the smart benefits program.

2. Employees must purchase and register a SmarTrip card with WMATA before joining the Transit Benefit Program.

3. All employees must submit properly filled out and approved TRANServe Online Transit Benefit Application and Worksheet before being activated in the Smart Benefits and debit card program by DOT TRANServe at http://transerve.dot.gov/participants.html.

4. You must fill out the DOT TRANServe Online Transit Benefit Application and Worksheet annually at http://transerve.dot.gov/participants.html.

5. DOT TRANServe will only issue Debit cards to persons, who ride VRE, MARC, MTA commuter buses for their daily commute.

6. Lost or stolen SmarTrip cards or Debit cards are the responsibility of the person they were issued to.

V. Procedures for Making Changes, Extended Leave and Leaving Program:

1. Follow program guidance within 30 days of initial enrollment or re-enrolling into the program.

   A. Ensure proper use of the benefit. It is used only for the commute between the participant's residence and work location. The work location can be the permanent or detail location. Therefore, it must not be sold or transferred to another individual.
   B. Ensure the benefit requested and received is the proper amount. The amount of transit subsidy must not exceed the actual monthly commuting cost by public transportation.
      - Ensure adjustments are made to transit subsidy amounts when there are changes to commuting costs, work schedule, contact information, manager, or home/work address. If employees are going to be on extended leave (90 days or more), business travel (30 days), vacation, holidays, Compress Work Schedules (CWS) days and telecommuting they must subtract the number of days from the following month.
      - Employees need to increase or decrease their monthly benefits, must fill out the DOT TRANServe Online Transit Benefit Application at http://transerve.dot.gov/participants.html and at the same time is required to modify their Worksheet in spreadsheet version of Excel format with Kim-Anh Rester, CPSC Transit Benefit Program Coordinator at krester@cpsc.gov, if their

address changes, lost or damaged SmarTrip card, retired from Federal Services, and/or reassignment to other Federal Agencies.

C. Ensure parking expenses are not included as part of the commuting costs.
D. Ensure participants are not receiving both a transit benefit and a parking benefit.
E. Return subsidy received in advance, upon separation from the Agency.
F. If the above responsibilities are not met, the participant may be withdrawn from the program.

Management Responsibilities:

1. Ensure the employees are eligible.
   - Complete the mandatory of CPSC "Transit Integrity Awareness Requirement" training.
   - Approve any online eligible TSBP/CPSC employee applications in a timely fashion; TSBP Change/Update, or TSBP Recertification applications.
   - Assist separating employees to withdraw from TSBP and ensure Debit card are returned to TSBP coordinator/CPSC.
   - Follow telework definitions.
   - Support employees to ensure recertification is completed timely when it is requested by TSBP.
   - Ensure participants are using their TSBP subsidy appropriately in accordance with applicable guidelines.

2. The Office of Facilities Services (EXFS) serves as the first contact point for employees' questions or concerns with TSBP program by contact Kim-Anh Rester, TSBP Program Coordinator (primary) at krester@cpsc.gov, or Ms. Iris Parks (alternate) at iparks@cpsc.gov.

3. The TSBP Office conducts periodic audits of participant accounts to ensure the transit subsidies benefit are used in accordance with applicable guidelines to comply with internal control standards, and the Federal Financial Management Improvement Act of 1996 identifies internal control as an integral part of improving financial management systems. Instances of inappropriate use of TSBP are referred to OIG/CPSC for further investigation action.

Policy and Eligibility

1. To be eligible to receive an CPSC TSBP, employees must use public transportation to commute between their residence and their permanent work location, non-temporary work location or detail location.

2. The transit subsidy benefit is equal to the participants' actual monthly commuting cost, up to the maximum of $130.00 per month and 20 days/per month for the public transportation is used.

   "**F*or Tax year 2013, the Aamerican Taxpayer Relief Act of 2012 increased the Internal Revenue Service (IRS), exclusion from income, for mass transit to be in parity with parking benefits. As a result, the maximum subsidy allowance was decreased from $245.00 per month, to $130.00 per month on December 31 2013."***

Employees Covered

1. The program is open to all eligible CPSC for part-time, full-time, and summer intern employees.
2. Part-time users of public transportation may apply, as the transit benefit is determined by actual commuting costs and not the number of days used.
3. Eligible participants are not entitled to benefits during the time they are:
   A. On official business travel.
   B. On full day of leave or AWS day.
   C. Working a full day from home.
   D. On jury duty.
   E. Using a Government-owned vehicle to commute to work.
   F. Using an CPSC-subsidized parking space or CPSC assigned parking permit.
   G. Using a carpool to commute to and/or from work.
   H. In non-pay status (Furlough or LWOP).
   I. Exiting the program or leaving the Agency.
   J. If the above requirements are not followed, participants may be withdrawn from the program.

Individuals Not Covered

Contractors, contract employees, volunteers, and others not listed on the CPSC payroll are specifically excluded from participating in this program.

Transportation Authorized

1. Acceptable modes of public transportation are bus, ferry, train and van pools, public commercial or private.
2. Private van pools are acceptable only if they meet the following criteria:
   A. Any highway vehicle with a seating capacity of at least six adults, not including the driver.
   B. At least 80% of the mileage is for transporting employees between their residence and their permanent work location, non-temporary work location or detail location.
   C. The number of employees transported is at least 50 percent of the adult seating capacity of such vehicle, not including the driver. If the van seating capacity is six passengers, the van must operate at 50 percent capacity on all commutes with three passengers on board at all times, plus the driver.

Parking Excluded

1. Parking expenses, whether at a commuter lot or at/or near the workplace, are not recoverable and not considered a transit cost under TSBP.

2. If a participant has an CPSC assigned parking permit, that is non-subsidized, the Office of Facilities Management office may revoke the permit. The decision to revoke depends on the available parking spaces at the participant's workplace.

CONSUMER PRODUCT SAFETY COMMISSION

Transit Subsidy Benefit Program

FREQUENTLY ASKED QUESTIONS

Transit Subsidy Benefit Program

FREQUENTLY ASKED QUESTIONS (FAQ)

What is the Transit Subsidy Benefit Program (TSBP)?

The Transit Subsidy Benefit Program (TSBP) is a fringe benefit for a program of financial incentives designed to encourage employees to use mass transit for commuting to and from work.

AUTHORITY—

1. Federal Work Force Transportation, Executive Order 13150, dated April 24, 2000.
2. Public Transportation Program, Treasury Directive 74-10, dated November 3, 2000.
3. Public Law 102-486, Section 1911, Treatment of Employer Provided Transportation Benefits, Effective: December 31, 1992.
4. Public Law 103-172, Federal employees Clean Air Incentives Act, effective January 1, 1994.
5. Internal Revenue Service Notice 94-3 dated 1994,
6. Qualified Transportation Fringes Under Code 26 USC, Section 132(f). Public law 105-178,
7. Transportation Equity Act of the 21st Century, dated June 9, 1998. Executive Order 13150 dated April 21, 2000. 26 Code of Federal Regulations, Part 1, Qualified Transportation Fringe Benefits.

DIRECTIVES ARE BASED ON—

1. Energy Policy Act of 1992, Pub. L. No. 102-486
2. Deficit Reduction Act of 1984 (26 USC §132)
3. Federal Employees Clear Air Incentives Act, Pub L. No. 103-172 (5 USC §7905)

What authority allows transit subsidy to be provided to eligible employees within the CPSC?

Public Law 102-486, Section 1911, Treatment of Employer Provided transportation Benefits, effective December 31, 1992. Public Law 103-172, Federal employees Clean Air Incentives Act, effective January 1, 1994.

Internal Revenue Service Notice 94-3 dated 1994, Qualified Transportation Fringes Under Code 26 USC, Section 132(f). Public law 105-178, Transportation Equity Act of the 21st Century, dated June 9, 1998. Executive Order 13150 dated April 21, 2000. 26 Code of Federal Regulations, Part 1, Qualified Transportation Fringe Benefits.

Who administers the TSBP?

The Department of Transportation (DOT) administers the TSBP.

Who is eligible to receive the transit benefit?

The transit subsidy benefit is for all Federal employees, whether part-time/full-time employees who incur qualifying transportation expenses and are not receiving federally subsidized workplace parking benefits from CPSC are eligible to participate in this program. Non-paid interns may also receive benefits. However, volunteers and contract employees **are not permitted to participate**.

What are the eligibility requirements for the TSBP?

Participants must be CPSC employees who use the subway, train, bus, etc., or ride VRE, MARC, MTA commuter buses for their regular daily commuting trips.

How does the TSBP work?

If you incur qualifying transportation expenses commuting to and from work, you will be eligible to receive a transit media fares (i.e., SmarTrip® download in the Washington Metropolitan Area to cover these expenses.) The maximum amount is up to $**130.00 per month**, and the media fares are administered by CPSC and through DOT TRANServe's services http://transerve.dot.gov/participants.html by using the Agency's fiscal year appropriated funds.

What is the maximum amount I may request?

Currently the statutory limit is $130 per month. You may request your actual commuting cost up to that limit. If your costs exceed the maximum benefit, you are required to supplement additional costs out of pocket without reimbursement.

Do I receive the monthly maximum of $130.00 a month even though my actual monthly commute amount remains $60.00?

No. The law states you will receive the maximum amount of $130.00 or the actual commute cost, whichever is less. So, your amount would remain $60.00 per month. For example: Mary Doe's monthly commuting cost is $245.00 (so Mary would receive the maximum benefit of $130.00 per month). Bob Doe's monthly commuting cost is $50.00 (so Bob would receive $50.00 per month).

Can employees apply for this program at any time?

Yes, the program is open continuously for new, modify, or cancelled applications.

How do I apply for the Transit Subsidy Benefit Program (TSBP)?

You must go to at http://transerve.dot.gov/participants.html to register under "CPSC." You establish an account and complete all the necessary fields. You must also complete the "**Transit Benefit Integrity Awareness Requirement**" course on the "TMS" web address at https://tms.ibc.doi.gov/learning/user/login.do. Participants using the SmartTrip® card must register the card at www.wmata.com and as well as visit http://www.wmata.com/rider_tools/tripplanner/tripplanner_form_solo.cfm to obtain the cost for your daily commute.

What is a SmarTrip Card?

An electronic plastic fare card that is rechargeable in that it can have benefit amount electronically loaded onto it each month and can be used on Metro Rail, Metro Bus, as well as some other area transit systems. SmarTrip card must be registered to the participant through the WMATA system.

What is a Debit Card?

It is a Visa-branded debit card that provides your transit benefit electronically. It is used by participates who ride VRE, MARC, MTA commuter buses for their regular daily commuting trips.

Is there an annual transit subsidy recertification requirement?

Yes. From November 1st thru December 1st you have to complete the DOT TRANServe Online Application and Worksheet and submit it to your TSBP Program Coordinator/CPSC through DOT TRANServe for processing.

When does the transit subsidy become effective?

The average processing time from the time the application is submitted is about 30 days for SmarTrip card holder and 60 days for Debit card recipient. There are deadline for Smart Benefit changes/enrollment applications must be received by the 10th of the month in order to receive 1st benefit begin date of 1st day of the following month.

Debit card enrollments must be received by the 20th of the months in order to receive benefits on the 10th of the following month or 60 days for JP Morgan Bank to process new Debit card and lock out period are processed when the system regains its normal function of the following month.

Are carpoolers eligible to receive transit benefits?

No. Carpool participants are not eligible to receive the transit benefit. The transit benefit is for those commuting on mass transit (bus, rail, light rail, or authorized VRE, MARC, MTA commuter buses).

Is the value of my transit subsidy benefit I receive taxable?

No. Transit subsidy benefit is a non-taxable employee benefit.

When computing my monthly cost how many working days should I use and can I include other expenses?

The standard, which is consistent with DOT TRANServe, are 20 days and the maximum, days worked monthly is 20.

1) If your qualifying transit expenses are less than 20 days, (i.e., excluding Compressed Work Schedule (CWS) or Flexible work schedule, Schedule day off and Telecommuting days) then calculate your daily expenses by the actual number of commuting days.
2) You should use the exact number of days you actually use mass public transportation or commuter highway vehicles.
3) **Do NOT** include parking fees, gasoline costs, mileage, holidays, CWS days and telecommuting days.

When I leave the Agency what do I do about my transit benefit?

- As part of the "Exit" clearance process, prior to "Departure" Date, you must cancel your transit application through the DOT TRANServe Transit Benefit Online Application and go to "Withdraw" from the Program at http://transerve.dot.gov/participants.html.
- The CPSC TSBP Program Coordinator will be notified via email and he/she will calculate what you need to return to the Agency in the form of a check made payable to the "**Consumer Product Safety Commission**."
- If you leave and **continue to use your benefit** you will be required to reimburse the Agency the ***full unauthorized amount used***.

Am I permitted to transfer my subsidy to other family members, such as my husband or children?

No, transfer of the transit subsidy benefit is not permitted to anyone, whether family member, co-workers, or others. Along the same lines, you may not sell the transit benefit to another person. If you need to withdraw from the program, you should contact your TSBP Program Coordinator.

My spouse drops me at work but I take mass transit home am I eligible to receive a benefit?

Yes, as long as you use a form of mass transit for 50 percent of your regular commute between work and your residence.

How do I account for my transit benefits when I have been on leave, flexible work schedule, telecommuting, official travel, training, or did not commute using qualified modes of transportation all the days that I indicated on my Transit Subsidy Benefit Application?

You must reimburse with a personal check or money order to return all unused transit funds to the Transit Coordinator/CPSC for the leave days, telecommuting, official travel, training, for the days you did not use qualified mode(s) of transportation to travel to and from work.

Am I allowed temporary parking while enrolled in the TSBP?

You are not allowed to have a Federally-subsidized parking space while enrolled in the Transportation Subsidy Program. However, you may receive temporary parking for no more than 30 days total per fiscal year, and comply with parking policies and procedures. You **MUST** ensure that you reduce your next transit benefit amount or reimburse the Office of Facilities Services/Transit Coordinator of Agency with a written **check made payable** to "**CPSC**" to reduce your next transit benefit amount or reimburse to reflect the days that you received temporary Federal-subsidized parking.

What if I have a change in the way I commute or the cost, what do I need to do if anything?

It is your responsibility to update your DOT TRANServe Transit Benefit Online Application and Worksheet and your TSBP Program Coordinator should be notified via email.

What should I do if I commute less days in a month than I stated on the form for reasons of vacation, extended sickness, etc.?

All changes to your commuting costs must be updated on your application. If you are out on extended leave (90 days or more), you must withdraw from the program and re-enroll when you return.

What If I get a job in another Agency can I keep my unused transit subsidy?

No. You must cancel your transit application through the Electronic Transit Application and the TSBP Program Coordinator will calculate what you need to return/reimburse to the Agency.

What if my SmarTrip card is lost, stolen, or damaged?

- The SmarTrip card can be replaced without losing of any of the fares value on the card at the time reported missing with a simple phone call to WMATA if your SmarTrip card is lost, stolen,

or damaged, at **1 (888) 762-7874** by providing the number of the missing/damaged card and paying a **$5.00 replacement fee** using your own money to cancel your card and request a new one. The WMATA will transfer your benefit to a new card, less a $5.00 new card fee, and send the card to you. Your transit subsidy benefits fund **CANNOT and will not** be used to purchase a replacement SmarTrip card.

- Once you received your new SmarTrip card on-hand in order to register your new card with DOT TRANServe and continue to complete below steps —
  1) Access to the DOT TRANServe website Online Application and select "Transit Benefit Application" option then submit a "Address/SmarTrip Change" in order to modify/change your new SmarTrip card number located on the back of the SmarTrip card. **If you failed not to complete this action** that will result in the following month that you will not get your benefit fund loaded to your current account due to incorrect account on file with DOT TRANServe.
  2) Must notify the CPSC-TSBP Program Coordinator by email in order to request a fund transfer for your new SmarTrip card account through the DOT TRANServe.

What happens if I misuse or misstate my transit benefit?

When you enroll in the transit benefit program, you must self-certify the amount you spend each month and recertify annually in order to receive benefits. The online statement on the DOT TRANServe enrollment form reads:

> "THIS CERTIFICATION CONCERNS A MATTER WITH THE JURISDICTION OF AN AGENCY OF THE UNITED STATES. MAKING FALSE, FICTITIOUS, OR FRAUDULENT CERTIFICATION MAY RENDER THE MAKER SUBJECT TO CRIMINAL PROSECUTION UNDER TITLE 18, UNITED STATES CODE, SECTION 1001, PROVIDING FOR A FINE AND IMPRISONMENT. AGENCY DISCIPLINARY ACTIONS UP TO AND INCLUDING DISMISSAL MAY ALSO BE PURSUED."

What do I need to do if my home address changes?

You must notify Office of Human Resources-CPSC, Room 838, 4330 East West Highway, Bethesda, MD 20814. Go to http://transerve.dot.gov/participants.html and submit your request a change to your information.

Who should I contact when I have a question about the transit subsidy program?

You should contact the Office of Facilities Services, Kim-Anh Rester, TSBP Program Coordinator at (301) 504-7651, Room 519-08, 4330 East West Highway, Bethesda, MD 20814.