CLAIM FOR DAMAGE TO OR STOLEN EMPLOYEES' PERSONAL PROPERTY 8423
(Revised 12/12)

Government Code section 19849.8 permits departments to pay for the repair or replacement of damaged personal property worn or used by the employee in the course of employment (eyeglasses, hearing aids, dentures, watches, or articles of clothing). Government Code section 19850.6 permits departments to reimburse or provide an employee with replacement of stolen personal property required for the performance of work. See Department of Human Resources rule 599.725.

There are instances when employees bring personal property to the workplace for personal use. Repair, replacement, or reimbursement of property not used on the job is not considered to be the responsibility of the state.

For stolen property, the choice of reimbursement or replacement is up to the employee's department but the employee's preference must be considered before a decision is made. Employees must provide their department with an inventory of all personal property used on the job prior to the loss. The California Highway Patrol must be notified and a copy of the theft report shall accompany the claim. Any claims of $500 and above for stolen property must have the prior approval of the Department of Human Resources.

Departments will approve claims under this section only when the circumstances of such loss clearly indicate that reimbursement is proper. Each claim for damage to or stolen personal property will include:

1. A report describing the incident that caused the damage or the circumstances surrounding the theft.

2. For damaged items, a receipted bill for repairs. If the article is damaged beyond repair, a statement of the actual value of the article at the time of damage and the reason it could not be repaired.

3. For stolen items, a statement that the value of the property was verified by inspecting the original sales records, current price lists, or other appropriate methods.

4. A certification by the employee that:

   a. The item was required for work.

   b. The loss or damage occurred at the worksite, the workbase, or enroute.

   c. There was no employee carelessness or negligence and all foreseeable precautions were taken.

   All three stipulations in this certification must be made or the claim will not be approved. If they are met, a department may pay the cost of replacing, repairing, or reimbursing the value of the item.

5. Approval by the employee's supervisor including:

   a. Confirmation of the facts stated by the employee.

   b. Recommendation for reimbursement or replacement.

   c. A statement of measures taken to prevent recurrence of the theft or damage.

Payments should not be made when recovery is possible under worker's compensation laws.