

POLICY TITLE: COFFEE, LIGHT REFRESHMENTS, AND/OR MEALS AT DEPARTMENT SPONSORED EVENTS POLICY NUMBER: 2.13 CHAPTER 2: FISCAL MANAGEMENT		PAGE 1 OF 7
	STATE of MAINE DEPARTMENT of CORRECTIONS Approved by Commissioner: 	PROFESSIONAL STANDARDS: See Section VIII
	EFFECTIVE DATE: July 23, 2024	LATEST REVISION:

I. AUTHORITY

The Commissioner of Corrections adopts this policy pursuant to the authority contained in 34-A M.R.S.A. Section 1403.

II. APPLICABILITY

Entire Maine Department of Corrections

III. POLICY

The purpose of this policy is to provide criteria governing the use of Department funds for the purchase of coffee, light refreshments, and/or meals at approved Department sponsored events that are held for purposes of official Department business in accordance with the Department of Administrative and Financial Services, Office of the State Controller, [State Administrative and Accounting Manual \(SAAM\)](#). It also provides criteria for the purchase of these during critical incidents and critical incident debriefings.

IV. DEFINITIONS

1. Coffee and light refreshments – coffee, tea, water, other soft drinks, fruit, snacks, and similar refreshments.
2. Critical incident – includes any situation when:
 - a. the Commissioner, or designee, institutes a special response anywhere in the Department as set out in Title 34-A §3013;
 - b. there is a declaration of a critical incident in an adult or juvenile facility as described in Department Policies (AF) 13.6, Critical Incident Situations, General Guidelines or (JF) 8.6, Critical Incident Situations, General Guidelines. This includes, but is not limited to, the following: fire, riot, hostage situation, hazardous materials spill, loss of utilities, release of chemical agent, bomb critical incident (threats, discoveries, or explosions), and any other critical incident that poses a threat to the safety of the public, staff, visitors, or the residents; or
 - c. a Fugitive Operation Plan is required to be completed as set out Department Policy 7.4, Fugitive Investigations.

3. Department employee – any individual who is an incumbent in a full-time, part-time, limited period, project, or seasonal position.
4. Internal meetings – the many and various meetings held daily among Department employees for the purpose of conducting official Department business.
5. Irregular workplace location – any location where a Department employee is performing job-related functions that is not the location to which their position is assigned.
6. Meal – food intended to constitute breakfast, lunch, or dinner.
7. Meal period – a time during which a meal is scheduled between the hours of:
 - a. 6:00 A.M. and 9:00 A.M. for breakfast;
 - b. 11:00 A.M. and 1:00 P.M. for lunch; and
 - c. 5:00 P.M. and 7:00 P.M. for dinner.
8. Employee recognition event: Each facility, community corrections region, and Central Office is allowed to have one employee recognition event annually, which may coincide with a designated week or take place at a later date to accommodate the Commissioner, or designee's, schedule, e.g., National Correctional Officers Week, also referred to as Correctional Officers & Employees Week, that occurs the 1st week of May or National Pretrial, Probation, and Parole Supervision Week that occurs the 3rd week of July.
9. Department sponsored events – includes training sessions, meetings, conferences, hearings, or an employee recognition event organized, paid for, scheduled, or held by the Department. Events scheduled by the Department include those organized at the request of another state agency.
10. State Administrative and Accounting Manual (SAAM) – the publication maintained by the Department of Administrative and Financial Services, Office of the State Controller, for the purpose of establishing operational guidelines that must be adhered to across State government.

V. CONTENTS

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VI. ATTACHMENTS

- Attachment A: Request for Coffee, Light Refreshments, and/or Meals and Related Items
([paper/online](#))

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VII. PROCEDURES

Procedure A: General

1. This policy does not pertain to employees that are in travel status as there are separate regulations for employees in travel status.
2. This policy is based on the State Administrative and Accounting Manual (SAAM) and addresses circumstances not covered in SAAM that are specific to the Department of Corrections but are required by the Office of the State Controller.
3. This policy shall be followed when a Department sponsored event involves the procurement of coffee, light refreshments, and/or meals regardless of location, participants, or funding source.
4. This policy also pertains to the procurement of coffee, light refreshments, and/or meals during critical incidents and critical incident debriefings.
5. This policy pertains to the purchase of coffee, light refreshments, and/or meals for Department sponsored events through both external procurements and internal purchases from facility Food Services.
6. Legally authorized Department boards and commissions, including during executive sessions, may provide coffee, light refreshments, and/or meals at their official public meetings if allowed by their authorizing statute.
7. Consideration should be given to scheduling Department sponsored events at times to minimize the need for coffee, light refreshments, and/or meals.
8. Except as allowed in this policy for a critical incident or critical incident debriefing, any Department employee who does not receive approval from the Commissioner, or designee, prior to the purchase of coffee, light refreshments, and/or meals may be subject to disciplinary action and/or personal liability for the expenses incurred.

Procedure B: Requirements for the Procurement of Coffee and Light Refreshments

1. The Department is not obligated to provide for coffee and light refreshments.
2. Department payment for coffee and light refreshments is not appropriate for routine Department meetings, e.g., Department staff meetings, facility staff or briefing meetings, operations meetings.
3. The Commissioner, or designee, may approve the serving of coffee and light refreshments in the conduct of official State business at certain Department events. This authority is not intended for use with the normal daily business of employees or officials, but rather for special situations or occasions, as determined by Commissioner, or designee, where:
 - a. the purpose of the event is to conduct Department business, provide formal training sessions that benefit the state, or recognize accomplishments of Department employees and the event involves State employees, elective or appointive officials,

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or others the Department is legally authorized to reimburse; and the following must be met:

- 1) an all-day Department sponsored event, e.g., Women's in Correction annual conference;
 - 2) the coffee and/or light refreshments are an integral part of the meeting;
 - 3) the Department obtains a receipt for the actual costs of the coffee and/or light refreshments, and
 - 4) the staff responsible for the meeting receives Department approval for the serving of coffee and/or light refreshments prior to the event.
4. When appropriate, the coffee and light refreshments provided are freely available to all participants without the need for reimbursement to the Department.

Procedure C: Requirements for the Procurement of Meals

1. The Commissioner, or designee, may approve the procurement of meals at a Department sponsored event if:
 - a. the event is an all-day event and the purpose of the event is to conduct official state business, including any of the following:
 - 1) mandatory employee training or Department wide strategic planning;
 - 2) the intent is to communicate requirements and disseminate required information to Department employees; or
 - 3) involves a professional association or other external organization to discuss official Department business, e.g., during American Correctional Association contracted audits; and
 - b. meals are an integral part of the event; and
 - 1) there is a need to maximize the efficiency of time committed by all participants by having them remain through the meal period at the meeting; or
 - 2) more than half of employees attending the meeting or training will have to travel to the Department sponsored event, which is not their regular work location; or
 - 3) a meal is not practically available in the surrounding area of an irregular workplace location; or
 - c. for an approved employee recognition event.
2. The Commissioner, or designee, may approve the procurement of meals during a critical incident and for a critical incident debriefing when the duration is four (4) hours or more.
3. The Commissioner, or designee, may approve the provision of meals to adult or juvenile facility employees who eat such meals within the scope of employment and in so doing serve a function of employment as set out in Title 34-A §3012 and applicable collective bargaining agreements.

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Procedure D: Prohibitions on Providing Coffee, Light Refreshments, and/or Meals

1. The procurement of coffee, light refreshments, and meals using Department funds is prohibited in the following situations:
 - a. when meals are not an integral part of the Department sponsored event;
 - b. any event where there is not an identified Department business purpose;
 - c. for anniversaries of agencies, celebrations, receptions for new, existing, and/or retiring employees or officials, and election or confirmation celebrations, etc.;
 - d. for any hosting activities, including those that are:
 - 1) intended either to lobby a legislator or other governmental official; or
 - 2) are social events, rather than official Department business; or
 - 3) include expenditures for meals for those whom agencies are not legally authorized to reimburse.
 - e. if total costs exceed \$5,000.00 and a bidding process was not used for the expenditures.

Procedure E: Approval Process

1. Except for a critical incident or a critical incident debriefing, if the requirements for providing coffee, light refreshments, and/or meals are met, the Department employee responsible for the meeting shall ensure the Request for Coffee, Light Refreshments and/or Meals and Related Items (Attachment A) has been completed and approval has been obtained prior to the event. The following information must be included, as applicable:
 - a. purpose of the event;
 - b. agenda and/or description;
 - c. location address;
 - d. items requested;
 - e. justification for the procurement of coffee, light refreshments, and/or meals;
 - f. approximate number of participants;
 - g. approximate or actual cost per person;
 - h. approximate or actual total cost;
 - i. funding source account codes; and
 - j. list of participants anticipated to attend the event or actually present if a critical incident or critical incident debriefing.
2. If the Request for Coffee, Light Refreshments, and/or Meals and Related Items (Attachment A) is approved by the employee’s supervisor, then the following staff are responsible as the Commissioner’s designee for their area of responsibility to approve or disapprove the request:
 - a. the facility Chief Administrative Officer, or designee, for facility events;

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- b. the Associate Commissioner of Juvenile Services, or designee, for juvenile community correction events;
 - c. the Director of Adult Community Corrections, or designee, for adult community correction events; and
 - d. the Associate Commissioner, or designee, for Central Office events.
3. If approved by one of the above, the approver shall notify the requestor (the employee who completes Attachment A) who:
 - a. will notify Department's P-Card Coordinator, or designee, of the approval; and
 - b. email CSCcentraloffice@maine.gov (the common email for Service Center).
 4. For a critical incident or critical incident debriefing, where coffee, light refreshments, and/or meals were purchased, the Incident Commander, or designee, shall ensure completion of a Request for Coffee, Light Refreshments and/or Meals and Related Items (Attachment A) as soon as possible for post-approval and follow the procurement process. All other requirements for approval must be met.
 5. For efficiency, recurring sponsored events that meet the requirements, such as training held on a regular basis throughout the year, may be approved on an annual basis. A copy of the Request for Coffee, Light Refreshments and/or Meals and Related Items (Attachment A) must be attached with the supporting documentation and submitted quarterly using the procurement card (P-card) process. Examples of events that may be approved on a recurring basis are:
 - a. New Employee Orientation;
 - b. Leadership Training; and
 - c. other recurring events.
 6. Any decision on recurring events may be reconsidered by the Commissioner, or designee, at any time.

Procedure F: Purchasing Items

1. Once the vendor is selected, the employee shall ensure that the items are purchased: either:
 - a. with a Master Agreement, if applicable;
 - b. with a Department procurement card as set out in Department Policy 2.5.1 Procurement Cards; or
 - c. by the employee, who shall be reimbursed through the state financial system only as an exception and with prior approval from their supervisor.
2. Once the items are purchased, the employee shall arrange for the delivery of the items.
3. The cost of meals (including applicable taxes, and appropriate gratuity) must not exceed the current [General Services Administration \(GSA\) Standard Rate \(lowest rate\) per diem](#) rate for Maine per person.

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4. The purchase of bottled water is generally not allowed if drinkable water is readily accessible at the event location unless:
 - a. bottled water is part of the meal provided; or
 - b. the practicality of having bottled water outweighs the cost.
5. In considering whether to have an event catered, all costs must be considered, e.g., the cost of employee time, mileage, preparation, etc., to determine if it is more economical or practical to have the event catered rather than purchase the items separately.
6. To simplify planning and/or take advantage of favorable pricing, paper plates, disposable utensils, bottled water, non-perishable food and beverages, and other items may be purchased in bulk. The following requirements apply to bulk purchases:
 - a. bulk purchases are limited to the amount that will be used within the fiscal year; and
 - b. oversight must be provided by the approver of the purchase to ensure that these purchased items are properly stored and used only for approved Department sponsored events (or critical incidents and critical incident briefings) and not used for other purposes.

Procedure G: Documentation

1. After the event, the employee who purchased the coffee, light refreshment, and/or meals or related items shall upload the following into the MainePays Purchase Request application:
 - a. Request for Coffee, Light Refreshments, and/or Meals and Related Items (Attachment A);
 - b. itemized receipt(s) for all purchases;
 - c. an agenda, if applicable, or description of the event; and
 - d. a signed attendance roster or a list of participants.
2. The Chief Administrative Officer, Regional Correctional Administrator, or Central Office supervisor, or their designees, as applicable, shall maintain the above documentation per the applicable Maine State Archives records retention schedule.

VIII. PROFESSIONAL STANDARDS

None

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