

**SLEZSKÁ
UNIVERZITA**



Rector's Directive No. 8/2020

The Provision of Reimbursement of Travel Compensations

Issued in Opava, December 2020



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UNIVERZITA**

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The Provision of Reimbursement of Travel Compensations

This Directive issued in accordance with law No. 262/2006 Coll., the Labour Code, as amended (hereinafter referred to as the “Act”) and the current implementing regulations govern the granting of reimbursement of expenses for work trips (hereinafter referred to as “travel compensation”) to employees of the Silesian University in Opava (hereinafter referred to as “the University”) and to natural persons who perform tasks for the university outside employment relations.

Article 1

General Provisions

- 1) The employee shall be entitled, to the extent stipulated below, to the reimbursement of Travel Compensations which may arise in connection with the performance of his work.
- 2) Business Trip means the temporary posting of an employee to work outside the agreed place of work:
 - a) in the territory of the country,
 - b) outside the territory of the Czech Republic (foreign Business Trip); the time to decide for the establishment of the employee's right to reimbursement of Travel Compensations in foreign currency is the time of the crossing of the state border of the Czech Republic, or the time of departure from the Czech Republic and arrival to the Czech Republic in case of air transport.

Travelling outside the regular workplace, including for transfer purposes, is also considered as a Business Trip in terms of Travel Compensations.

- 3) Travel compensations may also be granted to employees who work for employers on the basis of an agreement on work done outside the employment relationship only if this right has been agreed. In the agreement on work activity, it is also a condition for the staff member's regular workplace to be negotiated. Travel Compensations in the case of an agreement on work activities shall be granted according to the Labour Code and this Directive. If an agreement is

concluded between the staff member and the staff member is to carry out a work task at a place outside his place of residence, he may be agreed in writing with him to be provided ravel compensation on his way to the place of work and back as on his/her Business Trip. The agreement must unambiguously state the extent of the agreed compensation (e.g., proven travel expenses and proven accommodation expenses). The granting of Travel Compensations shall be agreed separately from the arrangements for remuneration for the work carried out. A copy of the work agreement will always be documented when the Travel Order is approved. Time spent on a Business Trip outside the performance of work is not included in the scope of hours agreed in the agreement to perform work.

- 4) A regular workplace for travel expenses is the place agreed in the employment contract, or the place of work agreed in the employment contract or the municipality where the employee's Business Trip most often begin. Regular workplaces for the purpose of Travel Compensations must not be negotiated more widely than just one municipality.
- 5) Travel Compensations can also be granted to natural persons who perform tasks for the university on the basis of the Contract on the provision of professional activities and reimbursement of travel expenses concluded in accordance with the provisions of Section 1746 et seq. of Act No. 89/2012 Coll., the Civil Code, as amended (hereinafter referred to as the "Civil Code"). The sample of this contract is set out in Annex No. 3a of this Directive. In the case of the use of Travel Compensations to a foreign national – foreign expert, the sample is Annex No. 3b.
- 6) Travel Compensations on a Business Trip is paid from the financial resources of the university Parts, in accordance with the approved budget.

Article 2

Travel Order and Conditions of the Business Trip

- 1) The Travel Order is a document of the posting of the employee on a Business Trip, based on the decision of the authorized person (i.e., the relevant manager of the employee, except for the Rector and the Dean of the Parts, who can be sent on a Business Trip on the basis of a decision of the person authorized by the Rector to this act). An employee authorized to send an employee on a Business Trip shall decide on the acts carried out by the employer under this Directive (granting of Travel Compensations, conditions of the Business Trip, etc.).
- 2) The authorized person shall, by means of the authorization of the Travel Order, designate the employee:
 - a) the place, date and time of the beginning of the Business Trip;
 - b) place of work (meeting, training),
 - c) the place and date of the end of the Business Trip,
 - d) the purpose of the Business Trip,
 - e) the method of transport and accommodation,
 - f) co-passengers;
 - g) the estimated amount of the travel expenses and the amount of the advance on travel expenses;
 - h) which financial resources the Business Trip will be paid from.

- 3) In the event that the Business Trip cannot be carried out otherwise, the employer may give the consent to the use of the employee's vehicle (or of the employee's spouse), or respectively, he/she may ask the employee to use a private road vehicle. The necessary condition is to document:
 - a) a valid vehicle registration card,
 - b) a proof of the arrangement of legal liability insurance for damage caused by the operation of the vehicle (including a proof of payment),
 - c) a proof of the arrangement of the emergency insurance (including a proof of payment),and the training of the drivers of the reference vehicles. Before using a private vehicle for the first time, the employee shall demonstrate these facts to the staff responsible for the disposal of the Travel Order, which shall, after verification, introduce the vehicle in the vehicle code list.
- 4) Where the conditions of the financial provider (subsidy) so require, it is necessary to verify the expected cost of the Business Trip by carrying out a market survey.
- 5) The Travel Order form (hereinafter referred to as 'e-CP') is produced in electronic form in the IS Magion web application (hereinafter referred to as 'WCES'), which is available on the website www.slu.cz (after login), in the section Employee/SU&I/Personnel Portal.
- 6) In the exceptional and justified cases, the Business Trip authorization and billing may be carried out in writing outside the IS Magion application, in particular:
 - on the Business Trip of the employee performing the driver's job,
 - on the Business Trip of a person who does not have an employment relationship at the university (i.e., performs a work activity only on the basis of an agreement to perform work or work activity or he/she is granted Travel Compensations under Article 8, paragraph 6), etc.),
 - with the prolonged unavailability of IS Magion,
 - in exceptional technical constraints.
- 7) The administration of Travel Orders in writing shall be carried out in accordance with the procedure referred to in Article 6(2) 3 and 4 by analogy, using the Travel Order Forms (Annex No. 1) and a Request for consent to the use of a private passenger vehicle (Annex No. 2).
- 8) The employee shall have the right to apply for an accountable advance on his/her business trip up to the amount of Travel Compensations expected. The amount of the advance requested and the method of granting it (in cash or by sending it to the account) must be indicated in the e-CP.
- 9) If an employee requests the payment of an advance fixed in a foreign currency to a bank account held in CZK, he/she fully undertakes the risk of creating a possible difference between the amount of funds credited by the bank to his account and the amount of costs actually paid, which may occur due to the conversion of exchange rates or payment of bank charges. The employer cannot be required to pay such a difference.
- 10) The disposal of the Travel Order is entrusted to specific employees of the economic departments (hereinafter referred to as the "employee responsible for the disposal of the Travel Orders") and this for Travel Compensations paid from the financial resources of Opava Parts by the employee of the department of economic and accounting rectorate – Cashier, and for Travel

Compensations paid from the financial resources of the Business Faculty in Karviná, a specialist of the Economic Department of the Business Faculty in Karviná.

Article 3

Commencement of a Business Trip

- 1) In sufficient time in advance of the Business Trip, the employee will process the e-CP including an indication of all the necessary conditions for the Business Trip (see Article 2 (2)) and no later than 2 working days before the Business Trip it shall be submitted for approval. In this context of the above, he/she shall select the appropriate type of electronic approval process, the participants of which shall always be:
 - a) the employee's Senior Employee or his deputy who approves the work trip on the site of the employment law,
 - b) participants in the pre-financial control process before the commitment is made.
- 2) Electronic approval processes vary depending on whether the costs are covered by:
 - a) common financial resources,
 - b) projects of OP VVV – in addition, project and financial manager are involved in the approval process,
 - c) projects (except the VVV OP) – in addition, the main researcher (the contract manager) is involved in the approval process.
- 3) Any of the participants in the approval process has the possibility to invite others to the electronic approval process.
- 4) In the case of a foreign Business Trip, in terms of labour law, the authorizing employee shall, by invitation to the electronic approval process, request the approval of the relevant head of the Part (Rector, Dean, Director of Higher Institute) or his representative (usually Bursar, Secretary, Deputy Director).
- 5) If the employee has requested payment of the advance, upon completion of the approval procedure by the persons referred to in paragraph 1 and receiving an e-mail message of that fact, and according to the method of delivery chosen, he/she shall either be paid in cash at the relevant cash register or be immediately made available to him on a non-cash basis. In the case of a request for advance payment for a foreign Business Trip, the e-CP must be submitted for approval in sufficient time in advance so that the approval procedure referred to in paragraph 1 is completed no later than 5 working days before the departure.

Article 4

Business Trip Settlement

- 1) No later than 10 business days after the end of the Business Trip, the employee is obliged to process the work trip report, i.e., to the e-CP created (and approved) for the Business Trip in the Business Trip report tab to update or add the necessary data. In addition to the accounting documents, information on the services provided free of charge (especially catering) and the content and course of the Business Trip, which the employee shall provide evidence of either:

- a) a copy of the program or invitation when attending an educational event or conference, or
- b) a copy of the invitation to participate in organized working meetings (in particular working groups), or
- c) oral information to the manager on Business Trips made for the purpose of individual work meetings.

In the case of a foreign Business Trip, the employee will also prepare a written report on the content and the course of the Business Trip.

- 2) The completed e-CP form will be sent to the employee via the application for billing. At the same time, he/she shall print and sign the Travel Order Document, attach the accounting receipts to it and other documentary evidence in physical form and ensure that it is handed over to the staff responsible for the dealing with the CP for the performance of the billing control. If there is no need to document any accounting or other documents (the so-called "free e-CP") for the Business Trip, the dispatch note can be sent electronically, and this in pdf format, from employee's e-mail address to cp-op@slu.cz (Opava workplace) or cp-ka@slu.cz (Karviná workplace) for the check-up ; by applying this procedure, the staff member confirms the accuracy of the information given in the attached statement.
- 3) Once the employee responsible for disposal of the Travel Order has received a Travel Order Delivery Note, he/she may, following the documents submitted, initiate an inspection of the financial and accounting correctness of the e-CP. He/she is entitled to make minor and unquestionable corrections to the incorrect information in the context of the control process. In the case of irregularities with a higher financial impact or corrections for which the correct values cannot be clearly established, the e-CP staff may return the e-CP to the employee and request correction or addition of data or additional documentation of documents.
- 4) Upon completion of the inspection, the staff member responsible for the disposal of the Travel Order, he/she shall forward the e-CP to carry out a preliminary financial inspection after the commitment has been made, so that the financial resources charged may be reimbursed within 10 days of the submission of all supporting documents.
- 5) The termination of the financial control (e-CP billing approval) can be verified by the employee for each specific e-CP in the WCES application. At the moment of the approval of the e-CP settlement, the relevant cash register will issue a document for the payment of Travel Compensations or for the payment of advances in cash and for the payment of Travel Compensations by cashless transfer to the employee's bank account held by the money institute in the Czech Republic. Sending of Travel Compensations to accounts held outside the Czech Republic is allowed only in exceptional and justified cases.
- 6) The advance paid which was higher than the actual entitlement of the staff member shall be refunded by the staff member within 30 days of the end of the Business Trip. In the event that the Business Trip would not have taken place at all, he/she is obliged to return the funds within 30 days of his/her planned start. After the expiry of this period or if the employee does not submit the settlement within 30 days of the scheduled end of the Business Trip, the employer is entitled to withhold the advance or part of it from the salary in accordance with the applicable legislation.

Article 5

Compensation for a Domestic Business Trip

1) In the course of his/her Business Trip (both domestic and foreign), an employee shall be entitled in particular to:

- reimbursement of proven travel expenses,
- reimbursement of proven accommodation expenses,
- subsistence expenses,
- reimbursement of proven necessary incidental expenses.

2) Reimbursement of Proven Travel Compensations:

- a) The staff member shall be entitled to reimbursement of the Travel Compensations by using the means of transport specified in a proven amount. Where, with the agreement of the employer, the employee uses other means of transport instead of the designated public means for long-distant transport, including a road motor vehicle, with the exception of a vehicle provided by the employer, he/she shall be reimbursed for the journey expenses corresponding to the price of the fare determined by the mass vehicle, as printed on the website of the relevant carrier or the search engine "IDOS" (without reservation).
- b) If, at the employer's request, the employee uses a road motor vehicle, except for a vehicle provided by the employer, he/she shall be entitled to the lowest basic refund rate and reimbursement of expenditure on fuel consumed for each 1 km of journey, in accordance with the current legislation (current rates of travel compensation for the calendar year in question, that is, the rate of the basic refund for 1 km of driving and the average price for 1 litre of fuel are available on the intranet); this rate of the basic refund for 1 km of driving increases by 15 % when a trailer is used for a road motor vehicle.
- c) The Travel Compensation for consumed fuel is calculated as a multiple of the price of fuel and the quantity of fuel consumed.
- d) The price of fuel is shown by the employee by a proof of purchase, from which there is a clear link with the Business Trip. Where the staff member proves the price of fuel by more receipts for his purchase, which shows a link with the Business Trip, the fuel price shall be calculated to determine the amount of the refund by the arithmetic average of the staff member's prices. If the employee does not prove to the employer in a reliable manner the fuel price of the fuel, the employer shall use the average price of the fuel determined in accordance with the applicable legislation to determine the amount of the refund.
- e) The fuel consumption of a road motor vehicle shall be calculated from the consumption data specified in the vehicle registration card of the vehicle used for the combined operation according to European Union standards. If this information is not provided in the vehicle registration card, the fuel consumption of the vehicle shall be calculated by the arithmetic average of the data in the technical license provided. If the vehicle registration card does not contain consumption data at all, the staff member shall be entitled to reimbursement of fuel costs according to the vehicle registration card of the same type and the same volume of cylinders.

3) Reimbursement of Proven Accommodation Expenses:

The staff member shall be entitled to the reimbursement of the accommodation expenses he/she has incurred in accordance with the conditions of his/her Business Trip in the amount he/she proves to the employer. The upper limit for the accommodation is set at CZK 1,500 for one employee for one night. This limit may be exceeded only with the prior consent of the Rector, Dean, Director of the Higher Institute in the manner specified in Article 3 (4). In the event that travel expenses are covered by projects or grants where there is a higher limit on accommodation costs, the higher amount of accommodation costs shall be authorized to be agreed by the person authorized for the project (financial manager or principal researcher) during the financial control (see Article 3 (2)).

4) Subsistence Expenses

The amount of the Subsistence Expenses is determined in accordance with the Labour Code and the applicable decree of the Ministry of Finance as follows:

- a) for each calendar day of the Business Trip, the staff member shall be entitled to the Subsistence Expenses in the amount of:
 - CZK 100, if the Business Trip lasts 5 to 12 hours,
 - CZK 153, if the Business Trip lasts longer than 12 hours, but no longer than 18 hours,
 - CZK 238, if the Business Trip lasts longer than 18 hours.
- b) If during a business trip, a meal is provided which has the character of breakfast, lunch, or dinner, and for which the staff member does not contribute financially, the staff member shall be entitled to Subsistence Expenses reduced by:
 - 70 % of Subsistence Expenses, if the Business Trip lasts 5 to 12 hours,
 - 35 % of Subsistence Expenses, if the Business Trip lasts longer than 12 hours, but no longer than 18 hours,
 - 25 % Subsistence Expenses, if the Business Trip lasts longer than 18 hours.
- c) For a Business Trip falling within 2 calendar days, a separate assessment of the duration of the Business Trip in the calendar day shall be waived, if it is more advantageous for employees, but this shall not apply to foreign Business Trip, where each calendar day (even multiple trips) is assessed separately.

5) Reimbursement of Proven Necessary Incidental Expenses

The necessary incidental expenses are in particular the fees for participation at conferences, admission to fairs, parking and garage charges, airport charges, highway charges abroad, etc. Any additional expenses that may be incurred by staff members in a direct connection with the Business Trip may be reimbursed only in the amount shown by the staff member by the corresponding document.

Article 6

Reimbursement for a Foreign Business Trip

1) Reimbursement of Proven Travel Expenses

The employees are entitled to reimbursement of proven travel expenses in the amount and under the conditions laid down in the Act, with the fact that compensation for consumed fuel in foreign currency and the documented price is only payable for kilometres outside the Czech Republic.

2) Reimbursement of Proven Accommodation Expenses

The staff reimbursement of the accommodation expenses he/she has incurred in accordance with the conditions of his/her foreign Business Trip in the amount he/she proves to the employer. The upper limit for accommodation is set at EUR 100 per employee per night or the equivalent in another foreign currency, according to the ČNB's exchange rate at the date of approval of the posting for a Business Trip. This limit may be exceeded only with the prior consent of the Rector, Dean or Director of the Higher Institute in the manner specified in Article 3 (4). Where breakfast, half-board or full board are included in the price of accommodation, the limit referred to in the previous sentence shall be increased by Subsistence Expenses stated in paragraph 3. In the event that travel expenses are covered by projects or grants where there is a higher limit on accommodation costs, the higher amount of accommodation costs shall be authorized to be agreed by the person authorized for the project (financial manager or principal researcher) during the financial control (see Article 3 (2)).

3) Subsistence Expenses

The employer shall determine the amount of the foreign Subsistence Expenses on the basic rate of the foreign Subsistence Expenses agreed or determined for the State in which the employee spends the most time in the calendar day.

Employees are entitled to a foreign Subsistence Expenses at the basic rate if the time spent outside the territory of the Czech Republic lasts more than 18 hours in the calendar day. If this period lasts longer than 12 hours, but not more than 18 hours, the employer shall provide the foreign employee with a Subsistence Expenses of 2/3 of this rate of foreign Subsistence Expenses, and 1/3 of this rate of foreign Subsistence Expenses, if the period spent outside the territory of the Czech Republic lasts 12 hours or less but at least 1 hour, or for more than 5 hours, if the employee becomes entitled to meals according to the applicable legislation for travelling to the territory of the Czech Republic. If the time spent outside the Czech Republic lasts less than 1-hour, foreign Subsistence Expenses are not provided – see the table:

In one calendar day	
for the number of hours abroad:	is the foreign Subsistence Expenses:
if the right to Subsistence Expenses arose for a Business Trip within the area of the Czech Republic (domestic part of a foreign Business Trip, other foreign Business Trip, or another domestic Business Trip lasted 5 hours or more)	
5 hours or less	foreign Subsistence Expenses are not due, the duration of the respective Business Trip abroad is added to the domestic part of the Business Trip
> 5 hours	1/3 of the basic rate
if the right to Subsistence Expenses did not arise during the Business Trip within the area of the Czech Republic (the domestic part of the foreign Business Trip, other foreign Business Trip or another domestic Business Trip lasted less than an hour)	
< 1 hour	foreign Subsistence Expenses are not due, the duration of the respective Business Trip abroad is added to the domestic part of the Business Trip
1– 12 hours	1/3 of the basic rate

> 12 hours to 18 hours	2/3 of the basic rate
> 18 hours	Full base rate

For multiple Business Trips abroad in one day, periods abroad lasting 1 hour or more are added together. Periods for which the right to Subsistence Expenses abroad does not arise shall be added to the domestic part of the respective Business Trip. The basic rate to be used for the calculation shall be that in force in the country in which the staff member has been on the calendar day for the longest time. The rates of the foreign Subsistence Expenses shall be applied in accordance with the current valid decree.

4) Reimbursement of Necessary Incidental Expenses

The necessary incidental expenses shall include, in particular, the fees referred to in Article 5 (5). Any necessary incidental expenses incurred by the staff member directly in connection with the Business Trip may be reimbursed only to the extent that the staff member furnishes the appropriate proof.

5) Pocket Allowance

The employer may provide the employee with the Pocket Allowance up to 40% of the foreign Subsistence Expenses (without the influence of free meals), based on the decision of the Rector, Dean or a Director of the University Institute in the manner specified in Article 3 (4). In the event that travel expenses are covered by projects or grants where there is a higher limit on accommodation costs, the higher amount of accommodation costs shall be authorized to be agreed by the person authorized for the project (financial manager or principal researcher) during the financial control (see Article 3 (2)).

6) Settlement of Advances

The employee is obliged to return the provided advance, which was higher than what the employee is entitled to, to the employer in the currency provided by the employer or in CZK, at the latest within 30 days of the end of the Business Trip. In the event that the Business Trip would not have taken place at all, it is obliged to return the funds within 30 days of its planned start. After the expiry of this period or if the employee does not submit the Business Trip settlement within 30 days of the scheduled end of the Business Trip, the employer is entitled to withhold the advance or part of it from the salary in accordance with the applicable legislation.

Otherwise (the deposit is lower), the employer pays the employee this amount in CZK. When settling the advance, the employer shall use the employee's documented exchange rate at which the currency provided abroad was converted into another currency. In the event that the employee has not exchanged currency abroad, the ČNB exchange rate valid on the day of payment of the advance shall be used.

When providing Travel Compensations for which no advance payment has been made, the exchange rates announced by the Czech National Bank and valid on the day of commencement of a foreign Business Trip shall be used for currency conversion.

Article 7

Travel Compensation Granted under an International Agreement or under Agreements on Mutual Exchange of Employees with a Foreign Employer

- (1) A staff member who is posted on a Business Trip abroad and who is entitled, during that period, under an international contract, to reimbursement of Travel Compensations or to reimbursement of similar compensation at a level lower than that provided for under this Directive shall be reimbursed by the employer in the amount of the difference between the Directive and the reimbursement provided under the international contract.
- (2) An employee who is posted on a Business Trip abroad and who is entitled, during that period, under an international contract, to reimbursement of Travel Compensations or to reimbursement of similar compensation in an amount equal to or higher than that provided in this Directive shall not be granted Travel Compensations by the employer under this Directive.
- (3) Reimbursements of Travel Compensations or similar compensation granted to staff members under an international agreement shall be treated as Travel Compensations granted under this Directive.

Article 8

Travel Compensation for Persons Admitted from Abroad – per diems

- 1) Foreign nationals – foreign experts who perform educational, scientific research, advisory, expert or project activities for the University exclusively of a short-term nature (e.g., participation at a conference, workshop, seminar, work meeting, etc.) may be reimbursed:
 - a) proven travel expenses to the Czech Republic and back,
 - b) accommodation, Subsistence Expenses, and travel costs within the Czech Republic in the form of "per diems" (if the use of this form of compensation is in accordance with the rules for providing financial resources to individual providers, resources, or subsidy titles).
- 2) This form of compensation cannot be applied to foreigners who also have an employment relationship with the University under the Czech law, i.e., an employment relationship, an agreement on work activity or an agreement to perform work (e.g., long-term visiting foreign language teachers, etc.).
- 3) The amount of compensation per diems is determined by the applicable legislation and EU rates, while the specific amount of compensation for foreigners in the Czech Republic is determined according to the EU rates published on the European Commission website: <https://ec.europa.eu/> (for the Czech Republic, this rate as of the date of issue of this directive is 230 EUR/day, i.e. 24 hours).
- 4) Per diems compensation shall be paid in full as specified in paragraph 3 for the period of stay in the Czech Republic (crossing borders until leaving the Czech Republic), calculated on the number of hours spent in the Czech Republic. A lower rate may be set only with the written consent of the person (foreigner) to whom the reimbursement relates.

- 5) Per diems refunds are normally paid in EUR in cash, or in a cashless manner to an account held in a bank in the Czech Republic or in another EU/EEA Member State or Switzerland (provided that the non-cash payment complies with the rules for the provision of financial resources of the respective provider). Only exceptional and justified cases are allowed to pay refunds in a non-cash manner to an account held in a bank in another country. At the request of the relevant person (foreigner), reimbursement may be made in per diems in CZK; in such a case, the exchange rate applicable for the payment of travel compensations under the law shall be used for the conversion of foreign currency into CZK, at the ČNB rate on the date of payment of the advance, or, if no advance payment has been made, at the date of commencement of the Business Trip. If the day of the commencement of the Business Trip falls on a weekend, the rate set on the next preceding working day shall apply.
- 6) A condition for reimbursement of reimbursements in the form of per diems and proven travel expenses to the Czech Republic and back, the conclusion of the Contract on the provision of professional activities and reimbursement of travel expenses with a foreign expert (see Annex 3b, version CZE / EN) or another contract (e.g. pursuant to Section 1746 (2) of the Civil Code) is approved and the Application for payment of travel expenses in the form of per diems (see Annex 4) or the Application for reimbursement of proven travel expenses to the Czech Republic and back is supported by relevant travel documents.

Article 9

Transitional and Final Provisions

- 1) This Directive repeals Rector's Directive No. 4/2017.
- 2) This Rector's Directive shall enter into force on the date of its signature.
- 3) This Rector's Directive shall become effective on the day of its 1 January 2021.

In Opava, date

doc. Ing. Pavel Tuleja, Ph.D.
Rector

Enclosures:

Annex No. 1 – Travel Order

Annex No. 2 – Request for consent to the use of a private passenger vehicle

Annex No. 3a – Contract on the provision of professional activities and reimbursement of travel expenses

Annex No. 3b – Contract on the provision of professional activities and reimbursement of travel expenses with a foreign expert (CZ / EN version)

Annex No. 4 – Request for payment of travel expenses in the method per items

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