

## ALLOWABLE MEAL CHARGES AND MAXIMUM TRAVEL SUBSISTENCE EXPENSE - YEAR 2011

### **Allowable Meal Charges**

Among the minimum benefits and working conditions which the Department requires employers to offer their U.S. and H-2A workers are three meals a day or free and convenient cooking and kitchen facilities. In accordance with 20 CFR 655.122(g), when an employer provides meals, the job offer must state the charge, if any, to the worker for such meals.

Pursuant to the methodology established at 20 CFR 655.173(a), the Department has determined the percentage change between December of 2009 and December of 2010 for the CPI-U for Food was .8 percent. Accordingly, the maximum allowable charges under 20 CFR 655.122(g) were adjusted using this percentage change, and the new permissible charges for 2011 shall be no more than \$10.73 per day, unless the Department has approved a higher charge pursuant to 20 CFR 655.173(b).

### **Maximum Travel Subsistence Expense**

The regulations at 20 CFR 655.122(h) establish that the minimum daily travel subsistence expense, for which a worker is entitled to reimbursement, is at least as much as the employer would charge the worker for providing the worker with three meals a day during employment (if applicable), but in no event less than the amount permitted under 20 CFR 655.173(a). The regulation is silent about the maximum amount to which a qualifying worker is entitled.

The Department based the maximum meals component on the standard Continental United States (CONUS) per diem rate established by the General Services Administration (GSA), published at 41 CFR Part 301, Appendix A. The CONUS meal component is now \$46.00 per day.

The link to the Federal Register: March 1, 2011 (Volume 76, Number 40) can be found at: <http://edocket.access.gpo.gov/2011/pdf/2011-4419.pdf>