



# Board of Directors Meeting & Public Hearing

May 28, 2019

2:00pm



## BOARD OF DIRECTORS

### Regular Meeting of the Board of Directors of Rivanna Solid Waste Authority

**DATE:** May 28, 2019

**LOCATION:** Conference Room, Administration Building  
695 Moores Creek Lane, Charlottesville, VA

**TIME:** 2:00 p.m.

## AGENDA

### 1. CALL TO ORDER

- a. Welcome to new Board Members, Dr. Tarron Richardson, City Manager, and Lance Stewart, Albemarle Director of Facilities and Environmental Services

### 2. ELECTION OF SECRETARY-TREASURER

### 3. MINUTES OF PREVIOUS BOARD MEETING

- a. Minutes of the Regular Meeting of the Board on April 23, 2019

### 4. RECOGNITION

- a. Resolution of Appreciation for Trevor Henry
- b. Government Finance Officers Association, Certificate of Achievement for Excellence in Financial Reporting: Director of Finance, Mr. Lonnie Wood

### 5. EXECUTIVE DIRECTOR'S REPORT

### 6. ITEMS FROM THE PUBLIC

### 7. RESPONSES TO PUBLIC COMMENTS

### 8. CONSENT AGENDA

- a. Staff Report on Finance
- b. Staff Report on Ivy Material Utilization Center/Recycling Operations Update
- c. Staff Report on Ivy Landfill Environmental Status
- d. Proposed Amendment No. 8 to the Local Government Agreement for Recycling Programs

### 9. OTHER BUSINESS

- a. Presentation and Public Hearing: Rate Resolution Adoption, Approval of FY 2019-2020 Budget and CIP; Bill Mawyer, Executive Director

(BEGIN THE RWSA MEETING)

- b. Presentation: Quarterly Strategic Plan Update – Year 1 Wrap-Up; Goal Team Leaders

- c. Presentations; Lonnie Wood, Director of Finance and Administration*
  - i. Personnel Management Plan Update*
  - ii. FY 2020 Pay Scale Adjustment*
  - iii. Virginia Retirement System Long Term Care Program*

*(COMPLETE THE RSWA MEETING)*

***10. OTHER ITEMS FROM BOARD/STAFF NOT ON AGENDA***

***11. CLOSED MEETING***

***12. ADJOURNMENT***

## GUIDELINES FOR PUBLIC COMMENT AT RIVANNA BOARD OF DIRECTORS MEETINGS

If you wish to address the Rivanna Board of Directors during the time allocated for public comment, please raise your hand or stand when the Chair asks for public comments.

Members of the public requesting to speak will be recognized during the specific time designated on the meeting agenda for "Items From The Public." Each person will be allowed to speak for up to three minutes. When two or more individuals are present from the same group, it is recommended that the group designate a spokesperson to present its comments to the Board and the designated speaker can ask other members of the group to be recognized by raising their hand or standing. Each spokesperson for a group will be allowed to speak for up to five minutes.

During public hearings, the Board will attempt to hear all members of the public who wish to speak on a subject, but it must be recognized that on rare occasion presentations may have to be limited because of time constraints. If a previous speaker has articulated your position, it is recommended that you not fully repeat the comments and instead advise the Board of your agreement. The time allocated for speakers at public hearings are the same as for regular Board meetings, although the Board can allow exceptions at its discretion.

Speakers should keep in mind that Board of Directors meetings are formal proceedings and all comments are recorded on tape. For that reason, speakers are requested to speak from the podium and wait to be recognized by the Chair. In order to give all speakers proper respect and courtesy, the Board requests that speakers follow the following guidelines:

- Wait at your seat until recognized by the Chair.
- Come forward and state your full name and address and your organizational affiliation if speaking for a group;
- Address your comments to the Board as a whole;
- State your position clearly and succinctly and give facts and data to support your position;
- Summarize your key points and provide the Board with a written statement, or supporting rationale, when possible;
- If you represent a group, you may ask others at the meeting to be recognized by raising their hand or standing;
- Be respectful and civil in all interactions at Board meetings;
- The Board may ask speakers questions or seek clarification, but recognize that Board meetings are not a forum for public debate; Board Members will not recognize comments made from the audience and ask that members of the audience not interrupt the comments of speakers and remain silent while others are speaking so that other members in the audience can hear the speaker;
- The Board will have the opportunity to address public comments after the public comment session has been closed;
- At the request of the Chair, the Executive Director may address public comments after the session has been closed as well; and
- As appropriate, staff will research questions by the public and respond through a report back to the Board at the next regular meeting of the full Board. It is suggested that citizens who have questions for the Board or staff submit those questions in advance of the meeting to permit the opportunity for some research before the meeting.

The agendas of Board meetings, and supporting materials, are available from the RWSA Administration Office upon request or can be viewed on the Rivanna website(s)

**RSWA BOARD OF DIRECTORS**  
**Minutes of Regular Meeting**  
**April 23, 2019**

A regular meeting of the Rivanna Solid Waste Authority (RSWA) Board of Directors was held on Tuesday, April 23, 2019 at 2:00 p.m. in the 2<sup>nd</sup> floor conference room, Administration Building, 695 Moores Creek Lane, Charlottesville, Virginia.

**Board Members Present:** Paul Oberdorfer, Mike Gaffney, Mike Murphy, Jeff Richardson, Liz Palmer, Trevor Henry.

**Board Members Absent:** Kathy Galvin.

**Staff Present:** Lonnie Wood, Jennifer Whitaker, Phil McKalips, David Rhoades, Steven Miller, Liz Coleman, Scott Schiller, Bill Morris, Victoria Fort, Dyon Vega, Austin Marrs, Andrea Terry, David Tungate, Michelle Simpson, Bill Mawyer, Katie McIlwee.

**Also Present:** Kurt Krueger, RSWA counsel, members of the public and media representatives.

**1. CALL TO ORDER**

Mr. Gaffney called the meeting to order at 2:02 p.m.

**2. MINUTES OF PREVIOUS BOARD MEETING**

*a. Minutes of the Regular Meeting of the Board on March 26, 2019*

**Dr. Palmer moved to approve the RSWA Board meeting minutes of March 26, 2019 as presented. Mr. Richardson seconded the motion, which passed unanimously (6-0). Ms. Galvin was absent from the meeting and the vote.**

**3. RECOGNITION**

*a. Resolution of Appreciation for Mike Murphy*

Mr. Gaffney read the joint resolution as follows:

**WHEREAS**, Mr. Murphy has served as a member of the Rivanna Water & Sewer Authority and Solid Waste Authority Boards of Directors since August of 2018; and

**WHEREAS**, over that same period Mr. Murphy has demonstrated leadership in water and sewer, solid waste and recycling services; and has been a valuable member of the Boards of Directors and a resource to the Authorities; and

**WHEREAS**, Mr. Murphy's understanding of the water, sewer, solid waste and recycling operations of the City of Charlottesville, the Water & Sewer Authority and the Solid Waste

Authority has supported a strategic decision-making process that provided benefits to the customers served by the City of Charlottesville as well as the community as a whole.

**WHEREAS**, the Water & Sewer Authority and Solid Waste Authority Boards of Directors are most grateful for the professional and personal contributions Mr. Murphy has provided to both Authorities and to the community; and

**NOW, THEREFORE, BE IT RESOLVED** that the Rivanna Water & Sewer Authority and the Rivanna Solid Waste Authority Boards of Directors recognize, thank, and commend Mr. Murphy for his distinguished service, efforts, and achievements as a member of the Rivanna Water & Sewer Authority and the Rivanna Solid Waste Authority, and present this Resolution as a token of esteem, with their best wishes in his future endeavors.

**BE IT FURTHER RESOLVED** that this Resolution be entered upon both the permanent Minutes of the Rivanna Water & Sewer Authority and the Rivanna Solid Waste Authority.

**Dr. Palmer moved to adopt the resolution as presented and read into the record. Mr. Richardson seconded the motion, which passed unanimously (6-0). Ms. Galvin was absent from the meeting and the vote.**

Mr. Murphy accepted the resolution. He expressed appreciation to those who have served on the Authority for a long time, particularly elected officials from the City and County.

#### **4. EXECUTIVE DIRECTOR'S REPORT**

Mr. Mawyer reported that the previous day was Earth Day, which they celebrated with a stream cleanup behind Moose's Restaurant and the U-Haul site along Moores Creek in a partnership with the Rivanna Conservation Alliance, RSWA, and RWSA. He stated that 10 employees participated and they had a good turnout, collecting "all kinds of interesting things" that were taken to the Ivy landfill. He presented a photo of the cleanup.

Mr. Mawyer informed the Board that recent vehicle counts at Ivy were 2,900 in February and 4,400 in March, with tonnage of 59 tons/day in February and 86 tons/day in March. He noted that Phil McKalips had provided a lot of information in Item 7B of his report, and that in the five Mondays the facility has been open, they have averaged 86 tons/per day, which is the approximate break-even amount to account for the lower rates and the additional operating day. He noted that they expected this figure to increase through the summer and felt positive about the track they were on.

Mr. Mawyer reported that the Household Hazardous Waste and Bulky Waste Amnesty programs began on Thursday and ran through the following weekend, with the schedule published in the newspaper and on the Rivanna website. He reminded the Board that at last month's meeting, staff had informed them that # 3-7 plastics were not being recycled, and the Board voted to discontinue recycling of these products beginning in July. He noted that Staunton, Waynesboro, and Augusta County had stopped processing some plastic and glass products and that Harrisonburg, Rockingham, and Chesterfield Counties were considering changes to their programs due to the "China effect", under which China is no longer accepting these products.

Mr. Mawyer informed the Board the General Assembly has passed legislation, with the Governor recommending amendments, that created penalties for public employees and officials who destroyed records in the FOIA process. He stated the legislation also created a penalty for a public body that held a closed meeting that violated provisions of FOIA. He asked Mr. Krueger to provide additional information.

Mr. Kurt Krueger explained that the Local Government Attorney's Association, VACO, and some other legal organizations had critiques of the legislation, and after it had passed both the Senate and House, they asked the Governor to make some edits -- essentially to the bill and sent it back. He stated that he would review the two most significant edits and explained that the original bill stipulated that if an attorney was present at a closed meeting, then a fine may apply, which the Local Government Attorney's Association indicated would discourage public bodies from having counsel present because penalties could be avoided by not having an attorney present. He noted that this language was removed as the bill was enacted.

Mr. Krueger explained that the second change was that at the end of the second clause, which dealt with penalties for misclassification of a closed meeting. He stated they have added language to the effect that in determining if a penalty was appropriate, the court shall consider mitigating factors, including reliance of members of the public body on opinions of the attorney general, court cases substantially supporting the rationale of the public body, and published opinions of the FOIA Advisory Council. He stated they had introduced the concept of mitigation if one is in good faith relying on one of these things and noted that he had distributed copies of the enacted legislation to Board members.

Mr. Mawyer reminded the Board the City and County had created a one-year Local Government Support Agreement for Recycling Programs in 2011 to establish a payment formula for the City and County to share recycling costs, to be renewed annually and which had been renewed seven times. He suggested that the agreement be renewed automatically each year, with each locality having the option to provide notice to opt out. He stated that Phil McKalips had spoken with Paul Oberdorfer and Trevor Henry about this and they seemed to be in favor of it, and staff plan to bring forth a proposal for a continuing agreement at next month's Board meeting.

Dr. Palmer recalled that she had asked if the agreement could be for five years and was told by legal staff that this could not be done.

Mr. Henry remarked that they had conferred with the County Attorney and he stated the proposal made sense as Rivanna suggested.

Mr. Mawyer noted that the Van Der Linde facility at Zion Crossroads has raised its MSW tipping fee to \$52/ton, which his office would monitor this to see if there was an impact on the County's competitiveness.

Mr. Mawyer informed the Board there had been a number of injuries at the landfill while staff assisted customers with loading and unloading, including a broken arm and arm cut, which resulted in lost work time. He stated they have instructed employees to not assist customers with unloading and loading, unless approved by their supervisor, and he asked the Board for feedback.

Dr. Palmer remarked that this would be difficult for a lot of the employees because they were very helpful. She asked if any customers had been hurt.

Mr. Mawyer commented that the concern was that staff or customers could be hurt with people throwing things out of both sides of the vehicle, as anyone could get hit.

Dr. Palmer remarked that the transfer station had more individual users as compared to professional haulers than most stations, which compounded the situation. She stated Phil McKalips has informed her that many localities have convenience centers where individuals can take as long as they want to unload their vehicles, whereas with Rivanna's facility, they force individuals to be around professional haulers, which can create some issues.

Mr. Henry noted that the original design concept of the MUC had separated the individual and commercial dropoffs, but this had been changed.

Dr. Palmer responded that a huge increase in trash had caused them to continuously analyze the flow and make adjustments, and they may go back to that original plan somewhat, trying to get some of the larger haulers to back in and to have a separate route. She stated that communication was always a challenge when people were coming in and going out in a rush, and it would be an ongoing process to figure out how this was going to work.

Mr. Mawyer stated that staff wouldn't abandon this issue, but for now would minimize it and see how it could be improved.

Mr. Murphy expressed his understanding and asked if the risk management team would look into training options or if they would instruct employees not to assist customers. He asked Mr. Mawyer what the current official policy was for employees in terms of providing assistance to customers, emphasizing that it needed to be consistent, without gray areas.

Mr. Mawyer explained that employees had been told they were not allowed to help load or unload, and a sign would be posted with this policy for customers to read. He stated that if employees noticed a circumstance they felt was different, they could assist if a supervisor gave approval, which could be for unexpected circumstances or assisting the elderly and those with special needs.

Mr. Gaffney asked if the facility has ADA requirements.

Mr. Krueger responded that he did not know the answer to that.

Mr. Mawyer noted that the facility was ADA accessible, and the supervisor would likely allow an exception for a customer with special needs.

Dr. Palmer invited Phil McKalips to address the Board on the matter.

Mr. McKalips explained that a supervisor could make an exception for those who needed special assistance. He noted that a lot of the injuries were a result of the customer pushing at an inopportune time, and there was no way to train customers to work in concert with staff to resolve this. He stated the new policy may seem extreme, but they have tried other solutions and staff were still getting hurt.



Mr. Murphy suggested that they have two Rivanna employees assist, instead of the customer, to be sure they worked in concert. He emphasized that it was important to have a clear message as to what people were supposed to do.

Dr. Palmer remarked that there had been discussion about having employees do the work themselves and not working with the customer, which is when the problems occurred.

## **5. ITEMS FROM THE PUBLIC**

Mr. Gaffney opened the the meeting to comments from the public. As no one came forward to address the Board he closed this portion of the meeting.

## **6. RESPONSES TO PUBLIC COMMENTS**

There were no responses to public comments.

## **7. CONSENT AGENDA**

*a. Staff Report on Finance*

*b. Staff Report on Ivy Material Utilization Center/Recycling Operations Update*

*c. Staff Report on Ivy Landfill Environmental Status*

*d. Proposed Additional Holiday: July 5, 2019*

With respect to Item 7.d., Mr. Richardson asked if Rivanna had compared the number of holidays offered by Rivanna to the number offered by other local governments across the state, when considering the recommended extra Friday, July 5th holiday.

Mr. Mawyer replied that they tried to monitor that locally and knew that the ACSA was offering July 5 as a day off, but staff was not yet able to find information on this from the State's website. He added that Rivanna had not benchmarked against other localities except in the context of the compensation studies.

Mr. Gaffney asked how this would impact commercial haulers.

Mr. Mawyer replied that the RSWA would be open to customers on July 5<sup>th</sup>, and staff at both the landfill and recycling centers would be required to work on this day, with premium pay provided.

Dr. Palmer asked how much premium pay was.

Mr. Wood replied that it was time and a half to work holidays and days that an employee was not scheduled to work.

Mr. Richardson asked if RWSA employees would get July 5th off.

Mr. Mawyer clarified that they would propose the same additional holiday to the RWSA Board, but that was also challenging as water and wastewater plant operators worked around the clock and staff were needed on every holiday. He stated that RSWA and RWSA administrative employees would

observe the holiday, and that to have parity employees who did work would receive premium pay to keep the treatment plants, IMUC, and recycling facilities open.

Ms. Palmer asked for confirmation that RWSA staff received premium pay for July 4 and 5, the RSWA transfer station would be closed on July 4, and RSWA staff would receive premium pay on just July 5.

Mr. Mawyer replied that they would receive holiday time off on July 4, and premium pay on July 5, because they will have worked that day.

Dr. Palmer asked if County employees would have off on July 5.

Mr. Richardson and Mr. Henry indicated they had not seen the calendar yet.

Mr. Richardson asked Mr. Mawyer if a similar situation to July 5 had occurred before.

Mr. Mawyer replied that they have had situations when an additional holiday has been granted when a regular holiday fell during the middle of the week.

Dr. Palmer asked for confirmation that this situation was only for this year.

Mr. Mawyer confirmed this and noted that the ACSA had already approved July 5<sup>th</sup> as an additional day off.

**Dr. Palmer moved that the Board approve the Consent Agenda. Mr. Oberdorfer seconded the motion, which passed unanimously (6-0).**

## **8. OTHER BUSINESS**

### *a. Introduction of Fiscal Year 2019-2020 Budget and Adoption of the Preliminary Rate Resolution – Bill Mawyer, Executive Director*

Mr. Bill Mawyer stated that the budget totaled \$4.2M for both revenues and expenditures. He reviewed accomplishments over the past year, including the opening of the Ivy Transfer Station, lowering of solid waste tipping fees, and addition of Mondays to days of operation, completion of Ivy Master Plan, beginning of the design phase for the new Ivy convenience center, and planning for a compost facility. He presented a photo of the interim convenience center at Ivy. He stated they hoped to begin construction of the new convenience center next year, would continue to optimize the transfer operations and recycling programs, and were conferring with Virginia Department of Forestry on a potential forestry management plan for 150 acres of buffer around the landfill.

Mr. Mawyer stated that they would continue with household hazardous waste, electronic waste, and compost programs. He returned to the budget, noting that the largest component was \$1.9M or 46% for transfer operations, second was the environmental component at \$1M or 26%, followed by recycling at \$668K, and then Operations. He emphasized that the budget was about \$1M more than last year, largely due to increased revenues and costs from the transfer operation. He stated the increase expenses of the transfer station were estimated to be \$585K as they moved from 30 tons/day to 80 tons/day, which would be offset by an estimated revenue increase of over \$600K, which they expected would decrease the transfer operations deficit.

Mr. Mawyer stated that recycling expenses would increase as a result of proposed personnel increases, increased costs of wood grinding, and equipment depreciation. He stated the landfill environmental expenses were expected to increase, largely due to the need to regrade areas of the cell caps as requested by the VA Department of Environmental Quality, at an estimated cost of \$250K. He stated the cost to implement the e-waste program was around \$15K for each of the two proposed days. He noted that they would use \$390K from the reserve to offset environmental costs this year, which they would not be able to do next year and which was a driver of the budget increase.

Mr. Mawyer explained that operations included yard and vegetative waste disposal, disposal of tires, clean fill, and bulky waste, and that these expenses were funded by the County. He stated they expected higher revenues from the Ivy Transfer Station along with higher expenses, with the difference to be funded by the County. He noted that the costs of the recycling program were shared by the City and County through the Local Support Agreement, and he presented a slide with revenue and expense estimates. He explained that the environmental segment of the budget represented groundwater and gas remediation, e-waste, household hazardous waste, and paint disposal, which represented expenses shared by contract with the County, City and UVA, with no revenue. He reminded the Board that UVA paid a fixed amount each year for environmental remediation, while the County and City paid fixed percentages. He continued that expenses included a 3% merit pool of \$18K for the 15 employees and a 2% increase in health insurance costs, despite a premium increase of 10%, mitigated by the use of some savings from last year.

Mr. Richardson asked if the increase in the employee portion of health insurance might offset pay increases.

Mr. Mawyer replied that this could happen, though they were trying to budget a small decrease in employee premiums.

Mr. Mawyer stated they proposed to add three positions, two of which were needed to operate the transfer station on Mondays during the pilot period and who had been hired through a temporary agency, with the possibility of adding two full-time employees should they decide to continue with Monday operations. He stated they would add 0.3 of an employee at the Ivy scale to cover the additional need created by the addition of Mondays to the days of operation, and 0.75 of an employee to support recycling operations by converting three part-time positions to two full-time positions, which would total 3.05 FTEs at a cost of \$139K, of which a large part represented the cost of health insurance and other benefits.

Mr. Mawyer reviewed expected revenues. He stated they expected tip fees and sales to equal almost \$2M, with the balance supported through the local government support agreements with the City, the County, and UVA. He noted that they would keep the tipping fees the same with the exception of the cost for pallets, which increased to \$52 from the current \$10, as Rivanna would no longer recycle them for mulch, as it has been determined that the grinding of pallets was detrimental. He concluded and invited questions.

Dr. Palmer stated she had learned that the City did not contribute old tires, asked if the County paid for the cost of tire amnesty day, and if the City participated.

Mr. Wood replied that they tracked the origin of the tires and billed accordingly to the City or County.

Dr. Palmer asked if the City picked up tires in bulk pickups.

Mr. Oberdorfer responded that the City scheduled pickups of tires.

Dr. Palmer asked why UVA always paid the same amount for use of the landfill.

Mr. Gaffney responded that the agreement was for UVA to contribute 7% of the total budgeted amount for the 30 years of landfill mitigation, and the percentage was not to be changed if something new is found or if costs increase or decrease. He explained that it was determined that UVA contributed 7% of the waste in the community.

Mr. Wood stated that at the time, there was a post-closure cost booked as a liability, so they had a 30-year cost estimate. He stated that they escalated that cost based on inflation, so the first five years, they were paying a much larger amount and it fluctuated -- and after that first five years, the \$79,000 was enacted, based on the 25-year cost estimate that was adjusted for inflation.

Mr. Mawyer noted that next year, 7% of the budgeted costs would be \$70,000, not \$79,000, so UVA was paying more than 7%.

Mr. Gaffney stated that the year before, they had mitigated the cost for \$773K based on 2019, so they were paying above 7%.

Mr. Gaffney asked if what was currently in cell three that had to be regraded was just regraded based on what was already there, or if they had to add to bring it up to a specific level.

Mr. Mawyer responded that they would check the liner to make sure it was still intact and hadn't separated, and they would restore it and replace the soil fill over top of it -- so they would be adding soil, not just pushing around what was there. He emphasized that they needed to fill in the hole and would likely have to add soil in order to do that, and some soil went down into the cell, so they would have to add soil if they couldn't get it out.

Mr. Gaffney asked if this rate schedule was the same as previous years.

Mr. Mawyer responded that it was, except for the pallets being removed from this schedule as they would be advertised.

**Dr. Palmer moved that the Board approve the resolution as the proposed rates to be presented at the May RSWA Board meeting for public hearing, reflecting the removal of the pallets. Mr. Richardson seconded the motion.**

Mr. Murphy observed that the City would have a total cost of \$491K, an increase from \$207K the previous year, while the County's cost will increase from \$1.25M to \$1.7M -- and asked why the City's cost would increase by a greater percentage than that of the County.

Mr. Mawyer explained that this was calculated with the use of a formula, with the City's portion representing 30% of the total, by agreement, and this year the cost would not be subsidized with reserves, which has driven both the City and County budgets higher.

Mr. Murphy commented that in looking at the budget in the year they were in, if the County was over \$1.25 million and the City was at \$200K, that was a 6:1 ratio.

Mr. Gaffney stated that the previous year, they used \$390K in reserves.

Mr. Wood explained that the transfer station was lowering its deficit, of which the County was the only payer, and the transfer station was going down by about \$70K and would benefit from this deficit reduction dollar for dollar in the Ivy center. He added that this savings did not benefit the City because they weren't a financial supporter of that center.

Mr. Murphy stated that he was still trying to process how this went from a 6:1 ratio in one year to a 3.5:1 ratio in the next, as it didn't seem to make sense to him.

Mr. Wood stated that after taking the UVA portion, it was 63.5% to the County and 36.5% to the City.

Mr. Gaffney pointed out that the biggest number, the Ivy Transfer Station, went down for the County -- with environmental and recycling being the same for the City and County. He noted that the County would be paying \$2 million if the ratios were the same.

Mr. Murphy asked if they could advance this item to the next meeting for final approval.

**The motion passed unanimously (6-0). Ms. Galvin was absent from the meeting and the vote.**

#### ***9. OTHER ITEMS FROM BOARD/STAFF NOT ON AGENDA***

Mr. Henry informed the Board he would be replaced on the Board by Lance Stewart, the new Director of Facilities and Environmental Services, at the next meeting. He added that Mr. Stewart would be a welcome addition.

#### ***10. CLOSED MEETING***

There was no closed meeting held.

#### ***11. ADJOURNMENT***

**Dr. Palmer moved to adjourn the meeting. Mr. Richardson seconded the motion, which passed unanimously (6-0). Ms. Galvin was absent from the meeting and the vote.**

The RSWA Board adjourned its meeting at 2:56 p.m.



**RIVANNA SOLID WASTE AUTHORITY  
BOARD OF DIRECTORS**

**Resolution of Appreciation for Trevor Henry**

**WHEREAS**, Mr. Henry has served as a member of the Solid Waste Authority Boards of Directors since June of 2016; and

**WHEREAS**, over that same period Mr. Henry has demonstrated leadership in solid waste and recycling services; and has been a valuable member of the Board of Directors and a resource to the Authority; and

**WHEREAS**, Mr. Henry's understanding of the solid waste and recycling operations of Albemarle County and has supported a strategic decision-making process that provided benefits to the customers served by Albemarle County as well as the community as a whole.

**WHEREAS**, the Solid Waste Authority Board of Directors is most grateful for the professional and personal contributions Mr. Henry has provided to the Authority and to the community; and

**NOW, THEREFORE, BE IT RESOLVED** that the Rivanna Solid Waste Authority Board of Directors recognize, thank, and commend Mr. Henry for his distinguished service, efforts, and achievements as a member of the Rivanna Solid Waste Authority, and presents this Resolution as a token of esteem, with its best wishes in his future endeavors.

**BE IT FURTHER RESOLVED** that this Resolution be entered upon both the permanent Minutes of the Rivanna Solid Waste Authority.

Michael Gaffney, Chairman  
Kathy Galvin  
Paul Oberdorfer  
Liz Palmer  
Jeff Richardson  
Tarron Richardson



**Government Finance Officers Association**  
203 North LaSalle Street, Suite 2700  
Chicago, Illinois 60601-1210  
312.977.9700 fax: 312.977.4806

May 14, 2019

Michael A. Gaffney  
Board Chair  
Rivanna Solid Waste Authority  
695 Moores Creek Lane  
Charlottesville, VA 22902-9016

Dear Mr. Gaffney:

We are pleased to notify you that your comprehensive annual financial report (CAFR) for the fiscal year ended 2018 qualifies for GFOA's Certificate of Achievement for Excellence in Financial Reporting. The Certificate of Achievement is the highest form of recognition in governmental accounting and financial reporting, and its attainment represents a significant accomplishment by a government and its management.

When a Certificate of Achievement is awarded to a government, an Award of Financial Reporting Achievement (AFRA) is also presented to the individual(s) or department designated by the government as primarily responsible for its having earned the Certificate. This award has been sent to the submitter as designated on the application.

We hope that you will arrange for a formal presentation of the Certificate and Award of Financial Reporting Achievement, and that appropriate publicity will be given to this notable achievement. A sample news release is enclosed to assist with this effort.

We hope that your example will encourage other government officials in their efforts to achieve and maintain an appropriate standard of excellence in financial reporting.

Sincerely,

Michele Mark Levine  
Director, Technical Services Center



## MEMORANDUM

**TO: RIVANNA SOLID WASTE AUTHORITY  
BOARD OF DIRECTORS**

**FROM: BILL MAWYER, EXECUTIVE DIRECTOR**

**SUBJECT: EXECUTIVE DIRECTOR'S REPORT**

**DATE: MAY 28, 2019**

### *STRATEGIC PLAN GOAL: WORKFORCE DEVELOPMENT*

#### **Recognitions**

The professional qualifications of our staff continue to improve and enhance our services. The following employee has successfully completed the experience and examination requirements in the safety, health and environmental disciplines, and has received the following certification from the Board of Certified Safety Professionals:

- Liz Coleman, RSWA/RWSA Safety Manager – Certified Associate Safety Professional

#### **Benefits and Safety**

The Authorities recently completed our Benefits and Safety Meeting with all staff. This meeting is held over two dates and gives all employees the opportunity to hear from our Executive Director, Safety Manager, and insurance and retirement providers; also present at the meeting are other benefit providers, such as ACAC, Optima Employee Assistance Program. This meeting allows employees to ask questions directly to these representatives prior to our open enrollment period.

### *STRATEGIC PLAN GOAL: ENVIRONMENTAL STEWARDSHIP; SOLID WASTE SERVICES*

#### **Use of the Ivy Materials Utilization Center: April 2019**

<b><u>Vehicles</u></b>	<b><u>AVG MSW &amp; CDD Tons/Day</u></b>
4,728	85
Mondays (9) (Mar. 18 – May 13)	90



**Household Hazardous Waste and Bulky Waste Amnesty Days (4) were a success.**

900 County Vehicles

222 City Vehicles



## MEMORANDUM

**TO: RIVANNA SOLID WASTE AUTHORITY  
BOARD OF DIRECTORS**

**FROM: LONZY WOOD, DIRECTOR OF FINANCE AND  
ADMINISTRATION**

**REVIEWED: BILL MAWYER, EXECUTIVE DIRECTOR**

**SUBJECT: APRIL 2019 FINANCIAL SUMMARY**

**DATE: MAY 28, 2019**

The results of operations and remediation activities for the first ten months of the fiscal year are summarized below and in the attached statements.

	<u>Operating Results</u>	<u>Remediation Results</u>	<u>Total</u>
Total Revenues	\$ 1,393,069	\$ -	\$ 1,393,069
Total Expenses	<u>(2,094,812)</u>	<u>(677,801)</u>	<u>(2,772,613)</u>
Net operating results	(701,743)	(677,801)	(1,379,544)
Support - MOU & Local	<u>1,160,554</u>	<u>383,742</u>	<u>1,544,296</u>
Surplus/(Deficit)*	<u>\$ 458,811</u>	<u>\$ (294,059)</u>	<u>\$ 164,752</u>

\* Cash reserves are used when deficits occur. (Use of up to \$390,000 in reserves for an expected shortfall for remediation was included in FY 2019 budget.)

Total operating revenues through April were \$307,800 over budget and total operating expenses were \$61,000 over budget. The Authority has processed 21,715 tons of waste this fiscal year. A breakdown of net revenue or cost per ton, including overhead and administrative support costs, is shown below.

	<u>Ivy MSW</u>	<u>Ivy - All Other</u>	<u>Recycling</u>	<u>Total</u>
Tonnage	11,379	8,555	1,781	21,715
Net operating revenue (costs)	\$ (372,469)	\$ (25,787)	\$ (303,487)	\$ (701,743)
Net revenue (cost) per ton	\$ (32.73)	\$ (3.01)	\$ (170.40)	\$ (32.32)

Attachments

Target Rate: 83.33%

Operations	Budget	Actual Y-T-D	IVY OPERATIONS		MSW-IVY TRANSFER		RECYCLE OPERATIONS		ADMIN. SERVICES	
				Actual		Actual		Actual		Actual
			Budget	Y-T-D	Budget	Y-T-D	Budget	Y-T-D	Budget	Y-T-D
REVENUES										
Ivy Operations Tipping Fees	\$ 158,960	199,906	\$ 158,960	199,906						
Ivy MSW Transfer Tipping Fees	648,200	754,324			648,200	754,324				
Material & Other Sales-Ivy	121,500	123,859	121,500	123,859						
Recycling Revenues	251,900	166,568					251,900	166,568		
Other Revenues	77,200	89,291			77,200	89,291				
Interest & Fees	44,500	59,121							44,500	59,121
Total Revenues Budget vs. Actual*	\$ 1,302,260	\$ 1,393,069 106.97%	\$ 280,460	\$ 323,765 115.44%	\$ 725,400	\$ 843,615 116.30%	\$ 251,900	\$ 166,568 66.12%	\$ 44,500	\$ 59,121 132.86%
EXPENSES										
Ivy Operations	324,245	225,752	324,245	225,752						
Ivy MSW Transfer	1,186,282	1,092,284			1,186,282	1,092,284				
Recycling Operations	452,490	371,016					452,490	371,016		
Administration	694,924	554,319							694,924	554,319
Total Expenses Budget vs. Actual*	2,657,941	2,243,372 84.40%	324,245	225,752 69.62%	1,186,282	1,092,284 92.08%	452,490	371,016 81.99%	694,924	554,319 79.77%
Net Results Before Administrative Allocation	\$ (1,355,681)	\$ (850,303)	\$ (43,785)	\$ 98,013	\$ (460,882)	\$ (248,669)	\$ (200,590)	\$ (204,448)	\$ (650,424)	\$ (495,199)
Administrative allocations:										
Administrative costs to Envir. MOU (below)	195,127	148,560							195,127	148,560
Administrative costs to Operations	-	-	(162,606)	(123,800)	(162,606)	(123,800)	(130,085)	(99,040)	455,297	346,639
Net Operating Income (Loss)	\$ (1,160,554)	\$ (701,743)	\$ (206,391)	\$ (25,787)	\$ (623,488)	\$ (372,469)	\$ (330,675)	\$ (303,487)	\$ -	\$ -
Other Funding Sources										
Local Government Contributions	1,160,554	1,160,554								
County Contribution - Capital Grant	-	933,189								
Transfer to Capital Fund - Transfer Station	-	(933,189)								
Surplus (Deficit) - Operations	\$ (0)	\$ 458,811								

<u>Environmental Programs</u>		
	Budget	Actual Y-T-D
<b>REVENUES</b>		
Remediation Support	383,741	383,742
Total Revenues	383,741	383,742
Budget vs. Actual*		100.00%
<b>EXPENSES</b>		
Ivy Environmental	578,614	529,241
Administrative Allocation	195,127	148,560
	773,741	677,801
Budget vs. Actual*		87.60%
Cash Reserves Used	390,000	294,059
Surplus (Deficit) - Environmental	\$ -	\$ -
Total Surplus (Deficit)	\$ (0)	\$ 458,811

**Rivanna Solid Waste Authority**  
**Monthly Financial Status Report**  
**FY 2019**

	July	August	September	October	November	December	January	February	March	April	Year-to-Date
<b><u>Revenues</u></b>											
Ivy Operations Tipping Fees	\$ 26,096	\$ 28,325	\$ 16,282	\$ 25,341	\$ 20,201	\$ 11,408	\$ 12,141	\$ 14,624	\$ 24,157	\$ 21,331	\$ 199,906
Ivy MSW Transfer Tipping Fees	58,095	75,260	52,461	64,358	57,233	48,559	82,839	69,117	118,764	127,638	754,324
Ivy Material Sales	15,367	15,616	10,745	13,325	11,160	11,043	6,908	7,251	15,651	16,793	123,859
Recycling	13,491	11,385	7,688	52,598	12,008	13,702	21,605	10,320	18,435	5,336	166,568
Other Revenues	10,346	22,279	8,777	8,907	6,915	4,661	5,694	5,211	7,515	8,986	89,291
Remediation Support	79,982	48,981	26,959	75,940	-	-	75,940	-	-	75,940	383,742
Interest & Late Fees	6,834	4,395	6,891	4,258	4,617	7,843	6,187	5,592	6,058	6,446	59,121
<b>Total Revenues</b>	<b>\$ 210,212</b>	<b>\$ 206,241</b>	<b>\$ 129,802</b>	<b>\$ 244,726</b>	<b>\$ 112,133</b>	<b>\$ 97,217</b>	<b>\$ 211,314</b>	<b>\$ 112,115</b>	<b>\$ 190,581</b>	<b>\$ 262,469</b>	<b>\$ 1,776,811</b>
<b><u>Expenses</u></b>											
Ivy Operations	\$ 24,197	\$ 23,653	\$ 23,051	\$ 21,339	\$ 29,250	\$ 19,061	\$ 18,449	\$ 20,066	\$ 23,437	\$ 23,251	\$ 225,752
Ivy Environmental	32,707	52,123	95,272	32,568	58,023	49,945	54,102	47,694	35,659	71,149	529,241
Ivy MSW Transfer	42,723	107,353	111,766	118,015	124,100	103,933	61,800	123,914	115,493	183,186	1,092,284
Recycling Operation	41,155	33,947	34,827	33,219	45,639	37,180	25,693	46,267	38,435	34,654	371,016
Administration	56,173	51,092	54,213	53,616	55,545	60,716	52,494	62,863	53,584	54,022	554,319
<b>Total Expenses</b>	<b>\$ 196,955</b>	<b>\$ 268,167</b>	<b>\$ 319,129</b>	<b>\$ 258,758</b>	<b>\$ 312,556</b>	<b>\$ 270,835</b>	<b>\$ 212,538</b>	<b>\$ 300,803</b>	<b>\$ 266,609</b>	<b>\$ 366,262</b>	<b>\$ 2,772,613</b>
<b>Net Operating Income (Loss)</b>	<b>\$ 13,257</b>	<b>\$ (61,926)</b>	<b>\$ (189,327)</b>	<b>\$ (14,032)</b>	<b>\$ (200,423)</b>	<b>\$ (173,618)</b>	<b>\$ (1,225)</b>	<b>\$ (188,688)</b>	<b>\$ (76,028)</b>	<b>\$ (103,793)</b>	<b>\$ (995,802)</b>
<b><u>Other Funding Sources</u></b>											
Local Government Contributions	\$ -	\$ 265,338	\$ 24,801	\$ 290,138	\$ -	\$ -	\$ 290,138	\$ -	\$ -	\$ 290,138	\$ 1,160,554
County Contribution - Capital Grant	260,104	207,201	149,533	-	212,703	-	103,649	-	-	-	933,189
Transfer to Capital Fund - Transfer Station	(260,104)	(207,201)	(149,533)	-	(212,703)	-	(103,649)	-	-	-	(933,189)
<b>Use of Cash Reserves</b>	<b>-</b>	<b>-</b>	<b>67,187</b>	<b>-</b>	<b>-</b>	<b>110,544</b>	<b>(7,946)</b>	<b>64,875</b>	<b>49,917</b>	<b>9,482</b>	<b>294,059</b>
<b>Surplus (Deficit)</b>	<b>\$ 13,257</b>	<b>\$ 203,412</b>	<b>\$ (97,339)</b>	<b>\$ 276,107</b>	<b>\$ (200,423)</b>	<b>\$ (63,074)</b>	<b>\$ 280,968</b>	<b>\$ (123,813)</b>	<b>\$ (26,111)</b>	<b>\$ 195,828</b>	<b>\$ 458,811</b>

Rivanna Solid Waste Authority  
Monthly Cash Flow Report  
FY 2019

	July	August	September	October	November	December	January	February	March	April
<b>Net Operating Income</b>	\$ 13,257	\$ (61,926)	\$ (189,327)	\$ (14,032)	\$ (200,423)	\$ (173,618)	\$ (1,225)	\$ (188,688)	\$ (76,028)	\$ (103,793)
<b>Adjustments for cash flow purposes to show funds available for operations:</b>										
Local Government Contributions	-	265,338	24,801	290,138	-	-	290,138	-	-	290,138
(Increase) decrease in accounts receivable	(97,902)	85,761	44,645	5,461	1,112	10,736	(13,870)	79,170	(17,958)	(50,016)
Increase (decrease) in accounts payable	(408,602)	(9,818)	28,396	4,862	(26,149)	2,384	(104,427)	96,956	(1,538)	(19,425)
Capital reserve fund interest not available in operating cash	(3,463)	(1,588)	(3,438)	(1,078)	(719)	(4,273)	(2,363)	(2,162)	(2,181)	(1,887)
Trust fund interest not available in operating cash	(294)	(271)	(222)	(219)	(239)	(238)	(257)	(269)	(245)	(541)
Trust fund release for Transfer Station permit	55,968									
Transfer of above amount to capital reserve fund					(55,968)					55,760
Increase (Decrease) in Operating Cash	\$ (441,037)	\$ 277,495	\$ (95,146)	\$ 285,133	\$ (282,386)	\$ (165,010)	\$ 167,996	\$ (14,992)	\$ (97,949)	\$ 170,238
<b>Operating Cash Balance - Beginning</b>	2,650,834	2,209,797	2,487,292	2,392,146	2,677,279	2,394,893	2,229,883	2,397,879	2,382,887	2,284,937
<b>Operating Cash Balance - Ending</b>	\$ 2,209,797	\$ 2,487,292	\$ 2,392,146	\$ 2,677,279	\$ 2,394,893	\$ 2,229,883	\$ 2,397,879	\$ 2,382,887	\$ 2,284,937	\$ 2,455,175

**Rivanna Solid Waste Authority**  
**Fiscal Year 2019**  
**April 2019**  
**Revenue Detail Report**

Revenue Line Item	Tonnage		Revenue				
	Budget FY 2019	Actual YTD	Budget FY 2019	Budget YTD	Actual YTD	Budget vs. Actual	Variance %
<b>IVY TIPPING FEES</b>							
Clean Fill Material	5,000	5,851	\$ 50,000	\$ 41,667	\$ 58,462	\$ 16,795	40.31%
Grindable Vegetative Material	1,500	2,190	72,000	60,000	107,204	47,204	78.67%
Pallets	70	56	3,360	2,800	2,638	(162)	-5.79%
Tires, Whole	90	64	17,100	14,250	12,065	(2,185)	-15.33%
Tires/White Good (per item)			16,500	13,750	19,537	5,787	42.09%
<i>Subtotal</i>	6,660	8,160	\$ 158,960	\$ 132,467	\$ 199,906	\$ 67,439	50.91%
<b>IVY TRANSFER STATION</b>							
Compost Services	500	389	\$ 89,000	\$ 74,167	\$ 69,172	\$ (4,995)	-6.73%
MSW Transfer Station	8,200	11,379	559,200	466,000	685,152	219,152	47.03%
<i>Subtotal</i>	8,200	11,379	\$ 648,200	\$ 540,167	\$ 754,324	\$ 214,157	39.65%
<b>MATERIAL SALES - IVY</b>							
Encore			\$ 19,000	\$ 15,833	\$ 18,837	\$ 3,004	18.97%
Metals			30,000	25,000	32,944	7,944	31.78%
Wood Mulch & Chips			22,000	18,333	33,785	15,452	84.28%
Hauling Fees			50,000	41,667	37,563	(4,104)	-9.85%
Other Materials			500	417	730	313	75.20%
<i>Subtotal</i>			\$ 121,500	\$ 101,250	\$ 123,859	\$ 22,609	22.33%
<b>RECYCLING</b>							
Material Sales			\$ 215,000	\$ 179,167	\$ 128,843	\$ (50,323)	-28.09%
Other Materials & Services			6,300	5,250	4,818	(432)	-8.23%
Grants-Operating			27,000	22,500	29,597	7,097	31.54%
Hauling Fees			3,600	3,000	3,310	310	10.33%
<i>Subtotal</i>			\$ 251,900	\$ 209,917	\$ 166,568	\$ (43,349)	-20.65%
<b>OTHER REVENUES</b>							
Service Charge Fees			\$ 70,000	\$ 58,333	\$ 68,781	\$ 10,448	17.91%
Other Revenues			7,200	6,000	20,510	14,510	
			\$ 77,200	\$ 64,333	\$ 89,291	\$ 24,958	38.79%
<b>REMEDIATION SUPPORT</b>							
UVA Contribution			\$ 79,982	\$ 66,652	\$ 79,982	\$ 13,330	20.00%
County Contribution			195,925	163,271	195,925	32,654	20.00%
City Contribution			107,834	89,862	107,835	17,973	20.00%
<i>Subtotal</i>			\$ 383,741	\$ 319,784	\$ 383,742	\$ 63,958	20.00%
<b>INTEREST, LATE FEES, OTHER</b>							
Trust Fund Interest			\$ 2,000	\$ 1,667	\$ 2,795	\$ 1,129	67.73%
Finance Charges			500	417	1,269	853	204.68%
Capital Reserve Fund Interest			17,000	14,167	23,152	8,985	63.42%
Operating Investment Interest			25,000	20,833	31,904	11,071	53.14%
<i>Subtotal</i>			\$ 44,500	\$ 37,083	\$ 59,121	\$ 22,037	59.43%
<b>Total</b>	<b>14,860</b>	<b>19,539</b>	<b>\$ 1,686,001</b>	<b>\$ 1,405,001</b>	<b>\$ 1,776,811</b>	<b>\$ 371,810</b>	<b>26.46%</b>

<b>Rivanna Solid Waste Authority</b> <b>Historical Material Tonnage Report - Recycling</b> <b>Fiscal Years 2015-2019</b>
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Fiscal Year 2015	Fiscal Year 2016	Fiscal Year 2017	Fiscal Year 2018	Fiscal Year 2019 (Jul-Apr)
------------------------	------------------------	------------------------	------------------------	-------------------------------------

*In U.S. Tons*

**Fiber Products**

Newspaper, magazines, catalogs  
Cardboard (corrugated)  
Mixed paper and phone books  
File stock (office paper)

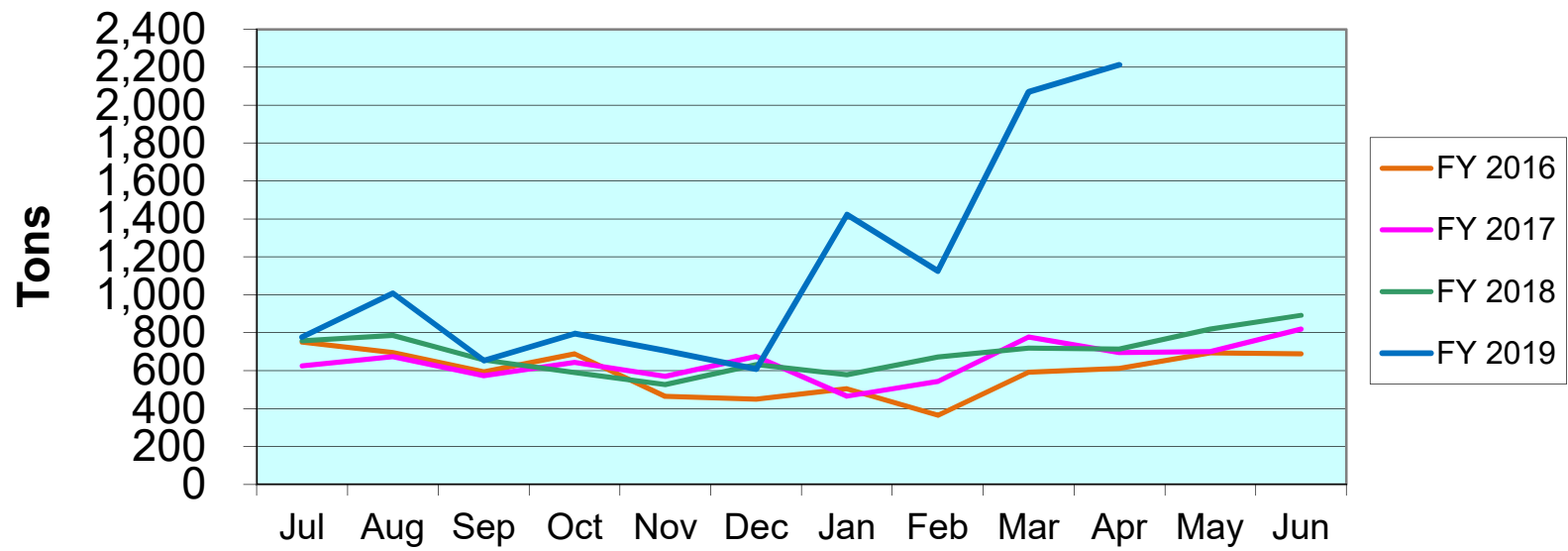
524	512	419	424	359
278	459	812	763	674
212	214	156	187	212
125	125	122	111	90
<b>Total Fiber Products</b>	1,139	1,310	1,509	1,485
			1,485	1,335

**Other Products**

Glass  
Metal Cans  
Plastic

219	191	252	252	305
30	32	31	41	43
95	82	86	103	97
<b>Total Other Products</b>	344	305	369	396
<b>Total</b>	1,483	1,615	1,878	1,881
			1,881	1,780

**Rivanna Solid Waste Authority  
Ivy MSW Transfer Tonnages  
FY 2016 - 2019**







## MEMORANDUM

**TO: RIVANNA SOLID WASTE AUTHORITY  
BOARD OF DIRECTORS**

**FROM: DAVID RHOADES, SOLID WASTE MANAGER;  
PHILLIP MCKALIPS, DIRECTOR OF SOLID WASTE**

**REVIEWED BY: BILL MAWYER, EXECUTIVE DIRECTOR**

**SUBJECT: IVY MATERIAL UTILIZATION CENTER REPORT/  
RECYCLING OPERATIONS UPDATE**

**DATE: MAY 28, 2019**

### **Ivy Material Utilization Center (IMUC) : DEQ Permit 132: 300 tons/day MSW limit**

#### **April 2019**

- **4,728 vehicles crossed the scales**
- The IMUC transfer station operated 19 days and received a total of 2,212.21 tons of municipal solid waste (MSW), an average of 85.09 tons per day of operation. The monthly transfer station tonnage figures are attached to this report.
- 879.51 tons of non-MSW materials were received
- 3,091.72 tons were received as a combined total tonnage (MSW + non-MSW)

#### **Paint Collection:**

On May 14, 2019, the Ivy MUC shipped out the 21<sup>st</sup> full 30-yard container of paint since the program began in August 2016. Each container holds about 4,200 one gallon paint cans.

#### **Compostable Food Waste Collection:**

This program continues to operate smoothly at the IMUC. This service is free to County residents. A similar bin has been placed at the Transfer Station for the receipt of compostable food wastes from commercial customers. Commercial customers are charged the established disposal fee of \$178 per ton.

The McIntire Recycle Center received 4.19 tons of compostable materials residents in April.

## **Spring HHW and Bulky Waste Totals:**

### **Thursday, April 25, Friday, April 26, and Saturday, April 27, 2019: *Special Collections***

The Conditionally Exempt Small Quantity Generator (CESQG) Special Collection for business hazardous waste was held on Thursday, April 25, 2019. CESQG collection program is a pre-registration, fee-based program with sign-up information and instructions on the Rivanna.org website.

Household Hazardous Waste Day was a two-day event this Spring. Hours were from 9am-2pm on both Friday, April 26 and Saturday, April 27, 2019. Wait times on Friday were less than 20 minutes and Saturday less than 10 minutes. The total customer count for the two-day event was 754 City/County residents. Friday: the split was 283 County, and 76 City. Saturday: the split was 317 County and 74 City. 4 Nelson county residents participated.

### **Saturday, May 4, 2019: *Furniture / Mattresses***

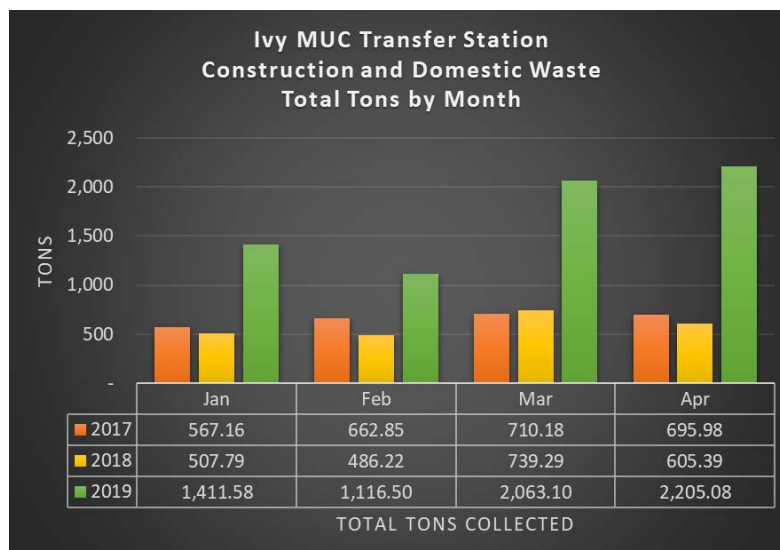
A total of 169 vehicles participated, including 134 from the County and 35 from the City. 42,440 lbs. of furniture and mattresses were collected from the County. 10,620 lbs. of furniture and mattresses were collected from the City.

### **Saturday, May 11, 2019: *Appliances***

A total of 203 vehicles participated, including 166 from the County and 37 from the City. 6.45 tons of appliances and 132 freon units were collected from the County. 1.42 tons of appliances and 22 freon units were collected from the City.

## **Transfer Station Update**

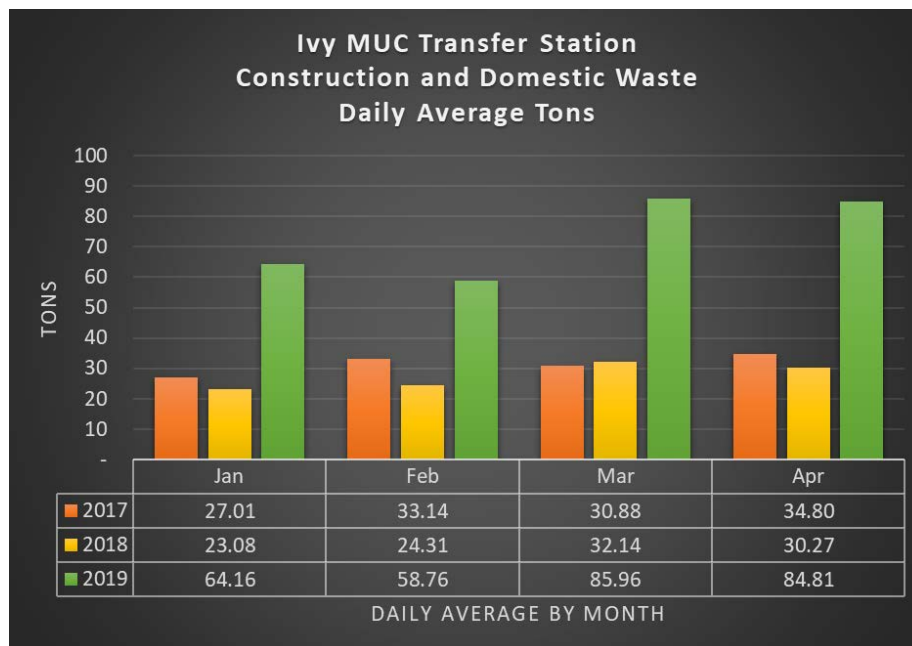
As shown on the following figure, we continue to see growth in the tonnages being processed at the new Transfer Station.



The 2,205.08 total tons received in April includes the additional tonnages received for 5 Mondays. As of May 14, we have received the following tonnages on the nine Mondays that the facility has been open since May 18.

<b><u>Monday</u></b>	<b><u>Tonnage</u></b>
March 18	31.44
March 25	123.46
April 1	63.62
April 8	57.14
April 15	78.34
April 22	83.24
April 29	121.00
May 6	140.88
May 13	113.80
<b>Average</b>	<b>90.32</b>

Based on the changes to the tipping fee (from \$66 to \$52 per ton) and the operating schedule (opening on Mondays starting on March 18) the facility needs to bring in an average of 87 tons per day each day that it is opened to avoid adding to the operating financial deficit. As shown on the following figure, the transfer station is receiving an average of 84.81 tons per day of Construction/Demolition Debris and Municipal Solid Waste during the month of April. The six-month pilot of Monday operations is planned to continue until September 23, 2019.



Ivy Material Utilization Center  
Daily Scale Crossing Data



DATE HERE

Days of

Operation: 26

Operation: 26		MSW collected at Transfer Station (tons)						Non-MSW
		Vehicles	Count	Citizen-Can	Construction	Domestic	MSW Total	Total Tons
04/01/19	Monday	103	109	0.02	11.27	52.35	63.64	7.15
04/02/19	Tuesday	219	230	0.11	50.16	55.23	105.50	45.31
04/03/19	Wednesday	199	175	0.05	31.81	65.88	97.74	25.02
04/04/19	Thursday	211	199	0.12	19.42	56.62	76.16	40.18
04/05/19	Friday	146	155	0.12	45.83	39.37	85.32	14.81
04/06/19	Saturday	232	213	0.42	12.24	28.90	41.56	8.46
04/07/19	Sunday	-	-	-	-	-	-	-
04/08/19	Monday	134	130	0.13	15.08	42.06	57.27	37.99
04/09/19	Tuesday	166	192	0.14	30.57	56.08	86.79	48.46
04/10/19	Wednesday	167	139	0.12	39.99	32.43	72.54	53.62
04/11/19	Thursday	186	189	0.09	42.76	57.23	100.08	11.27
04/12/19	Friday	167	186	0.20	44.46	30.74	75.40	16.13
04/13/19	Saturday	245	308	0.58	19.33	27.56	47.47	10.17
04/14/19	Sunday	-	-	-	-	-	-	-
04/15/19	Monday	102	116	0.05	15.81	62.53	78.39	34.13
04/16/19	Tuesday	197	201	0.22	42.47	75.29	117.98	54.69
04/17/19	Wednesday	184	212	0.12	54.91	46.64	101.67	70.78
04/18/19	Thursday	186	194	0.08	54.68	46.92	101.68	100.00
04/19/19	Friday	139	174	0.73	19.38	47.67	67.78	2.66
04/20/19	Saturday	263	316	0.79	16.29	41.25	58.33	7.00
04/21/19	Sunday	-	-	-	-	-	-	-
04/22/19	Monday	125	164	0.30	30.42	52.82	83.54	49.03
04/23/19	Tuesday	192	180	0.29	59.81	56.34	116.44	26.90
04/24/19	Wednesday	174	188	0.70	63.79	33.26	97.75	69.82
04/25/19	Thursday	182	275	0.24	24.19	66.84	91.27	24.58
04/26/19	Friday	208	213	0.40	54.89	45.89	101.18	40.23
04/27/19	Saturday	302	297	0.54	20.66	23.11	44.31	16.79
04/28/19	Sunday	-	-	-	-	-	-	-
04/29/19	Monday	120	119	0.16	21.65	99.35	121.16	25.82
04/30/19	Tuesday	179	202	0.41	45.66	75.19	121.26	38.51
Total		4,728	5,076	7.13	887.53	1,317.55	2,212.21	879.51
Average		182	195	0.27	34.14	50.68	85.09	33.83
Median		183	191	0.18	31.19	50.01	86.06	30.52
Maximum		302	316	0.79	63.79	99.35	121.26	100.00
Minimum		102	109	0.02	11.27	23.11	41.56	2.66

**Material Type & Description**

**Citizen-Can:** Roll-off container at the Ivy MUC Convenience Center-citizens dispose of prepaid trashbags

**Construction:** Construction/demolition debris (shingles, sheetrock, treated lumber, etc.)

**Count:** Transactions per item (appliances, hauling fees, service fees, tag-bag stickers, tires)

**Domestic:** Business/residential general or household waste

**MSW:** Materials processed/handled at the Transfer Station

**Non-MSW:** Materials processed/handled on-site

**Vehicle:** Transactions or vehicles processed in a day



## MEMORANDUM

**TO: RIVANNA SOLID WASTE AUTHORITY  
BOARD OF DIRECTORS**

**FROM: PHIL MCKALIPS, DIRECTOR OF SOLID WASTE**

**REVIEWED BY: BILL MAWYER, EXECUTIVE DIRECTOR**

**SUBJECT: IVY LANDFILL ENVIRONMENTAL STATUS UPDATE**

**DATE: MAY 28, 2019**

### **Corrective Action Plan (CAP)**

The Ivy MUC continues to maintain compliance with VA DEQ regulations and our approved Corrective Action Plan for groundwater quality.

### **Surface Water**

The Spring 2019 visual survey and sampling event has been completed. Results from this event will be provided to VA DEQ in a Triannual Corrective Action Site Evaluation (CASE) Report due in October 2021.

### **Non-CAP Groundwater Monitoring**

The Spring 2019 Groundwater Sampling event has been completed. The results from this event will be submitted to VA DEQ by August 2019 in accordance with our permit requirements.



## MEMORANDUM

**TO: RIVANNA SOLID WASTE AUTHORITY  
BOARD OF DIRECTORS**

**FROM: BILL MAWYER, EXECUTIVE DIRECTOR**

**SUBJECT: PROPOSED AMENDMENT NO. 8 TO THE LOCAL GOVERNMENT  
SUPPORT AGREEMENT FOR RECYCLING PROGRAMS**

**DATE: MAY 28, 2019**

This recommendation is to extend the Local Government Support Agreement for Recycling Programs (LGSARP) an additional year through June 30, 2020, and to modify the Term of Agreement to automatically renew for one-year terms, unless terminated by one of the parties.

The LGSARP originated in August 2011 as an agreement between the City, County, and RSWA to provide the terms of the City's (30 %) and County's (70 %) shared financial support for the recycling services located at the McIntire Recycling Center and the Paper Sort Facility, and RSWA's operation of those facilities. A one-year extension of the LGSARP has been executed by all parties annually since 2011.

Based on the continued successful operation of our recycling facilities, and our understanding that the City and the County wish to continue these recycling services, we recommend approval of the attached amendment.

### **Board Action Requested**

Staff respectfully requests the Board authorize the Executive Director to execute Amendment No. 8 to the Local Government Support Agreement for Recycling Programs after execution by the County Executive and the City Manager, including any minor and non-substantive revisions requested.

Attachment

**AMENDMENT NO. 8 TO  
LOCAL GOVERNMENT SUPPORT AGREEMENT FOR RECYCLING PROGRAMS  
AMONG  
THE CITY OF CHARLOTTESVILLE  
THE COUNTY OF ALBEMARLE  
AND  
THE RIVANNA SOLID WASTE AUTHORITY**

This **Amendment No. 8** to the **Local Government Support Agreement for Recycling Programs** (this “Amendment”) is made this \_\_\_\_ day of \_\_\_\_\_, 2019 by and among the **City of Charlottesville, Virginia** (the “City”), the **County of Albemarle, Virginia** (the “County”) and the **Rivanna Solid Waste Authority** (the “Authority”, individually a “Party”, and together referred to as the “Parties”).

WHEREAS, the City, the County and the Authority entered into a certain Local Government Support Agreement for Recycling Programs dated August 23, 2011 (the “Original Agreement”) providing the terms of the City’s and County’s shared financial support and Authority’s operation of the Recycling Services; and,

WHEREAS, the Original Agreement provided that such financial support and operations continue through the Authority’s fiscal year ending June 30, 2012, with the City and County retaining an exclusive option to extend the Original Agreement for two successive one-year periods by giving prior written notice to the Authority; and,

WHEREAS, the City and County exercised their first option to extend the term of the Original Agreement through June 30, 2013, but the County elected not to exercise its second option to extend the term through June 30, 2014 and instead requested, with the concurrence of the City, an extension of the Original Agreement through December 31, 2013; and,

WHEREAS, the City, the County and the Authority entered into Amendment No. 1 to the Original Agreement dated June 5, 2013 extending the term of the Original Agreement through December 31, 2013; and,

WHEREAS, the City, the County and the Authority entered into Amendment No. 2 to the Original Agreement dated October 23, 2013 extending the term of the Original Agreement through June 30, 2014; and,

WHEREAS, the City, the County and the Authority entered into Amendment No. 3 to the Original Agreement dated January 28, 2014 extending the term of the Original Agreement through June 30, 2015; and,

WHEREAS, the City, the County and the Authority entered into Amendment No. 4 to the Original Agreement dated July 1, 2015 extending the term of the Original Agreement through June 30, 2016; and,

WHEREAS, the City, the County and the Authority entered into Amendment No. 5 to the Original Agreement dated June 6, 2016 extending the term of the Original Agreement through June 30, 2017; and,

WHEREAS, the City, the County and the Authority entered into Amendment No. 6 to the Original Agreement dated July 14, 2017 extending the term of the Original Agreement through June 30, 2018; and,

WHEREAS, the City, the County and the Authority entered into Amendment No. 7 to the Original Agreement dated July 5, 2018 extending the term of the Original Agreement through June 30, 2019 (the Original Agreement, as amended by Amendment No. 1, Amendment No. 2, Amendment No. 3, Amendment No. 4, Amendment No. 5, Amendment No. 6 and Amendment No. 7, hereinafter, the "Agreement"), and,

WHEREAS, the County desires an additional extension of the term of the Agreement through June 30, 2020, and the City is agreeable to an extension for such period.

NOW, THEREFORE, the Parties agree to amend the Agreement as follows:

1. **Amendment to Section 4.** Section 4 of the Agreement, entitled "Term of Agreement," is amended and restated as follows:

4. **Term of Agreement**

This Agreement shall be effective upon execution and the financial participation requirements shall be retroactive to July 1, 2011 and shall continue to June 30, 2020. Subsequent to June 30, 2020, this agreement will automatically renew for additional one (1) year terms unless terminated by the City or County by written notice received by the Authority not later than April 30 prior to the expiration date of the Agreement.

2. **Miscellaneous.** Capitalized terms used herein shall have the meanings ascribed to them in the Agreement unless otherwise specifically defined herein. Except as expressly modified hereby, all other terms and conditions of the Agreement shall remain unchanged and shall continue in full force and effect. This Amendment may be executed in two or more counterparts, each of which shall be deemed an original, and all of which together shall constitute one and the same instrument.

[SIGNATURES ON FOLLOWING PAGE]



IN WITNESS WHEREOF, the Parties have executed this Amendment as of the dates below.

CITY OF CHARLOTTESVILLE:

\_\_\_\_\_  
Dr. Tarron Richardson  
City Manager

\_\_\_\_\_  
Date

COUNTY OF ALBEMARLE:

\_\_\_\_\_  
Jeffrey Richardson  
County Executive

\_\_\_\_\_  
Date

RIVANNA SOLID WASTE AUTHORITY:

\_\_\_\_\_  
William I. Mawyer, Jr., P.E.  
Executive Director

\_\_\_\_\_  
Date

114186404\_2

## MEMORANDUM

**TO: RIVANNA SOLID WASTE AUTHORITY  
BOARD OF DIRECTORS**

**FROM: BILL MAWYER, EXECUTIVE DIRECTOR**

**SUBJECT: PROPOSED ADOPTION OF THE FISCAL YEAR 2019-2020 RATE  
RESOLUTION, BUDGET AND CAPITAL IMPROVEMENT PROGRAM**

**DATE: MAY 28, 2019**

The proposed FY 2019-2020 Budget totaling \$4,241,606 was introduced to the Board on April 23, 2019. This Budget includes resources required to manage the increased volume of refuse being received at the new Transfer Station and continue our recycling and compost services, as well as our Fall and Spring Household Hazardous Waste Disposal and Bulky Waste Amnesty Program which now accepts eWaste (electronics).

To support these solid waste programs, along with other operating and environmental expenses, an FY 2019-2020 Budget totaling \$4.2 million is proposed. This budget represents an increase in operating expenses of \$1 million (29%), largely due to the additional costs to operate the new Transfer Station at the increased tonnage rate and with an expanded operating schedule. The Transfer operation is the largest component of our budget, representing \$1.9 million (46%) of our total estimated expenses. Proposed personnel additions include two Attendant/Operators to support the expanded Transfer Station operating schedule, along with replacement of three parttime positions with two fulltime positions to support the McIntire Recycling Center and the Paper Sort Facility. A 3% merit pool for current employees is also proposed, along with a 2% increase in health insurance costs. Estimated Capital Improvement Plan (CIP) expenses totaling \$515,000 are proposed to support construction of the Ivy Convenience Center, as well as regrading of stormwater ditches and the existing pond dam.

This budget does not propose any change in the tipping fees for materials delivered to the IMUC in FY 2019-2020. Estimated support from Albemarle County will total \$1.72 million, an increase of \$462,000, while the estimated support from the City will total \$492,000, an increase of \$285,000. A Preliminary Rate Schedule for FY 2019 - 2020 was reviewed with the Board during the April meeting, and authorized for publication and a public hearing. A Public Notice of the Proposed Rates and Public Hearing was advertised twice in the local newspaper, followed by a minimum 14-day period in advance of the scheduled public hearing, in accordance with the laws of the Commonwealth. The Public Notice was posted in the Daily Progress on May 7 and May 13, 2019. Staff will be happy to assist the Board or public with questions regarding the proposed Budget.

### **Board Action Recommended:**

It is respectfully recommended that the Board of Directors hold a Public Hearing, consider comments, and adopt the attached Rate Resolution to be effective on July 1, 2019 along with approval the FY 2019 – 2020 Budget and CIP.

Attachments: FY 2019-2020 Rate Resolution, Budget and CIP

# Proposed Budget

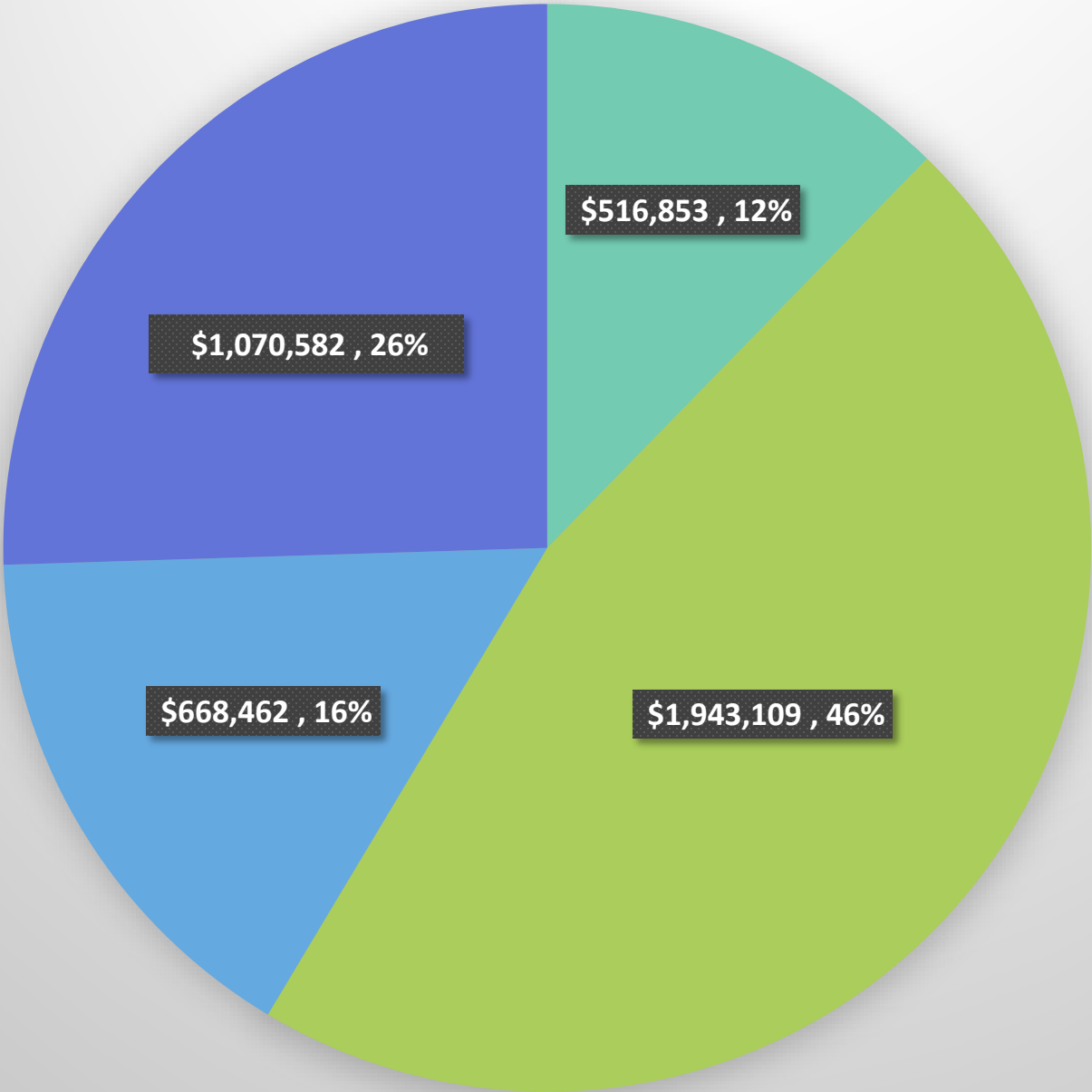
Fiscal Year 2019-2020  
\$4.2 M



Presented by Bill Mawyer, Executive Director

May 28, 2019

FY 2020 Total Budget: \$4.2 M



- Ivy Operations
- Ivy Transfer
- Recycling
- Environmental

# Budget Drivers

- Increased Transfer Expenses \$585 K
  - Increased Transfer Revenues (\$655 K)
- Increased Recycling Expenses \$80 K
- Increased Environmental Expenses \$300 K
  - Landfill Cap Regrading
- No Use of Reserves \$1 M
  - \$390 K used in FY 2019

# Cost Centers

## Ivy Transfer – Staff, Maintenance, and Contract Costs for the Transfer operation

- Revenues: \$1,383,540
- Expenses: \$1,943,109
- Local Funding
  - County: \$ 559,569

# Cost Centers

## Environmental – Groundwater and Gas Remediation, eWaste, HHW, and Paint Disposal

- Expenses:           \$1,070,582
- Local Funding
  - County: \$638,937
  - City:     \$351,663
  - UVA:     \$79,982
- Allocations are based on the "Memorandum of Understanding" dated January 2005
  - 64.5% of the balance of the annual costs to the County
  - 35.5% of the balance of the annual costs to the City
  - Fixed amount (\$79,932 per year) to UVA for 30 years



# Cost Centers

## Recycling – McIntire Recycling Center and Paper Sort Facility

- Revenues: \$200,900
- Expenses: \$668,462

- Local Funding
  - County: \$327,293 70%
  - City: \$140,269 30%

- Allocations are based the “Local Government Support Agreement for Recycling Programs” dated August 2011
  - County (70%)
  - City (30%)

# Cost Centers

## Ivy Operations – Yard/Veg Waste, Tires, Clean Fill, Bulky Waste

- Revenue: \$322,900
- Expenses: \$516,853

- Local Funding
  - County: \$193,953

# Total Allocation for FY 20

Cost Center	City	County	UVA
1. Environmental	351,663	638,937	79,982
2. Recycling	140,269	327,293	0
3. Transfer	0	559,569	0
4. Operations	0	193,953	0
	<b>\$491,932</b>	<b>\$1,719,752</b>	<b>\$79,982</b>

# Budget Summary

## Expenses: \$4.2 M

- 3% Merit Pool:
  - \$18,600
- 2% Increase in Health Insurance:
  - \$3,200
- Additional Positions: 3.05 FTEs:
  - \$139,000
- +2 Attendant/Operators:
  - IMUC, open on Monday
- +0.75 Recycling Attendant:
  - MRC and Paper Sort
  - Converts 3 Temporary Positions (1.25 FTEs) to 2.0 FTEs = 0.75 FTE increase
- +0.3 Ivy Scale Attendants:
  - From 2.2 to 2.5 FTEs

## Revenues: \$4.2 M

- Tip Fees and Sales: \$1.95 M
- County, City and UVA Support
  - County:
    - \$462,476 incr. \$1.719 M
  - City:
    - \$284,894 incr. \$491,932
  - UVA:
    - contract amount \$79,982
- No Change in Tipping Fees for FY20
  - Except pallet recycling eliminated

Questions?

Public Hearing

and

Adoption of the Rate  
Resolution

Approval of the FY 20  
Budget and FY 20 CIP

## RESOLUTION

### ADOPTION OF THE RIVANNA SOLID WASTE AUTHORITY RATE SCHEDULE AND RELATED BUDGET FOR FISCAL YEAR 2020

**WHEREAS**, the Authority has advertised and held a public hearing on May 28, 2019, on the proposed Fiscal Year 2020 rates and fees in accordance with Section 15.2-5136(G) of the Code of Virginia, as amended;

**THEREFORE, BE IT RESOLVED** that the Rivanna Solid Waste Authority Board of Directors hereby adopt the accompanying rate schedule effective July 1, 2019 summarized below and approve the related the Fiscal Year 2020 Budget as submitted as an attachment with this resolution:

<u>TIPPING FEES PER TON:</u>		<u>TIPPING FEES PER ITEM:</u>	
Clean Fill Material	\$ 10.00	Freon Appliances	\$ 17.00
Vegetation/ Yard Waste	\$ 48.00	Non-Freon Appliances	\$ 9.00
Non-Freon Appliances	\$105.00	Passenger Veh. Tire Off Rim	\$ 6.00
Domestic Waste (MSW)	\$ 52.00	Passenger Veh. Tire With Rim	\$ 13.00
Construction Debris (CDD)	\$ 52.00	Large Truck Tire Off Rim	\$ 17.00
Compostable Waste (Business Only)	\$178.00	Large Truck Tire With Rim	\$ 33.00
Tires	\$190.00		
<u>OTHER CHARGES:</u>			
Minimum Charge (per load)	\$ 6.00	Service Fee Per Ticket:	
Mulch or Lumber Log (per ton)	\$ 30.00	Albemarle County customers	\$ 1.00
Trash Stickers (for set of 12)	\$ 24.00	Other customers	\$ 10.00
Ticket Request (per copy)	\$ 1.00	Hauling Fee Per Load Based on Location:	
Credit Application Fee (each)	\$ 35.00	Minimum	\$100.00
		Maximum	\$142.00



## RESOLUTION

### ADOPTION OF THE RIVANNA SOLID WASTE AUTHORITY RATE SCHEDULE AND RELATED BUDGET AND CIP FOR FISCAL YEAR 2020

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		Maximum	\$142.00

# Fiscal Year 2019-2020

## Budget Proposal



### Board of Directors

### May 28, 2019



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Prepared April 15, 2019  
Adopted

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**RIVANNA SOLID WASTE AUTHORITY  
BUDGET SUMMARY BY PROGRAM  
FISCAL YEAR 2020**

<b>Operations Only</b>	<b>Operations Programs Only</b>		<b>IVY OPERATIONS</b>		<b>MSW-IVY TRANSFER</b>		<b>RECYCLE OPERATIONS</b>		<b>ADMINISTRATION SERVICES</b>	
	<b>Adopted Budget FY 2019</b>	<b>Proposed Budget FY 2020</b>	<b>Adopted Budget FY 2019</b>	<b>Proposed Budget FY 2020</b>	<b>Adopted Budget FY 2019</b>	<b>Proposed Budget FY 2020</b>	<b>Adopted Budget FY 2019</b>	<b>Proposed Budget FY 2020</b>	<b>Adopted Budget FY 2019</b>	<b>Proposed Budget FY 2020</b>
<b>REVENUES</b>										
Ivy Tipping Fees	\$ 158,960	\$ 199,400	\$ 158,960	\$ 199,400	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Ivy MSW Tipping	648,200	1,290,540	-	-	648,200	1,290,540	-	-	-	-
Material Sales-Ivy	121,500	123,500	121,500	123,500	-	-	-	-	-	-
Recycling Revenues	251,900	200,900	-	-	-	-	251,900	200,900	-	-
Other Revenues	77,200	93,000	-	-	77,200	93,000	-	-	-	-
Interest & Fees	44,500	42,600	-	-	-	-	-	-	44,500	42,600
<b>Total Revenues</b>	<b>\$ 1,302,260</b>	<b>\$ 1,949,940</b>	<b>\$ 280,460</b>	<b>\$ 322,900</b>	<b>\$ 725,400</b>	<b>\$ 1,383,540</b>	<b>\$ 251,900</b>	<b>\$ 200,900</b>	<b>\$ 44,500</b>	<b>\$ 42,600</b>
<b>% Change</b>		<b>49.74%</b>		<b>15.13%</b>		<b>90.73%</b>		<b>-20.25%</b>		<b>-4.27%</b>
<b>EXPENSES</b>										
Ivy Operations	\$ 324,245	\$ 345,846	\$ 324,245	\$ 345,846	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
MSW Transfer-Ivy	1,186,282	1,772,102	-	-	1,186,282	1,772,102	-	-	-	-
Recycling Operations	452,490	531,656	-	-	-	-	452,490	531,656	-	-
Administration	694,924	726,629	-	-	-	-	-	-	694,924	726,629
<b>Total Expenses</b>	<b>\$ 2,657,942</b>	<b>\$ 3,376,232</b>	<b>\$ 324,245</b>	<b>\$ 345,846</b>	<b>\$ 1,186,282</b>	<b>\$ 1,772,102</b>	<b>\$ 452,490</b>	<b>\$ 531,656</b>	<b>\$ 694,924</b>	<b>\$ 726,629</b>
<b>% Change</b>		<b>27.02%</b>		<b>6.66%</b>		<b>49.38%</b>		<b>17.50%</b>		<b>4.56%</b>
<b>Subtotal</b>	<b>\$ (1,355,682)</b>	<b>\$ (1,426,292)</b>	<b>\$ (43,785)</b>	<b>\$ (22,946)</b>	<b>\$ (460,882)</b>	<b>\$ (388,562)</b>	<b>\$ (200,590)</b>	<b>\$ (330,756)</b>	<b>\$ (650,424)</b>	<b>\$ (684,029)</b>
<b>Administrative allocations (Appendix 3)</b>										
Administrative costs to Envir. MOU	\$ 195,127	\$ 205,209							\$ 195,127	\$ 205,209
Administrative costs to Operations		-	(162,606)	(171,007)	(162,605)	(171,007)	(130,085)	(136,806)	455,297	478,820
<b>Net Operating Results</b>	<b>\$ (1,160,555)</b>	<b>\$ (1,221,084)</b>	<b>\$ (206,391)</b>	<b>\$ (193,953)</b>	<b>\$ (623,487)</b>	<b>\$ (559,569)</b>	<b>\$ (330,675)</b>	<b>\$ (467,562)</b>	<b>\$ (0)</b>	<b>\$ -</b>
<b>Other Funding Sources &amp; Adjustments:</b>										
Local Government Contributions - Operations	\$ 1,160,555	\$ 1,221,084								
County Contribution - Capital Grant	\$ -	\$ 350,000								
Transfer to Capital Fund-Ivy Recycling Center	-	(350,000)								
<b>Surplus (Deficit) - Operations</b>	<b>\$ -</b>	<b>\$ -</b>								

<b>Environmental Programs</b>		<b>Adopted Budget FY 2019</b>	<b>Proposed Budget FY 2020</b>
<b>REVENUES</b>			
MOU Support		\$ 383,741	\$ 1,070,582
<b>Total Revenues</b>		<b>\$ 383,741</b>	<b>1,070,582</b>
			<b>178.99%</b>
<b>EXPENSES</b>			
Ivy Environmental		\$ 578,614	\$ 865,373
Administrative allocation		195,127	205,209
		<b>\$ 773,741</b>	<b>1,070,582</b>
			<b>49.56%</b>
<b>Cash Reserves Used</b>		<b>\$ 390,000</b>	<b>\$ -</b>
<b>Surplus (Deficit) - Environmental</b>		<b>\$ 0</b>	<b>\$ -</b>

**RIVANNA SOLID WASTE AUTHORITY  
ENVIRONMENTAL HORIZON**

Item	Description	FY 2019 Adopted	FY 2019 as of January 2019	Estimated Yearend FY 2019	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025-2029 Five year Estimate	TEN YEAR ESTIMATE
1	Groundwater System Maintenance	\$ 6,500	\$ 24,099	\$ 41,313	\$ 6,500	\$ 6,500	\$ 6,500	\$ 6,500	\$ 6,500	\$ 32,500	\$ 65,000
2	Gas System Maintenance support	30,000	5,268	9,031	30,000	30,000	50,000	30,000	30,000	150,000	320,000
3	Ambient Air & Ground Water Monitoring - Settlement Agreement	13,000	7,520	12,892	6,000	5,000	5,000	5,000	5,000	25,000	51,000
4	Compliance Ground Water Well Monitoring - Permit related	65,000	44,587	76,435	65,000	65,000	70,000	70,000	70,000	350,000	690,000
5	Surface Water	15,000	8,077	13,847	15,000	15,000	15,000	15,000	15,000	75,000	150,000
6	Cell 3 Cap Replacement	-	-	-	250,000	-	-	-	-	-	250,000
7	Cell 3 O&M	-	-	-	-	-	-	-	-	-	-
8	Paint Pit SVE	10,000	-	-	-	-	-	-	-	-	-
9	Full-Scale EBR - Monitoring	30,000	39,401	67,545	30,000	30,000	35,000	35,000	35,000	175,000	340,000
10	Full-Scale EBR - Injections and Reporting	-	-	-	-	-	30,000	-	-	60,000	90,000
11	Cobalt MNA Monitoring	4,000	2,261	3,876	4,000	4,000	4,000	4,000	4,000	20,000	40,000
12	Greenhouse Gas Monitoring and Reporting	5,000	-	-	5,000	5,000	5,000	5,000	5,000	25,000	
										-	-
N/A	Existing Operations & Maintenance (staff, insurance, maint.)	380,114	243,526	433,238	434,123	447,147	460,561	474,378	488,609	2,443,046	4,747,864
N/A	Contingency	20,000	-	-	20,000	20,000	20,000	20,000	20,000	100,000	200,000
	<b>Total Estimated Cost</b>	<b>\$ 578,614</b>	<b>\$ 374,739</b>	<b>\$ 658,177</b>	<b>\$ 865,623</b>	<b>\$ 607,647</b>	<b>\$ 681,061</b>	<b>\$ 644,878</b>	<b>\$ 659,109</b>	<b>\$ 3,355,546</b>	<b>\$ 6,943,864</b>

**Rivanna Solid Waste Authority**  
**Fiscal Year 2019-2020 Proposed Budget**

**Budget Summary**

<b>OPERATIONS</b>	<b>Adopted Budget FY 2018-2019</b>	<b>Estimated Year-end FY 2018-2019</b>	<b>Proposed Budget FY 2019-2020</b>	<b>FY 2019 vs. FY 2020 Variance \$</b>	<b>FY 2019 vs. FY 2020 Variance %</b>
<b><u>Revenues</u></b>					
Ivy Tipping Fees	\$ 158,960	\$ 239,647	\$ 199,400	\$ 40,440	25.44%
Ivy MSW Transfer Tipping	648,200	845,222	1,290,540	642,340	99.10%
Material & Other Sales-Ivy	121,500	144,281	123,500	2,000	1.65%
Recycling Revenues	251,900	205,961	200,900	(51,000)	-20.25%
Other Revenues	77,200	115,850	93,000	15,800	20.47%
Interest & Fees	44,500	70,329	42,600	(1,900)	-4.27%
<b>Total Revenues</b>	<b>\$ 1,302,260</b>	<b>\$ 1,621,289</b>	<b>\$ 1,949,940</b>	<b>\$ 647,680</b>	<b>49.74%</b>
<b><u>Expenses</u></b>					
Ivy Operations	\$ 324,245	\$ 329,541	\$ 345,846	\$ 21,601	6.66%
MSW Transfer Ivy	1,186,282	1,346,012	1,772,102	585,819	49.38%
Recycling Operations	452,490	447,577	531,656	79,166	17.50%
Administration	694,924	683,848	726,629	31,705	4.56%
<b>Total Expenses</b>	<b>\$ 2,657,942</b>	<b>\$ 2,806,978</b>	<b>\$ 3,376,232</b>	<b>\$ 718,291</b>	<b>27.02%</b>
<b>Operating Net Income (Loss)</b>	<b>\$ (1,355,682)</b>	<b>\$ (1,185,689)</b>	<b>\$ (1,426,292)</b>	<b>\$ (70,611)</b>	<b>5.21%</b>
<b><u>Other Funding Sources &amp; Adjustments</u></b>					
Local Government Contributions-Operations	\$ 1,160,554	\$ 1,160,554	\$ 1,221,084	\$ 60,530	5.22%
Administrative costs allocation from MOU	195,127	205,154	205,209	10,082	5.17%
County Contribution-Capital Grant	-	1,075,125	350,000	350,000	
Transfer to Capital Fund-Transfer Station	-	(1,075,125)	(350,000)	(350,000)	
<b>Net Income (Loss)</b>	<b>\$ -</b>	<b>\$ 180,020</b>	<b>\$ -</b>	<b>\$ 1</b>	

**ENVIRONMENTAL PROGRAMS (MOU)**

<b><u>Revenues</u></b>					
Remediation Support	\$ 383,741	\$ 383,742	\$ 1,070,582	\$ 686,841	178.99%
	\$ 383,741	\$ 383,742	\$ 1,070,582	\$ 686,841	
<b><u>Expenses</u></b>					
Ivy Environmental	\$ 578,614	\$ 660,429	\$ 865,373	\$ 286,759	49.56%
Administrative allocation to MOU (30%)	195,127	205,154	205,209	10,082	5.17%
	\$ 773,741	\$ 865,583	\$ 1,070,582	\$ 296,841	
<b><u>Use of Cash Reserves</u></b>	<b>\$ 390,000</b>	<b>\$ 390,000</b>	<b>\$ -</b>	<b>\$ (390,000)</b>	<b>-100.00%</b>
<b>Net Environmental Results</b>	<b>\$ 0</b>	<b>\$ (91,841)</b>	<b>\$ -</b>	<b>\$ (0)</b>	

**Rivanna Solid Waste Authority**  
**Fiscal Year 2019-2020**  
**Proposed Budget**  
**Detailed Operating Revenue Estimates**

Revenue Line Item	Tipping Fees		Tonnage		FY 2019		Revenue Estimates		FY 2019 vs. FY 2020 Variance \$	FY 2019 vs. FY 2020 Variance %
	FY 2018-2019	FY 2019-2020	Budgeted Estimate 2018-2019	Estimate 2019-2020	Actual \$ 7 Months 2018-2019	Projected 12 Months 2018-2019	Adopted FY 2018-2019	Proposed FY 2019-2020		
<b>IVY TIPPING FEES</b>										
Clean Fill Material	\$ 10.00	\$ 10.00	5,000	6,500	\$ 43,228	\$ 74,105	\$ 50,000	\$ 65,000	\$ 15,000	30%
Grindable Material	48.00	48.00	1,500	2,100	69,024	118,327	72,000	100,800	28,800	40%
Pallets	48.00	-	70	-	1,835	3,146	3,360	-	(3,360)	-100%
Tires, Whole	190.00	190.00	90	90	11,336	19,433	17,100	17,100	-	0%
Tires/White Good (per item)					14,371	24,636	16,500	16,500	-	0%
<i>Subtotal</i>			6,660	8,690	\$ 139,794	\$ 239,647	\$ 158,960	\$ 199,400	\$ 40,440	25%
<b>TRANSFER STATION - IVY TIPPING FEES</b>										
Compost Charge for Services	\$ 178.00	\$ 178.00	500	430	\$ 44,824	\$ 76,841	\$ 89,000	\$ 76,540	\$ (12,460)	
IVY - MSW/Const. TS	52.00	52.00	8,200	23,000	393,981	768,381	559,200	1,214,000	\$ 654,800	117%
<i>Subtotal</i>			8,200	23,000	\$ 438,805	\$ 845,222	\$ 648,200	\$ 1,290,540	\$ 642,340	99%
<b>MATERIAL SALES - IVY</b>										
Encore					\$ 12,533	\$ 21,485	\$ 19,000	\$ 20,000	\$ 1,000	5%
Metals					24,696	42,336	30,000	40,000	10,000	33%
Wood Mulch & Chips					13,443	23,045	22,000	23,000	1,000	5%
Hauling Fees					32,963	56,508	50,000	40,000	(10,000)	-20%
Other Materials					529	907	500	500	-	0%
<i>Subtotal</i>					\$ 84,164	\$ 144,281	\$ 121,500	\$ 123,500	\$ 2,000	2%
<b>RECYCLING REVENUES</b>										
Material Sales					\$ 95,626	\$ 163,930	\$ 215,000	\$ 162,000	\$ (53,000)	-25%
Other Materials & Services					4,622	7,923	6,300	6,300	-	0%
Grants					29,597	29,597	27,000	29,000	2,000	7%
Hauling Fees					2,631	4,510	3,600	3,600	-	0%
<i>Subtotal</i>					\$ 132,476	\$ 205,961	\$ 251,900	\$ 200,900	\$ (51,000)	-20%
<b>OTHER REVENUES</b>										
Service Charge Fees					\$ 49,979	\$ 85,678	\$ 70,000	\$ 85,000	\$ 15,000	21%
Other Revenues					17,600	30,171	7,200	8,000	800	
<i>Subtotal</i>					\$ 67,579	\$ 115,850	\$ 77,200	\$ 93,000	\$ 15,800	20%
<b>REMEDIATION SUPPORT</b>										
UVA Contribution					\$ 79,982	\$ 79,982	\$ 79,982	\$ 79,982	\$ -	0%
County Contribution					146,944	195,925	195,925	638,937	443,012	226%
City Contribution					80,876	107,835	107,835	351,663	243,828	226%
<i>Subtotal</i>					\$ 307,802	\$ 383,742	\$ 383,741	\$ 1,070,582	\$ 686,841	179%
<b>INTEREST, LATE FEES, OTHER</b>										
Trust Fund Interest					\$ 1,741	\$ 2,985	\$ 2,000	\$ 2,000	\$ -	0%
Finance Charges					863	1,479	500	600	-	0%
Capital Fund Interest					16,922	29,009	17,000	15,000	(2,000)	-12%
Daily Investment Interest					21,499	36,855	25,000	25,000	-	0%
<i>Subtotal</i>					\$ 41,025	\$ 70,329	\$ 44,500	\$ 42,600	\$ (2,000)	-4%
<b>Total Revenues</b>					<b>\$ 1,211,645</b>	<b>\$ 2,005,031</b>	<b>\$ 1,686,001</b>	<b>\$ 3,020,522</b>	<b>\$ 1,334,421</b>	<b>79%</b>

# ***Expense Details by Department***

*Rivanna Solid Waste Authority*

*Fiscal Year 2019-2020*



**Rivanna Solid Waste Authority  
Fiscal Year 2019-2020 Proposed Budget  
Expense Detail by Department  
IVY OPERATIONS**

Object Code	Line Item	Adopted Budget FY 2018-2019	Current Year Activity		Proposed Budget FY 2019-2020	FY 2019 vs. FY 2020 Variance \$	FY 2019 vs. FY 2020 Variance %
			Seven Months Actual 1/31/2019	Projected Yearend 6/30/19			
10000	<b>Salaries and Benefits</b>						
11000	Salaries	\$ 118,200	\$ 70,811	\$ 121,390	\$ 123,800	\$ 5,600	4.7%
11010	Holiday & Overtime Pay	8,600	5,813	9,966	8,600	-	0%
12010	FICA	9,700	5,812	9,964	10,129	428	4%
12020	Health Insurance	26,200	9,713	16,650	26,800	600	2%
12026	Employee Assistance Program	30	18	30	30	-	0%
12030	Retirement	11,016	5,283	9,057	11,538	522	5%
12040	Life Insurance	1,548	716	1,228	1,622	73	5%
12050	Fitness Program	50	119	204	50	-	0%
12060	Worker's Comp Insurance	8,600	6,586	8,782	10,200	1,600	19%
	<b>Subtotal</b>	<b>\$ 183,945</b>	<b>\$ 104,871</b>	<b>\$ 177,270</b>	<b>\$ 192,769</b>	<b>\$ 8,824</b>	<b>5%</b>
13000	<b>Other Personnel Costs</b>						
13100	Employee Dues & Licenses	\$ 100	\$ 128	\$ 220	\$ 100	\$ -	0%
13150	Education & Training	700	227	389	700	-	0%
13200	Travel & Lodging	200	50	86	200	-	0%
13250	Uniforms	2,600	1,842	3,158	2,600	-	0%
13325	Recruiting and Medical Testing	200	272	466	200	-	0%
13350	Other	500	321	550	500	-	0%
	<b>Subtotal</b>	<b>\$ 4,300</b>	<b>\$ 2,840</b>	<b>\$ 4,869</b>	<b>\$ 4,300</b>	<b>\$ -</b>	<b>0%</b>
	<b>Professional Services</b>						
20100	Legal Fees	\$ -	\$ -	\$ -	\$ -	\$ -	
20200	Financial & Admin. Services	-	-	-	-	-	
20300	Engineering Consultants	-	-	-	-	-	
	<b>Subtotal</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	
	<b>Other Services and Charges</b>						
21100	General Liability/Property Insurance	\$ 5,500	\$ 4,219	\$ 4,219	\$ 5,500	\$ -	0%
21150	Advertising / Communication / Outreach	-	-	-	-	-	
21250	Administrative Services RWSA	-	-	-	-	-	
21252	EMS Programs/Supplies	-	-	-	-	-	
21253	Safety Programs/Supplies	500	4,597	7,880	-	(500)	-100%
21300	Authority Dues/Permits/Fees	1,200	-	-	1,200	-	0%
21350	Laboratory Analysis	-	-	-	-	-	
21400	Utilities	3,500	1,594	2,732	3,500	-	0%
21420	General Other Services	1,000	506	867	1,000	-	0%
21430	Governance & Strategic Support	-	-	-	-	-	
21450	Bad Debt Write-Offs	-	-	-	-	-	
	<b>Subtotal</b>	<b>\$ 11,700</b>	<b>\$ 10,915</b>	<b>\$ 15,699</b>	<b>\$ 11,200</b>	<b>\$ (500)</b>	<b>-4%</b>
22000	<b>Communication</b>						
22100	Radio	\$ -	\$ 986	\$ 986	\$ -	\$ -	#DIV/0!
22150	Telephone & Data Service	1,400	599	1,027	1,400	-	0%
22200	Cell Phones & Pagers	400	233	400	400	-	0%
	<b>Subtotal</b>	<b>\$ 1,800</b>	<b>\$ 1,819</b>	<b>\$ 2,412</b>	<b>\$ 1,800</b>	<b>\$ -</b>	<b>0%</b>
31000	<b>Information Technology</b>						
31100	Computer Hardware	\$ 1,000	\$ -	\$ -	\$ 1,000	\$ -	0%
31200	Maintenance & Support Services	1,000	400	686	275	(725)	-73%
31250	Software Purchases	-	-	-	-	-	
	<b>Subtotal</b>	<b>\$ 2,000</b>	<b>\$ 400</b>	<b>\$ 686</b>	<b>\$ 1,275</b>	<b>\$ (725)</b>	<b>-36%</b>
32000	<b>Vehicles and Equipment Maint.</b>						
32100	Vehicle Maintenance & Repair	\$ 10,000	\$ 4,852	\$ 8,318	\$ 10,000	\$ -	0%
32150	Equipment Maint. & Repair	40,000	6,884	25,000	30,000	(10,000)	-25%
32200	Fuel	5,000	6,358	10,900	5,000	-	0%
32300	Trailer Maint. & Repairs	-	-	-	-	-	

**Rivanna Solid Waste Authority  
Fiscal Year 2019-2020 Proposed Budget  
Expense Detail by Department  
IVY OPERATIONS**

Object Code	Line Item	Adopted Budget FY 2018-2019	Current Year Activity		Proposed Budget FY 2019-2020	FY 2019 vs. FY 2020 Variance \$	FY 2019 vs. FY 2020 Variance %
			Seven Months Actual 1/31/2019	Projected Yearend 6/30/19			
	<i>Subtotal</i>	\$ 55,000	\$ 18,095	\$ 44,218	\$ 45,000	\$ (10,000)	-18%
33000	<b>Supplies</b>						
33100	Office Supplies	\$ 1,000	\$ 1,047	\$ 1,796	\$ 1,000	\$ -	0%
33150	Subscriptions/Reference Material	-	-	-	-	-	-
33350	Postage	-	2	3	2	2	-
	<i>Subtotal</i>	\$ 1,000	\$ 1,049	\$ 1,799	\$ 1,002	\$ 2	0%
41000	<b>Operation &amp; Maintenance</b>						
41100	Facility Maintenance	\$ 8,000	\$ 8,547	\$ 14,653	\$ 8,000	\$ -	0%
41400	Materials & Supplies	1,000	1,247	2,137	1,000	-	0%
41450	HHW Disposal	-	-	-	-	-	-
41500	Contracted Labor	-	-	-	-	-	-
41550	Material Purchases	-	-	-	-	-	-
41650	Wood Grinding	40,000	-	50,000	50,000	10,000	25%
41700	Building Rental	-	-	-	-	-	-
41750	Leach Treatment	-	-	-	-	-	-
41760	Tire Disposal	8,000	5,175	8,872	8,000	-	0%
	<i>Subtotal</i>	\$ 57,000	\$ 14,969	\$ 75,662	\$ 67,000	\$ 10,000	18%
43000	<b>Disposal Contracts</b>						
43100	MSW - Ivy Transfer	\$ -	\$ -	\$ -	\$ -	\$ -	-
	<i>Subtotal</i>	\$ -	\$ -	\$ -	\$ -	\$ -	-
51000	<b>Ivy Remediation</b>						
41350	Ground Water Systems Maintenance	\$ -	\$ -	\$ -	\$ -	\$ -	-
41360	Gas Systems Maintenance	-	-	-	-	-	-
51101	Settlement Agreement (Air & Groundwater)	-	-	-	-	-	-
51110	Compliance Ground Water Well Monitoring	-	-	-	-	-	-
51200	Surface Water Monitoring	-	-	-	-	-	-
51223	Cap Replacement and Repair	-	-	-	-	-	-
51224	O&M Cell 3 and P.Plant place holder	-	-	-	-	-	-
51300	Paint Pit Remed. - Gas & Vapor Extraction	-	-	-	-	-	-
51649	Full Scale EBR - Monitoring	-	-	-	-	-	-
51651	Full Scale EBR - Injection & Reporting	-	-	-	-	-	-
51660	Greenhouse Gas Monitoring & Reporting	-	-	-	-	-	-
51670	Cobalt MNA Monitoring	-	-	-	-	-	-
41900	Closure Costs	-	-	-	-	-	-
51800	Contingency	-	-	-	-	-	-
	<i>Subtotal</i>	\$ -	\$ -	\$ -	\$ -	\$ -	-
81000	<b>Equipment</b>						
81100	Small Equipment (under \$5000)	\$ 1,500	\$ 540	\$ 925	\$ 1,500	\$ -	0%
81200	Rental & Leases	-	-	-	-	-	-
81250	Heavy Equipment	-	-	-	-	-	-
	Depreciation	6,000	3,500	6,000	20,000	14,000	233%
	<i>Subtotal</i>	\$ 7,500	\$ 4,040	\$ 6,925	\$ 21,500	\$ 14,000	187%
<b>Total</b>		<b>\$ 324,245</b>	<b>\$ 158,999</b>	<b>\$ 329,541</b>	<b>\$ 345,846</b>	<b>\$ 21,601</b>	<b>7%</b>

**Rivanna Solid Waste Authority**  
**Fiscal Year 2019-2020 Proposed Budget**  
**Expense Detail by Department**  
**IVY ENVIRONMENTAL**

Object Code	Line Item	Adopted Budget FY 2018-2019	Current Year Activity		Proposed Budget FY 2019-2020	FY 2019 vs. FY 2020 Variance \$	FY 2019 vs. FY 2020 Variance %
			Seven Months Actual 1/31/2019	Projected Yearend 6/30/19			
10000	<b>Salaries and Benefits</b>						
11000	Salaries	\$ 118,630	\$ 71,222	\$ 122,096	\$ 120,650	\$ 2,020	1.7%
11010	Holiday & Overtime Pay	9,000	7,602	13,032	9,000	-	0%
12010	FICA	9,764	5,980	10,252	9,918	155	2%
12020	Health Insurance	24,480	9,051	15,515	25,000	520	2%
12026	Employee Assistance Program	30	18	30	30	-	0%
12030	Retirement	11,056	5,314	9,110	11,245	188	2%
12040	Life Insurance	1,554	720	1,235	1,581	26	2%
12050	Fitness Program	50	120	205	50	-	0%
12060	Worker's Comp Insurance	8,800	6,755	9,007	9,900	1,100	13%
	<b>Subtotal</b>	<b>\$ 183,364</b>	<b>\$ 106,782</b>	<b>\$ 180,482</b>	<b>\$ 187,373</b>	<b>\$ 4,009</b>	<b>2%</b>
13000	<b>Other Personnel Costs</b>						
13100	Employee Dues & Licenses	\$ 100	\$ 129	\$ 222	\$ 100	\$ -	0%
13150	Education & Training	800	228	391	800	-	0%
13200	Travel & Lodging	200	51	87	200	-	0%
13250	Uniforms	2,700	1,853	3,177	2,700	-	0%
13325	Recruiting and Medical Testing	500	270	462	500	-	0%
13350	Other	500	323	553	500	-	0%
	<b>Subtotal</b>	<b>\$ 4,800</b>	<b>\$ 2,853</b>	<b>\$ 4,891</b>	<b>\$ 4,800</b>	<b>\$ -</b>	<b>0%</b>
	<b>Professional Services</b>						
20100	Legal Fees	\$ -	\$ -	\$ -	\$ -	\$ -	-
20200	Financial & Admin. Services	-	-	-	-	-	-
20300	Engineering Consultants	-	-	-	-	-	-
	<b>Subtotal</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>-</b>
	<b>Other Services and Charges</b>						
21100	General Liability/Property Insurance	\$ 800	\$ 614	\$ 614	\$ 800	\$ -	0%
21150	Advertising / Communication / Outreach	2,500	360	617	2,500	-	0%
21250	Administrative Services RWSA	-	-	-	-	-	-
21252	EMS Programs/Supplies	-	-	-	-	-	-
21253	Safety Programs/Supplies	250	4,453	7,634	-	(250)	-100%
21300	Authority Dues/Permits/Fees	3,400	2,816	4,827	3,400	-	0%
21350	Laboratory Analysis	-	-	-	-	-	-
21400	Utilities	6,500	2,471	4,236	6,500	-	0%
21420	General Other Services	24,000	16,495	28,277	24,000	-	-
21430	Governance & Strategic Support	-	-	-	-	-	-
21450	Bad Debt Write-Offs	-	-	-	-	-	-
	<b>Subtotal</b>	<b>\$ 37,450</b>	<b>\$ 27,209</b>	<b>\$ 46,206</b>	<b>\$ 37,200</b>	<b>\$ (250)</b>	<b>-1%</b>
22000	<b>Communication</b>						
22100	Radio	\$ -	\$ -	\$ -	\$ -	\$ -	-
22150	Telephone & Data Service	500	60	102	500	-	0%
22200	Cell Phones & Pagers	500	186	318	500	-	0%
	<b>Subtotal</b>	<b>\$ 1,000</b>	<b>\$ 245</b>	<b>\$ 420</b>	<b>\$ 1,000</b>	<b>\$ -</b>	<b>0%</b>
31000	<b>Information Technology</b>						
31100	Computer Hardware	\$ -	\$ -	\$ -	-	\$ -	-
31200	Maintenance & Support Services	6,000	-	-	1,000	(5,000)	-83%
31250	Software Purchases	-	-	-	-	-	-
	<b>Subtotal</b>	<b>\$ 6,000</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 1,000</b>	<b>\$ (5,000)</b>	<b>-</b>
32000	<b>Vehicles and Equipment Maint.</b>						
32100	Vehicle Maintenance & Repair	\$ 2,000	\$ 224	\$ 383	\$ 2,000	\$ -	0%
32150	Equipment Maint. & Repair	5,000	1,366	2,341	5,000	-	0%
32200	Fuel	3,500	4,769	8,175	3,500	-	0%
32300	Trailer Maint. & Repairs	4,000	494	846	4,000	-	0%
	<b>Subtotal</b>	<b>\$ 14,500</b>	<b>\$ 6,852</b>	<b>\$ 11,745</b>	<b>\$ 14,500</b>	<b>\$ -</b>	<b>-</b>
33000	<b>Supplies</b>						
33100	Office Supplies	\$ -	\$ 29	\$ 49	\$ -	\$ -	#DIV/0!
33150	Subscriptions/Reference Material	-	-	-	-	-	-
33350	Postage	-	-	-	-	-	-
	<b>Subtotal</b>	<b>\$ -</b>	<b>\$ 29</b>	<b>\$ 49</b>	<b>\$ -</b>	<b>\$ -</b>	<b>-</b>
41000	<b>Operation &amp; Maintenance</b>						
41100	Facility Maintenance	\$ 15,000	13,483	23,113	\$ 15,000	\$ -	0%

**Rivanna Solid Waste Authority**  
**Fiscal Year 2019-2020 Proposed Budget**  
**Expense Detail by Department**  
**IVY ENVIRONMENTAL**

Object Code	Line Item	Adopted Budget FY 2018-2019	Current Year Activity		Proposed Budget FY 2019-2020	FY 2019 vs. FY 2020 Variance \$	FY 2019 vs. FY 2020 Variance %
			Seven Months Actual 1/31/2019	Projected Yearend 6/30/19			
41400	Materials & Supplies	1,500	1,008	1,728	1,500	-	0%
41450	HHW Disposal	100,000	73,606	147,213	140,000	40,000	40%
41500	Contracted Labor	-	-	-	-	-	-
41550	Material Purchases	-	-	-	-	-	-
41650	Wood Grinding	-	-	-	-	-	-
41700	Building Rental	-	-	-	-	-	-
41750	Leach Treatment	1,500	2,709	4,643	1,500	-	0%
41760	Tire Disposal	-	-	-	-	-	-
<b>Subtotal</b>		<b>\$ 118,000</b>	<b>\$ 90,806</b>	<b>\$ 176,697</b>	<b>\$ 158,000</b>	<b>\$ 40,000</b>	<b>34%</b>
43000	<b>Disposal Contracts</b>						
43100	MSW - Ivy Transfer	\$ -	\$ -	\$ -	\$ -	\$ -	-
<b>Subtotal</b>		<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>-</b>
51000	<b>Ivy Remediation</b>						
41350	Ground Water Systems Maintenance	\$ 6,500	\$ 24,099	\$ 41,313	\$ 6,500	\$ -	0%
41360	Gas Systems Maintenance	30,000	5,268	9,031	30,000	-	0%
51101	Settlement Agreement (Air & Groundwater)	13,000	7,520	12,892	6,000	(7,000)	-54%
51110	Compliance Ground Water Well Monitoring	65,000	44,587	76,435	65,000	-	0%
51200	Surface Water & Water Supply Monitoring	15,000	8,077	13,847	15,000	-	0%
51223	Cap Replacement and Repair	-	-	-	250,000	250,000	-
51224	O&M Cell 3 and P.Plant place holder	-	-	-	-	-	-
51300	Paint Pit Remed. - Gas & Vapor Extraction	10,000	-	-	-	(10,000)	-100%
51649	Full Scale EBR - Monitoring	30,000	39,401	67,545	30,000	-	0%
51651	Full Scale EBR - Injection & Reporting	-	-	-	-	-	-
51660	Greenhouse Gas Monitoring & Reporting	5,000	-	-	5,000	-	0%
51670	Cobalt MNA Monitoring	4,000	2,261	3,876	4,000	-	0%
41900	Closure Costs	-	-	-	-	-	-
51800	Contingency	20,000	-	-	20,000	-	0%
<b>Subtotal</b>		<b>\$ 198,500</b>	<b>\$ 131,214</b>	<b>\$ 224,938</b>	<b>\$ 431,500</b>	<b>\$ 233,000</b>	<b>117%</b>
81000	<b>Equipment</b>						
81100	Small Equipment (under \$5000)	\$ -	\$ -	\$ -	\$ -	\$ -	-
81200	Rental & Leases	-	-	-	-	-	-
81250	Heavy Equipment	-	-	-	-	-	-
	Depreciation	15,000	8,750	15,000	30,000	15,000	100%
<b>Subtotal</b>		<b>\$ 15,000</b>	<b>\$ 8,750</b>	<b>\$ 15,000</b>	<b>\$ 30,000</b>	<b>\$ 15,000</b>	<b>100%</b>
<b>Total</b>		<b>\$ 578,614</b>	<b>\$ 374,739</b>	<b>\$ 660,429</b>	<b>\$ 865,373</b>	<b>\$ 286,759</b>	<b>50%</b>
Current year budget and yearend estimates					Proposed		
<b>MOU PAYMENT BASIS:</b>							
<b>Base Expenses</b>		\$ 578,614	\$ 374,739	\$ 660,429	\$ 865,373		
<b>Adminstrative allocation</b>		195,127	94,500	205,154	205,209		
		\$ 773,741	\$ 469,239	\$ 865,583	\$ 1,070,582		
<b>Use of Reserves</b>		\$ 390,000	\$ -	\$ 390,000	\$ -		
<b>UVA FIXED PER AGREEMENT</b>		79,982	79,982	79,982	79,982		
<b>COUNTY 64.5%</b>		195,925	146,943	195,925	638,937		
<b>CITY 35.5%</b>		107,834	80,876	107,835	351,663		
		\$ 773,741	\$ 307,801	\$ 773,742	\$ 1,070,582		
<b>Reserves not used as planned</b>		\$ -	\$ (91,841)				

**Rivanna Solid Waste Authority  
Fiscal Year 2019-2020 Proposed Budget  
Expense Detail by Department  
MSW TRANSFER OPERATIONS - IVY**

Expense Detail by Department ISW TRANSFER OPERATIONS - IVY			Current Year Activity				FY 2019 vs. FY 2019	
Object Code	Line Item	Adopted Budget	Seven Months Actual	Projected Yearend	Proposed Budget	FY 2019 vs. FY 2020 Variance \$	FY 2019 vs. FY 2020 Variance %	
		FY 2018-2019	1/31/2019	6/30/19	FY 2019-2020			
10000	Salaries and Benefits							
11000	Salaries	\$ 287,100	\$ 171,675	\$ 322,299	\$ 371,100	\$ 84,000	29.26%	
11010	Holiday & Overtime Pay	13,000	14,094	24,161	13,000	-	0%	
12010	FICA	22,958	14,091	24,157	29,384	6,426	28%	
12020	Health Insurance	79,050	29,193	50,046	105,600	26,550	34%	
12026	Employee Assistance Program	50	43	73	50	-	0%	
12030	Retirement	26,758	12,809	21,958	34,587	7,829	29%	
12040	Life Insurance	3,761	1,736	2,976	4,861	1,100	29%	
12050	Fitness Program	100	289	495	100	-	0%	
12060	Worker's Comp Insurance	22,500	16,360	21,813	30,500	8,000	36%	
	Subtotal	\$ 455,276	\$ 260,289	\$ 467,978	\$ 589,182	\$ 133,905	29%	
13000	Other Personnel Costs							
13100	Employee Dues & Licenses	\$ 120	\$ 312	\$ 534	\$ 120	\$ -	0%	
13150	Education & Training	1,000	550	943	1,000	-	0%	
13200	Travel & Lodging	200	122	209	200	-	0%	
13250	Uniforms	7,000	4,466	7,657	7,000	-	0%	
13325	Recruiting and Medical Testing	500	661	1,133	500	-	0%	
13350	Other	500	777	1,333	500	-	0%	
	Subtotal	\$ 9,320	\$ 6,888	\$ 11,809	\$ 9,320	\$ -	0%	
	Professional Services							
20100	Legal Fees	\$ -	\$ -	\$ -		\$ -		
20200	Financial & Admin. Services	-	-	-		-		
20300	Engineering Consultants	45,000	21,524	36,899	-	(45,000)		
	Subtotal	\$ 45,000	\$ 21,524	\$ 36,899	\$ -	\$ (45,000)		
	Other Services and Charges							
21100	General Liability/Property Insurance	\$ 8,300	\$ 6,367	\$ 6,367	\$ 15,000	\$ 6,700	81%	
21150	Advertising / Communication / Outreach	2,000	-	-	2,000	-	0%	
21250	Administrative Services RWSA	-	-	-	-	-		
21252	EMS Programs/Supplies	-	-	-	-	-		
21253	Safety Programs/Supplies	1,200	10,734	18,402	-	(1,200)	-100%	
21300	Authority Dues/Permits/Fees	9,000	6,169	10,575	9,000	-	0%	
21350	Laboratory Analysis	-	-	-	-	-		
21400	Utilities	11,000	4,336	7,433	11,000	-	0%	
21420	General Other Services	77,500	36,398	62,396	66,650	(10,850)	-14%	
21430	Governance & Strategic Support	-	-	-	-	-		
21450	Bad Debt Write-Offs	-	-	-	-	-		
	Subtotal	\$ 109,000	\$ 64,004	\$ 105,173	\$ 103,650	\$ (5,350)	-5%	
22000	Communication							
22100	Radio	\$ -	\$ 2,959	\$ 3,000	\$ -	\$ -		
22150	Telephone & Data Service	1,000	144	247	1,000	-	0%	
22200	Cell Phones & Pagers	1,000	453	777	1,000	-	0%	
	Subtotal	\$ 2,000	\$ 3,556	\$ 4,023	\$ 2,000	\$ -	0%	
31000	Information Technology							
31100	Computer Hardware	\$ 500	\$ -	\$ -	\$ 500	\$ -	0%	
31200	Maintenance & Support Services	2,000	1,201	2,058	2,000	-	0%	
31250	Software Purchases	-	-	-	-	-		
	Subtotal	\$ 2,500	\$ 1,201	\$ 2,058	\$ 2,500	\$ -	0%	
32000	Vehicles and Equipment Maint.							
32100	Vehicle Maintenance & Repair	\$ 3,000	\$ 7,935	\$ 13,603	\$ 3,000	\$ -	0%	
32150	Equipment Maint. & Repair	15,000	12,048	20,654	15,000	-	0%	
32200	Fuel	2,400	3,179	5,450	2,400	-	0%	
32300	Trailer Maint & Repairs	-	-	-	-	-		

**Rivanna Solid Waste Authority**  
**Fiscal Year 2019-2020 Proposed Budget**  
**Expense Detail by Department**  
**MSW TRANSFER OPERATIONS - IVY**

Expense Detail by Department MSW TRANSFER OPERATIONS - IVY						FY 2019 vs. FY 2020 Variance \$	FY 2019 vs. FY 2020 Variance %
Object Code	Line Item	Adopted Budget FY 2018-2019	Current Year Activity		Proposed Budget FY 2019-2020		
			Seven Months Actual 1/31/2019	Projected Yearend 6/30/19			
	Subtotal	\$ 20,400	\$ 23,163	\$ 39,707	\$ 20,400	\$ -	0%
33000	Supplies						
33100	Office Supplies	\$ 1,700	\$ 3,775	\$ 6,472	\$ 1,700	\$ -	0%
33150	Subscriptions/Reference Material	-	-	-	-	-	-
33350	Postage	-	6	10	-	-	-
	Subtotal	\$ 1,700	\$ 3,781	\$ 6,481	\$ 1,700	\$ -	0%
41000	Operation & Maintenance						
41100	Facility Maintenance	\$ 30,000	\$ 37,983	\$ 65,114	\$ 30,000	\$ -	0%
41400	Materials & Supplies	3,000	6,882	11,797	3,000	-	0%
41450	HHW Disposal	-	-	-	-	-	-
41500	Contracted Labor	-	-	-	-	-	-
41550	Material Purchases	-	-	-	-	-	-
41650	Wood Grinding	-	-	-	-	-	-
41700	Building Rental	-	-	-	-	-	-
41750	Leach Treatment	-	-	-	-	-	-
41760	Tire Disposal	-	-	-	-	-	-
	Subtotal	\$ 33,000	\$ 44,865	\$ 76,911	\$ 33,000	\$ -	0%
43000	Disposal Contracts						
43100	MSW - Ivy Transfer	\$ 469,586	\$ 270,990	\$ 551,790	\$ 951,850	\$ 482,264	103%
	Subtotal	\$ 469,586	\$ 270,990	\$ 551,790	\$ 951,850	\$ 482,264	103%
51000	Ivy Remediation						
41350	Ground Water Systems Maintenance	\$ -	\$ -	\$ -	\$ -	\$ -	-
41360	Gas Systems Maintenance	-	-	-	-	-	-
51101	Settlement Agreement (Air & Groundwater)	-	-	-	-	-	-
51110	Compliance Ground Water Well Monitoring	-	-	-	-	-	-
51200	Surface Water Monitoring	-	-	-	-	-	-
51223	Cap Replacement and Repair	-	-	-	-	-	-
51224	O&M Cell 3 and P.Plant place holder	-	-	-	-	-	-
51300	Paint Pit Remed. - Gas & Vapor Extraction	-	-	-	-	-	-
51649	Full Scale EBR - Monitoring	-	-	-	-	-	-
51651	Full Scale EBR - Injection & Reporting	-	-	-	-	-	-
51660	Greenhouse Gas Monitoring & Reporting	-	-	-	-	-	-
51670	Cobalt MNA Monitoring	-	-	-	-	-	-
41900	Closure Costs	3,500	-	-	3,500	-	0%
51800	Contingency	-	-	-	-	-	-
	Subtotal	\$ 3,500	\$ -	\$ -	\$ 3,500	\$ -	-
81000	Equipment						
81100	Small Equipment (under \$5000)	\$ 5,000	\$ 7,690	\$ 13,183	\$ 5,000	\$ -	-
81200	Rental & Leases	-	-	-	-	-	-
81250	Heavy Equipment	-	-	-	-	-	-
	Depreciation	30,000	17,500	30,000	50,000	20,000	67%
	Subtotal	\$ 35,000	\$ 25,190	\$ 43,183	\$ 55,000	\$ 20,000	57%
Total		\$ 1,186,282	\$ 725,450	\$ 1,346,012	\$ 1,772,102	\$ 585,819	49%

**Rivanna Solid Waste Authority**  
**Fiscal Year 2019-2020 Proposed Budget**  
**Expense Detail by Department**  
**RECYCLING**

Object Code	Line Item	Adopted Budget FY 2018-2019	Current Year Activity		Proposed Budget FY 2019-2020	FY 2019 vs. FY 2020 Variance \$	FY 2019 vs. FY 2020 Variance %
			Seven Months Actual 1/31/2019	Projected Yearend 6/30/19			
10000	<b>Salaries and Benefits</b>						
11000	Salaries	\$ 163,702	\$ 97,982	\$ 167,969	\$ 184,500	\$ 20,798	12.70%
11010	Holiday & Overtime Pay	11,000	8,044	13,790	11,000	-	0%
12010	FICA	13,365	8,043	13,787	14,956	1,591	12%
12020	Health Insurance	19,584	7,229	12,393	44,950	25,366	130%
12026	Employee Assistance Program	40	24	42	40	-	0%
12030	Retirement	11,529	7,311	12,533	13,467	1,938	17%
12040	Life Insurance	1,620	991	1,699	1,893	272	17%
12050	Fitness Program	50	165	282	50	-	0%
12060	Worker's Comp Insurance	7,100	5,464	7,285	15,200	8,100	114%
	<b>Subtotal</b>	<b>\$ 227,990</b>	<b>\$ 135,252</b>	<b>\$ 229,780</b>	<b>\$ 286,056</b>	<b>\$ 58,066</b>	<b>25%</b>
13000	<b>Other Personnel Costs</b>						
13100	Employee Dues & Licenses	\$ 100	\$ 178	\$ 305	\$ 100	\$ -	0%
13150	Education & Training	1,000	314	538	1,000	-	0%
13200	Travel & Lodging	100	70	119	100	-	0%
13250	Uniforms	4,000	2,739	4,695	4,000	-	0%
13325	Recruiting and Medical Testing	150	371	636	150	-	0%
13350	Other	200	542	929	200	-	0%
	<b>Subtotal</b>	<b>\$ 5,550</b>	<b>\$ 4,213</b>	<b>\$ 7,222</b>	<b>\$ 5,550</b>	<b>\$ -</b>	<b>0%</b>
	<b>Professional Services</b>						
20100	Legal Fees	\$ -	\$ -	\$ -	\$ -	\$ -	
20200	Financial & Admin. Services	-	-	-	-	-	
20300	Engineering Consultants	-	-	-	-	-	
	<b>Subtotal</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	
	<b>Other Services and Charges</b>						
21100	General Liability/Property Insurance	\$ 3,900	\$ 2,992	\$ 2,992	\$ 3,900	\$ -	0%
21150	Advertising / Communication / Outreach	800	823	1,411	800	-	
21250	Administrative Services RWSA	-	-	-	-	-	
21252	EMS Programs/Supplies	-	-	-	-	-	
21253	Safety Programs/Supplies	1,000	6,250	10,715	-	(1,000)	-100%
21300	Authority Dues/Permits/Fees	-	-	-	-	-	
21350	Laboratory Analysis	-	-	-	-	-	
21400	Utilities	12,200	7,903	13,548	12,200	-	0%
21420	General Other Services	8,000	5,080	8,709	8,000	-	0%
21430	Governance & Strategic Support	-	-	-	-	-	
21450	Bad Debt Write-Offs	-	-	-	-	-	
	<b>Subtotal</b>	<b>\$ 25,900</b>	<b>\$ 23,048</b>	<b>\$ 37,374</b>	<b>\$ 24,900</b>	<b>\$ (1,000)</b>	<b>-4%</b>
22000	<b>Communication</b>						
22100	Radio	\$ -	\$ -	\$ -	\$ -	\$ -	
22150	Telephone & Data Service	2,000	917	1,572	2,000	-	0%
22200	Cell Phones & Pagers	150	163	279	150	-	0%
	<b>Subtotal</b>	<b>\$ 2,150</b>	<b>\$ 1,080</b>	<b>\$ 1,851</b>	<b>\$ 2,150</b>	<b>\$ -</b>	<b>0%</b>
31000	<b>Information Technology</b>						
31100	Computer Hardware	\$ -	\$ -	\$ -	\$ -	\$ -	
31200	Maintenance & Support Services	-	-	-	-	-	
31250	Software Purchases	-	-	-	-	-	
	<b>Subtotal</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	
32000	<b>Vehicles and Equipment Maint.</b>						
32100	Vehicle Maintenance & Repair	\$ 30,000	\$ 2,670	\$ 4,577	\$ 30,000	\$ -	0%
32150	Equipment Maint. & Repair	15,000	9,202	15,776	15,000	-	0%
32200	Fuel	13,500	17,973	30,812	13,500	-	0%

**Rivanna Solid Waste Authority  
Fiscal Year 2019-2020 Proposed Budget  
Expense Detail by Department  
RECYCLING**

Object Code	Line Item	Adopted Budget FY 2018-2019	Current Year Activity		Proposed Budget FY 2019-2020	FY 2019 vs. FY 2020 Variance \$	FY 2019 vs. FY 2020 Variance %
			Seven Months Actual 1/31/2019	Projected Yearend 6/30/19			
32300	Trailer Maint & Repairs	7,500	3,224	5,527	7,500	-	0%
	<i>Subtotal</i>	\$ 66,000	\$ 33,070	\$ 56,692	\$ 66,000	\$ -	0%
33000	<b>Supplies</b>						
33100	Office Supplies	\$ 1,000	\$ 40	\$ 68	\$ 1,000	\$ -	0%
33150	Subscriptions/Reference Material	1,000	795	1,363	1,000	-	0%
33350	Postage	-	-	-	-	-	-
	<i>Subtotal</i>	\$ 2,000	\$ 835	\$ 1,431	\$ 2,000	\$ -	-
41000	<b>Operation &amp; Maintenance</b>						
41100	Facility/Equipment Maintenance	\$ 15,000	\$ 3,843	\$ 6,589	\$ 15,000	\$ -	0%
41400	Materials & Supplies	4,000	5,578	9,562	4,000	-	0%
41450	HHW Disposal	-	-	-	-	-	-
41500	Contracted Labor	5,000	4,904	8,406	5,000	-	0%
41550	Material Purchases	45,000	9,955	35,000	45,000	-	0%
41650	Wood Grinding	-	-	-	-	-	-
41700	Building Rental	30,000	16,074	30,000	40,000	10,000	33%
41750	Leach Treatment	-	-	-	-	-	-
41760	Tire Disposal	-	-	-	-	-	-
	<i>Subtotal</i>	\$ 99,000	\$ 40,354	\$ 89,556	\$ 109,000	\$ 10,000	10%
43000	<b>Disposal Contracts</b>						
43100	MSW - Ivy Transfer	\$ -	\$ -	\$ -	\$ -	\$ -	-
	<i>Subtotal</i>	\$ -	\$ -	\$ -	\$ -	\$ -	-
51000	<b>Ivy Remediation</b>						
41350	Ground Water Systems Maintenance	\$ -	\$ -	\$ -	\$ -	\$ -	-
41360	Gas Systems Maintenance	-	-	-	-	-	-
51101	Settlement Agreement (Air & Groundwater)	-	-	-	-	-	-
51110	Compliance Ground Water Well Monitoring	-	-	-	-	-	-
51200	Surface Water Monitoring	-	-	-	-	-	-
51223	Cap Replacement and Repair	-	-	-	-	-	-
51224	O&M Cell 3 and P.Plant place holder	-	-	-	-	-	-
51300	Paint Pit Remed. - Gas & Vapor Extraction	-	-	-	-	-	-
51649	Full Scale EBR - Monitoring	-	-	-	-	-	-
51651	Full Scale EBR - Injection & Reporting	-	-	-	-	-	-
51660	Greenhouse Gas Monitoring & Reporting	-	-	-	-	-	-
51670	Cobalt MNA Monitoring	-	-	-	-	-	-
41900	Closure Costs	-	-	-	-	-	-
51800	Contingency	-	-	-	-	-	-
	<i>Subtotal</i>	\$ -	\$ -	\$ -	\$ -	\$ -	-
81000	<b>Equipment</b>						
81100	Small Equipment (under \$5000)	\$ 1,000	\$ -	\$ -	\$ 1,000	\$ -	0%
81200	Rental & Leases	-	450	771	-	-	-
81250	Heavy Equipment	-	-	-	-	-	-
	Depreciation	22,900	13,358	22,900	35,000	12,100	53%
	<i>Subtotal</i>	\$ 23,900	\$ 13,808	\$ 23,671	\$ 36,000	\$ 12,100	51%
	<b>Total</b>	<b>\$ 452,490</b>	<b>\$ 251,660</b>	<b>\$ 447,577</b>	<b>\$ 531,656</b>	<b>\$ 79,166</b>	<b>17.5%</b>



**Rivanna Solid Waste Authority  
Fiscal Year 2019-2020 Proposed Budget  
Expense Detail by Department  
ADMINISTRATION**

Object Code	Line Item	Adopted Budget FY 2018-2019	Current Year Activity		Proposed Budget FY 2019-2020	FY 2019 vs. FY 2020 Variance \$	FY 2019 vs. FY 2020 Variance %
			Seven Months Actual 1/31/2019	Projected Yearend 6/30/19			
10000	<b>Salaries and Benefits</b>						
11000	Salaries	\$ 101,800	\$ 62,242	\$ 106,701	\$ 110,800	\$ 9,000	9%
11010	Holiday & Overtime Pay	-	-	-	-	-	-
12010	FICA	7,788	4,512	7,735	8,476	689	9%
12020	Health Insurance	12,240	8,544	14,646	12,500	260	2%
12026	Employee Assistance Program	25	9	16	25	-	-
12030	Retirement	9,488	5,781	9,910	10,327	839	-
12040	Life Insurance	1,334	764	1,310	1,451	118	-
12050	Fitness Program	100	-	-	100	-	-
12060	Worker's Comp Insurance	1,200	787	1,050	9,000	7,800	-
	<b>Subtotal</b>	<b>\$ 133,974</b>	<b>\$ 82,640</b>	<b>\$ 141,368</b>	<b>\$ 152,679</b>	<b>\$ 18,705</b>	<b>14%</b>
13000	<b>Other Personnel Costs</b>						
13100	Employee Dues & Licenses	\$ 500	\$ 446	\$ 765	\$ 500	\$ -	-
13150	Education & Training	1,000	5,444	6,000	1,000	-	-
13200	Travel & Lodging	1,000	-	-	1,000	-	-
13250	Uniforms	1,000	-	-	1,000	-	-
13325	Recruiting and Medical Testing	500	-	-	500	-	-
13350	Other	2,000	909	1,558	4,000	2,000	100%
	<b>Subtotal</b>	<b>\$ 6,000</b>	<b>\$ 6,799</b>	<b>\$ 8,322</b>	<b>\$ 8,000</b>	<b>\$ 2,000</b>	<b>33%</b>
	<b>Professional Services</b>						
20100	Legal Fees	\$ 15,000	\$ 6,729	\$ 11,535	\$ 15,000	\$ -	0%
20200	Financial & Admin. Services	15,000	420	15,000	15,000	-	0%
20300	Engineering Consultants	-	-	-	20,000	20,000	-
	<b>Subtotal</b>	<b>\$ 30,000</b>	<b>\$ 7,149</b>	<b>\$ 26,535</b>	<b>\$ 50,000</b>	<b>\$ 20,000</b>	<b>67%</b>
	<b>Other Services and Charges</b>						
21100	General Liability/Property Insurance	\$ 2,200	\$ 1,688	\$ 1,688	\$ 2,200	\$ -	0%
21150	Advertising / Communication / Outreach	1,500	1,942	3,329	1,500	-	0%
21250	Administrative Services RWSA	460,000	268,333	460,000	466,000	6,000	1%
21252	EMS Programs/Supplies	-	-	-	-	-	-
21253	Safety Programs/Supplies	1,500	-	1,500	10,000	8,500	567%
21300	Authority Dues/Permits/Fees	10,000	6,468	11,088	10,000	-	0%
21350	Laboratory Analysis	-	-	-	-	-	-
21400	Utilities	-	-	-	-	-	-
21420	General Other Services	6,000	4,026	6,901	6,000	-	-
21430	Governance & Strategic Support	20,000	1,238	5,000	5,000	(15,000)	-75%
21450	Bad Debt Write-Offs	5,000	-	-	5,000	-	0%
	<b>Subtotal</b>	<b>\$ 506,200</b>	<b>\$ 283,695</b>	<b>\$ 489,506</b>	<b>\$ 505,700</b>	<b>\$ (500)</b>	<b>0%</b>
	<b>Communication</b>						
22000	Radio	\$ -	\$ -	\$ -	\$ -	\$ -	-
22100	Telephone & Data Service	4,700	2,857	4,898	4,700	-	0%
22200	Cell Phones & Pagers	500	-	-	500	-	-
	<b>Subtotal</b>	<b>\$ 5,200</b>	<b>\$ 2,857</b>	<b>\$ 4,898</b>	<b>\$ 5,200</b>	<b>\$ -</b>	<b>0%</b>
	<b>Information Technology</b>						
31000	Computer Hardware	\$ 1,000	\$ -	\$ 1,000	\$ 1,000	\$ -	-
31100	Maintenance & Support Services	7,000	-	7,000	2,000	(5,000)	-71%
31250	Software Purchases	500	-	500	500	-	0%
	<b>Subtotal</b>	<b>\$ 8,500</b>	<b>\$ -</b>	<b>\$ 8,500</b>	<b>\$ 3,500</b>	<b>\$ (5,000)</b>	<b>-59%</b>
	<b>Vehicles and Equipment Maint.</b>						
32000	Vehicle Maintenance & Repair	\$ -	\$ -	\$ -	\$ -	\$ -	-
32100	Equipment Maint. & Repair	-	-	-	-	-	-
32150	Fuel	2,000	-	2,000	-	(2,000)	-
32200	Trailer Maint & Repairs	-	-	-	-	-	-
	<b>Subtotal</b>	<b>\$ 2,000</b>	<b>\$ -</b>	<b>\$ 2,000</b>	<b>\$ -</b>	<b>\$ (2,000)</b>	<b>-</b>
	<b>Supplies</b>						
33000	Office Supplies	\$ 1,500	\$ 686	\$ 1,176	\$ 1,500	\$ -	0%
33100	Subscriptions/Reference Material	-	-	-	-	-	-
33150	Postage	50	25	43	50	-	0%
	<b>Subtotal</b>	<b>\$ 1,550</b>	<b>\$ 711</b>	<b>\$ 1,218</b>	<b>\$ 1,550</b>	<b>\$ -</b>	<b>0%</b>
	<b>Operation &amp; Maintenance</b>						
41000	Facility Maintenance	\$ -	\$ -	\$ -	\$ -	\$ -	-
41400	Materials & Supplies	-	-	-	-	-	-

**Rivanna Solid Waste Authority  
Fiscal Year 2019-2020 Proposed Budget  
Expense Detail by Department  
ADMINISTRATION**

Object Code	Line Item	Adopted Budget FY 2018-2019	Current Year Activity		Proposed Budget FY 2019-2020	FY 2019 vs. FY 2020 Variance \$	FY 2019 vs. FY 2020 Variance %
			Seven Months Actual 1/31/2019	Projected Yearend 6/30/19			
41450	HHW Disposal	-	-	-	-	-	-
41500	Contracted Labor	-	-	-	-	-	-
41550	Material Purchases	-	-	-	-	-	-
41650	Wood Grinding	-	-	-	-	-	-
41700	Building Rental	-	-	-	-	-	-
41750	Leach Treatment	-	-	-	-	-	-
41760	Tire Disposal	-	-	-	-	-	-
<b>Subtotal</b>		\$ -	\$ -	\$ -	\$ -	\$ -	-
43000	<b>Disposal Contracts</b>						
43100	MSW - Ivy Transfer	\$ -	\$ -	\$ -	\$ -	\$ -	-
<b>Subtotal</b>		\$ -	\$ -	\$ -	\$ -	\$ -	-
51000	<b>Ivy Remediation</b>						
41350	Ground Water Systems Maintenance	\$ -	\$ -	\$ -	\$ -	\$ -	-
41360	Gas Systems Maintenance	-	-	-	-	-	-
51101	Settlement Agreement (Air & Groundwater)	-	-	-	-	-	-
51110	Compliance Ground Water Well Monitoring	-	-	-	-	-	-
51200	Surface Water Monitoring	-	-	-	-	-	-
51223	Cap Replacement and Repair	-	-	-	-	-	-
51224	O&M Cell 3 and P.Plant place holder	-	-	-	-	-	-
51300	Paint Pit Remed. - Gas & Vapor Extraction	-	-	-	-	-	-
51649	Full Scale EBR - Monitoring	-	-	-	-	-	-
51651	Full Scale EBR - Injection & Reporting	-	-	-	-	-	-
51660	Greenhouse Gas Monitoring & Reporting	-	-	-	-	-	-
51670	Cobalt MNA Monitoring	-	-	-	-	-	-
41900	Closure Costs	-	-	-	-	-	-
51800	Contingency	-	-	-	-	-	-
<b>Subtotal</b>		\$ -	\$ -	\$ -	\$ -	\$ -	-
81000	<b>Equipment</b>						
81100	Small Equipment (under \$5000)	\$ -		\$ -		\$ -	-
81200	Rental & Leases	1,500		1,500	-	(1,500)	-100%
81250	Heavy Equipment	-		-	-	-	-
	Depreciation	-		-	-	-	-
<b>Subtotal</b>		\$ 1,500	\$ -	\$ 1,500	\$ -	\$ (1,500)	-100%
<b>Total</b>		\$ 694,924	\$ 383,850	\$ 683,848	\$ 726,629	\$ 31,705	5%

**Rivanna Solid Waste Authority**  
**Fiscal Year 2019-2020 Proposed Budget**  
**Expense Detail by Department**  
**Department: Authority Wide Detail**

Object Code	Line Item	Adopted Budget FY 2018-2019	Current Year Activity		Proposed Budget FY 2019-2020	FY 2019 vs. FY 2020 Variance \$	FY 2019 vs. FY 2020 Variance %
			Seven Months Actual 1/31/2019	Projected Yearend 6/30/19			
10000	<b>Salaries and Benefits</b>						
11000	Salaries	\$ 789,432	\$ 473,932	\$ 840,455	\$ 910,850	\$ 121,418	15%
11010	Holiday & Overtime Pay	41,600	35,553	60,948	41,600	-	0%
12010	FICA	63,574	38,439	65,895	72,862	9,288	15%
12020	Health Insurance	161,554	63,730	109,251	214,850	53,296	33%
12026	Employee Assistance Program	175	111	191	175	-	0%
12030	Retirement	69,847	36,498	62,568	81,163	11,316	16%
12040	Life Insurance	9,818	4,927	8,447	11,408	1,591	16%
12050	Fitness Program	350	692	692	350	-	0%
12060	Worker's Comp Insurance	48,200	35,953	47,937	74,800	26,600	55%
	<b>Subtotal</b>	<b>\$ 1,184,550</b>	<b>\$ 689,835</b>	<b>\$ 1,196,384</b>	<b>\$ 1,408,059</b>	<b>\$ 223,509</b>	<b>19%</b>
13000	<b>Other Personnel Costs</b>						
13100	Employee Dues & Licenses	\$ 920	\$ 1,193	\$ 2,045	\$ 920	\$ -	0%
13150	Education & Training	4,500	6,763	8,261	4,500	-	0%
13200	Travel & Lodging	1,700	292	501	1,700	-	0%
13250	Uniforms	17,300	10,900	18,686	17,300	-	0%
13325	Recruiting and Medical Testing	1,850	1,573	2,697	1,850	-	0%
13350	Other	3,700	2,872	4,923	5,700	2,000	54%
	<b>Subtotal</b>	<b>\$ 29,970</b>	<b>\$ 23,593</b>	<b>\$ 37,113</b>	<b>\$ 31,970</b>	<b>\$ 2,000</b>	<b>7%</b>
	<b>Professional Services</b>						
20100	Legal Fees	\$ 15,000	\$ 6,729	\$ 11,535	\$ 15,000	\$ -	0%
20200	Financial & Admin. Services	15,000	420	15,000	15,000	-	0%
20300	Engineering Consultants	45,000	21,524	36,899	20,000	(25,000)	-33%
	<b>Subtotal</b>	<b>\$ 75,000</b>	<b>\$ 28,673</b>	<b>\$ 63,434</b>	<b>\$ 50,000</b>	<b>\$ (25,000)</b>	<b>-33%</b>
	<b>Other Services and Charges</b>						
21100	General Liability/Property Insurance	\$ 20,700	\$ 15,879	\$ 15,879	\$ 27,400	\$ 6,700	32%
21150	Advertising / Communication / Outreach	6,800	3,125	5,357	6,800	-	0%
21250	Administrative Services RWSA	460,000	268,333	460,000	466,000	6,000	1%
21252	EMS Programs/Supplies	-	-	-	-	-	-
21253	Safety Programs/Supplies	4,450	26,034	46,130	10,000	5,550	125%
21300	Authority Dues/Permits/Fees	23,600	15,453	26,491	23,600	-	0%
21350	Laboratory Analysis	-	-	-	-	-	-
21400	Utilities	33,200	16,304	27,950	33,200	-	0%
21420	General Other Services	116,500	62,505	107,151	105,650	(10,850)	-9%
21430	Governance & Strategic Support	20,000	1,238	5,000	5,000	(15,000)	-75%
21450	Bad Debt Write-Offs	5,000	-	-	5,000	-	0%
	<b>Subtotal</b>	<b>\$ 690,250</b>	<b>\$ 408,871</b>	<b>\$ 693,957</b>	<b>\$ 682,650</b>	<b>\$ (7,600)</b>	<b>-1%</b>
22000	<b>Communication</b>						
22100	Radio	\$ -	\$ 3,946	\$ 3,986	\$ -	\$ -	-
22150	Telephone & Data Service	9,600	4,576	7,845	9,600	-	0%
22200	Cell Phones & Pagers	2,550	1,034	1,773	2,550	-	0%
	<b>Subtotal</b>	<b>\$ 12,150</b>	<b>\$ 9,556</b>	<b>\$ 13,604</b>	<b>\$ 12,150</b>	<b>\$ -</b>	<b>0%</b>
31000	<b>Information Technology</b>						
31100	Computer Hardware	\$ 2,500	\$ -	\$ 1,000	\$ 2,500	\$ -	0%
31200	Maintenance & Support Services	16,000	1,601	9,745	5,275	(10,725)	-67%
31250	Software Purchases	500	-	500	500	-	0%
	<b>Subtotal</b>	<b>\$ 19,000</b>	<b>\$ 1,601</b>	<b>\$ 11,245</b>	<b>\$ 8,275</b>	<b>\$ (10,725)</b>	<b>-56%</b>
32000	<b>Vehicles and Equipment Maint.</b>						
32100	Vehicle Maintenance & Repair	\$ 45,000	\$ 15,681	\$ 26,882	\$ 45,000	\$ -	0%
32150	Equipment Maint. & Repair	75,000	29,500	63,770	65,000	(10,000)	-13%
32200	Fuel	26,400	32,280	57,337	24,400	(2,000)	-8%
32300	Trailer Maint & Repairs	11,500	3,718	6,374	11,500	-	0%
	<b>Subtotal</b>	<b>\$ 157,900</b>	<b>\$ 81,179</b>	<b>\$ 154,363</b>	<b>\$ 145,900</b>	<b>\$ (12,000)</b>	<b>-8%</b>
33000	<b>Supplies</b>						
33100	Office Supplies	\$ 5,200	\$ 5,577	\$ 9,560	\$ 5,200	\$ -	0%

**Rivanna Solid Waste Authority**  
**Fiscal Year 2019-2020 Proposed Budget**  
**Expense Detail by Department**  
**Department: Authority Wide Detail**

Expense Detail by Department						FY 2019	FY 2019
Department: Authority Wide Detail						vs.	vs.
Object		Adopted	Current Year Activity		Proposed	FY 2020	FY 2020
Code	Line Item	Budget	Seven Months	Projected	Budget	Variance	Variance
		FY 2018-2019	Actual	Yearend	FY 2019-2020	\$	%
			1/31/2019	6/30/19			
33150	Subscriptions/Reference Material	1,000	795	1,363	1,000	-	0%
33350	Postage	50	32	55	52	2	4%
	Subtotal	\$ 6,250	\$ 6,404	\$ 10,978	\$ 6,252	\$ 2	0%
41000	Operation & Maintenance						
41100	Facility Maintenance	\$ 68,000	\$ 63,857	\$ 109,468	\$ 68,000	\$ -	0%
41400	Materials & Supplies	9,500	14,714	25,224	9,500	-	0%
41450	HHW Disposal	100,000	73,606	147,213	140,000	40,000	40%
41500	Contracted Labor	5,000	4,904	8,406	5,000	-	0%
41550	Material Purchases	45,000	9,955	35,000	45,000	-	0%
41650	Wood Grinding	40,000	-	50,000	50,000	10,000	25%
41700	Building Rental	30,000	16,074	30,000	40,000	10,000	33%
41750	Leach Treatment	1,500	2,709	4,643	1,500	-	0%
41760	Tire Disposal	8,000	5,175	8,872	8,000	-	0%
	Subtotal	\$ 307,000	\$ 190,994	\$ 418,826	\$ 367,000	\$ 60,000	20%
43000	Disposal Contracts						
43100	MSW - Ivy Transfer	\$ 469,586	\$ 270,990	\$ 551,790	\$ 951,850	\$ 482,264	103%
	Subtotal	\$ 469,586	\$ 270,990	\$ 551,790	\$ 951,850	\$ 482,264	103%
51000	Ivy Remediation						
41350	Ground Water Systems Maintenance	\$ 6,500	\$ 24,099	\$ 41,313	\$ 6,500	-	0%
41360	Gas Systems Maintenance	30,000	5,268	9,031	30,000	-	0%
51101	Settlement Agreement (Air & Groundwater)	13,000	7,520	12,892	6,000	(7,000)	-54%
51110	Compliance Ground Water Well Monitoring	65,000	44,587	76,435	65,000	-	0%
51200	Surface Water Monitoring	15,000	8,077	13,847	15,000	-	0%
51223	Cap Replacement and Repair	-	-	-	250,000	250,000	-
51224	O&M Cell 3 and P.Plant place holder	-	-	-	-	-	-
51300	Paint Pit Remed. - Gas & Vapor Extraction	10,000	-	-	-	(10,000)	-100%
51649	Full Scale EBR - Monitoring	30,000	39,401	67,545	30,000	-	0%
51651	Full Scale EBR - Injection & Reporting	-	-	-	-	-	-
51660	Greenhouse Gas Monitoring & Reporting	5,000	-	-	5,000	-	0%
51670	Cobalt MNA Monitoring	4,000	2,261	3,876	4,000	-	0%
41900	Closure Costs	3,500	-	-	3,500	-	0%
51800	Contingency	20,000	-	-	20,000	-	0%
	Subtotal	\$ 202,000	\$ 131,214	\$ 224,938	\$ 435,000	\$ 233,000	
81000	Equipment						
81100	Small Equipment (under \$5000)	\$ 7,500	\$ 8,230	\$ 14,108	\$ 7,500	\$ -	0%
81200	Rental & Leases	1,500	450	2,271	-	(1,500)	-100%
81250	Heavy Equipment	-	-	-	-	-	-
	Depreciation	73,900	43,108	73,900	135,000	61,100	83%
	Subtotal	\$ 82,900	\$ 51,788	\$ 90,280	\$ 142,500	\$ 59,600	72%
Total		\$ 3,236,556	\$ 1,894,699	\$ 3,466,913	\$ 4,241,606	\$ 1,005,050	31%

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# ***Capital Program***

*Rivanna Solid Waste Authority*

*Fiscal Year 2019-2020*

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## Capital Program Expense Projections Detail

	FY 2019			FY 2020	FY 2021	FY 2022	FY 2023	FY 2024	FY 2020-2024 TOTALS
	Adopted	Nov 2018 Actual-Expenses	Projected Expenses June						
<b>Ivy Operations</b>									
Replace Loader 908	\$ -	\$ -	\$ -	\$ -	\$ 150,000	\$ -	\$ -	\$ -	\$ 150,000
Replace Dozer			88,000	-	-	-	-	-	-
Allocated Equipment	-	-	11,237	-	8,000	75,000	7,500	37,500	128,000
<b>SubTotal</b>	-	-	99,237	-	158,000	75,000	7,500	37,500	278,000
<b>Ivy Transfer Station</b>									
New Transfer Station (includes Loader)	3,062,000	3,048,180	3,085,000	-	-	-	-	-	-
Fans for Transfer Station	-	-	-	-	30,000	-	-	-	30,000
New Recycling Center	-	-	-	350,000	-	-	-	-	350,000
Yard Jockey	-	-	-	-	-	-	-	100,000	100,000
Allocated Equipment	-	-	33,712	-	8,000	75,000	7,500	62,500	153,000
<b>SubTotal</b>	3,062,000	3,048,180	3,118,712	350,000	38,000	75,000	7,500	162,500	633,000
<b>Ivy Environmental</b>									
Pond impoundment improvments - Alternative 2	-	-	-	50,000	100,000	-	-	-	150,000
Flare installation	450,000	390,110	450,000	-	-	-	-	-	-
New Tanker #2, (replace old one 1950's vintage)	-	-	75,000	-	-	-	-	-	-
Grade Berms	-	-	-	15,000	-	-	-	-	15,000
Communication control SCADA (lift stations)	-	-	-	-	30,000	-	-	-	30,000
Regrade ditches for stormwater	-	-	-	100,000	-	-	-	-	100,000
Allocated Equipment	-	-	-	-	4,000	-	7,500	62,500	74,000
<b>SubTotal</b>	450,000	390,110	525,000	165,000	134,000	-	7,500	62,500	369,000
<b>Recycling - McIntire / Paper Sort</b>									
Replace OCC Compactor	40,000	-	-	-	-	-	50,000	-	50,000
Roll-off containers	15,000	36,022	36,022	-	-	-	-	-	-
Replace Trailers	-	-	-	-	30,000	30,000	30,000	30,000	120,000
Allocated Equipment	-	-	-	-	-	-	7,500	87,500	95,000
<b>SubTotal</b>	55,000	36,022	36,022	-	30,000	30,000	87,500	117,500	265,000
<b>Total 5-Year CIP</b>	<b>\$ 3,567,000</b>	<b>\$ 3,474,312</b>	<b>\$ 3,778,971</b>	<b>\$ 515,000</b>	<b>\$ 360,000</b>	<b>\$ 180,000</b>	<b>\$ 110,000</b>	<b>\$ 380,000</b>	<b>\$ 1,545,000</b>
			\$ 693,971						\$ 1,545,000
<b>Allocated Equipment</b>									
Admin. Vehicle	\$ 30,000	Canceled	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Replace Scales	-	-	-	-	-	150,000	-	-	150,000
Replace Vehicle - Replace Truck F250 Super Duty	-	-	44,949	-	-	-	-	-	-
Replace Vehicle - Ranger	-	-	-	-	-	-	30,000	-	30,000
Replace Vehicle - Explorer	-	-	-	-	20,000	-	-	-	20,000
Replace Roll-off truck	-	-	-	-	-	-	-	250,000	250,000
Roll-off containers - Ivy and McIntire split	-	-	-	-	-	-	-	-	-
<b>Total Equipement to allocate</b>	<b>30,000</b>	<b>-</b>	<b>44,949</b>	<b>-</b>	<b>20,000</b>	<b>150,000</b>	<b>30,000</b>	<b>250,000</b>	<b>450,000</b>
<b>Allocation:</b>									
Ivy Operations	-	-	11,237	-	8,000	75,000	7,500	37,500	128,000
Ivy Transfer Station	-	-	33,712	-	8,000	75,000	7,500	62,500	153,000
Ivy Environmental	-	-	-	-	4,000	-	7,500	62,500	74,000
Recycling	-	-	-	-	-	-	7,500	87,500	95,000
<b>Total Cost Center Allocations</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 44,949</b>	<b>\$ -</b>	<b>\$ 20,000</b>	<b>\$ 150,000</b>	<b>\$ 30,000</b>	<b>\$ 250,000</b>	<b>\$ 450,000</b>



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# ***Appendices***

*Rivanna Solid Waste Authority*

*Fiscal Year 2019-2020*

**Rivanna Solid Waste Authority  
Fiscal Year 2019-2020**

**General Definitions**

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<b>MSW</b>	Municipal Solid Waste, a.k.a. non-hazardous household and commercial refuse
<b>Operating Revenue Categories:</b>	
Ivy Tipping Fees	Fees for items received at Ivy, either per ton or per item
Transfer Station Tipping Fees	Fees per ton of MSW delivered to the Ivy transfer station for all wastes.
Material Sales - Ivy	Sales of mulch, wood chips, metal, and encore items
Material Sales - Recycle	Paper and box board sales and related hauling fees
Other Revenues	Grants, fees for services, and finance charges
Interest	Interest earned on operating and escrow funds
<b>Operating Expenses:</b>	
Ivy Operations	Operations and maintenance costs for all non-Transfer Station services (Yard/Veg waste, Tires, Clean fill, etc.)
Ivy Environmental	Ground water and gas remediation costs
MSW - Transfer	Personnel costs, maintenance, and contract costs for the Transfer Station
Recycling Operations	Operations and maintenance costs for McIntire and Paper Sort
Administration	Administrative overhead
<b>Tipping Fees:</b>	
Clean Fill Material	Mixed dirt, bricks, concrete, road materials
Grindable Vegetative Material	Wood waste suitable for chipping
Pallets	Pallets are either chipped or sold for reuse
Tires (Split or Whole)	Vehicle & equipment tires
White Goods (Freon & non-Freon)	Large appliances
IVY - MSW TS	MSW tipping fee per ton at Ivy Transfer

**Rivanna Solid Waste Authority  
Fiscal Year 2019-2020**

<b>Authority Staffing Plan</b>		<b>FY 2020 (FTE) FULL- TIME EQUIVALENT</b>	<b>FY 2019 Approved FTE</b>	<b>CHANGE FROM FY 2019</b>	
<b>Administrative</b>	Operations Support Administrator	1.00	1.00	0.00	
<b>Ivy Operations and Environmental</b>	Manager	1.00	1.00	0.00	
	Heavy Equipment Operator/Attendant	1.00	1.00	0.00	
<b>Allocated Positions between Ivy Operations, Ivy MSW and Recycling</b>	<u>Ivy - MUC</u>				
	Assistant Manager	1.00	1.00	0.00	
	Operator/Attendant - Ivy	4.00	2.00	2.00	
	<u>Recycling</u>				
	<u>Part - Time</u>				
	Operator/Attendant - Paper Sort	0.00	0.25	(0.25)	
	Operator/Attendant - McIntire	0.50	0.50	0.00	
	Operator/Attendant - McIntire	0.00	0.50	(0.50)	
	Operator/Attendant - McIntire *	0.00	0.50	(0.50)	
	<u>Full - Time</u>				
	Operator/Attendant - Paper Sort	1.00	0.00	1.00	
	Operator/Attendant - McIntire	1.00	0.00	1.00	
	Scale Clerks	2.50	2.20	0.30	
	Driver/Equipment Operator	5.00	5.00	0.00	
<b>Subtotal</b>		<b>18.00</b>	<b>14.95</b>	<b>3.05</b>	<b>20%</b>

\* - This PT position was added after the FY 2018 Budget was adopted to staff the additional hours of operations at McIntire.

<b>Joint Administrative Staff</b>	Executive Director	1.00	1.00	0.00	
	Communications Manager/Executive Coordinator	1.00	1.00	0.00	
	Director of Finance/Administration	1.00	1.00	0.00	
	Office/ HR Manager	1.00	1.00	0.00	
	Payroll & Benefits Coordinator	1.00	1.00	0.00	
	Accounts Receivable Technician	1.00	1.00	0.00	
	Accounts Payable Technician	1.00	1.00	0.00	
	Secretary - Reception	1.00	1.00	0.00	
	Administrative Office Technician	1.00	1.00	0.00	
	Accountant	1.00	1.00	0.00	
	Information Systems Manager	1.00	1.00	0.00	
	Information Systems Assistant	1.00	1.00	0.00	
	Scada Supervisor	1.00	1.00	0.00	
	Scada Technician	1.00	1.00	0.00	
	Software Analyst	1.00	1.00	0.00	
	GIS Coordinator (moved from Engineering)	1.00	1.00	0.00	
	Environmental/Safety Manager	1.00	1.00	0.00	
<b>Subtotal</b>		<b>17.00</b>	<b>17.00</b>	<b>0.00</b>	

**FTE Split with RWSA**

FY 2020  
FY 2019

**SWA FTEs**

4.20  
3.95

**Rivanna Solid Waste Authority  
Fiscal Year 2019-2020**

**Cost Allocation for Administrative Services Provided by RWSA**

	<u>Base</u>	<u>Percentage</u>	<u>FY 2020 SWA Share</u>	<u>FY 2019 SWA Share</u>
<b>Salaries Total Admin.</b>				
SWA share	\$ 1,328,045	23%	\$ 305,450	\$ 307,853
<b>Benefits Total Admin.</b>				
SWA share	473,600	23%	108,928	108,065
<b>Other Personnel Costs</b>	37,900	23%	8,717	9,050
<b>Professional Services</b>	30,000	10%	3,000	2,500
<b>General Contracted Services</b>	5,000	20%	1,000	440
<b>Building and Grounds</b>	57,100	20%	11,420	7,728
<b>Communications</b>	18,500	15%	2,775	3,000
<b>Technology</b>	127,750	15%	19,163	15,150
<b>Office Supplies and Postage</b>	21,500	25%	5,375	5,500
<b>Vehicles</b>	10,000	5%	500	500
			<u>\$ 466,328</u>	<u>\$ 459,786</u>
<b>Rounded to</b>	<b>{Total shared costs to RWSA}</b>		<u><b>\$ 466,000</b></u>	<u><b>\$ 460,000</b></u>

All other costs	260,629
Less Interest revenue	(42,600)
Administrative cost to allocate	<u><b>\$ 684,029</b></u>

**Administration costs allocated to cost centers**

Ivy Operations	\$ 171,007	25.00%
MOU Environmental	205,209	30.00%
Ivy Transfer/MSW	171,007	25.00%
Recycling	136,806	20.00%
	<u>\$ 684,029</u>	<u>100.00%</u>

**Rivanna Solid Waste Authority**  
**Material Analysis Report**  
**Waste Tonnages**  
**Fiscal Years 2015-2019**

	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019 (Jul-Jan)	FY 2019 Projected
<b>Ivy Waste Tonnage Categories</b>						
Clean Fill Material	5,952	5,889	6,354	4,819	4,325	6,500
Grindable Vegetative Material	1,874	1,560	2,864	2,199	1,410	2,100
Compost				174	252	430
Pallets	79	55	72	77	39	65
Tires, Whole	133	169	87	58	57	97
White Goods (Non-Freon)	6	13	10	11	5	9
Total Non-MSW	8,044	7,686	9,387	7,338	6,088	9,201
<b>MSW Tonnages</b>						
Ivy:						
Ivy MSW TS	7,097	7,761	8,341	8,423	5,972	23,000
Total Ivy MSW	7,097	7,761	8,341	8,423	5,972	23,000
Total	15,141	15,447	17,728	15,761	12,060	32,201

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<b>Rivanna Solid Waste Authority</b> <b>Historical Material Tonnage Report - Recycling</b> <b>Fiscal Years 2015-2020</b>
--------------------------------------------------------------------------------------------------------------------------------

Fiscal Year 2015	Fiscal Year 2016	Fiscal Year 2017	Fiscal Year 2018	Fiscal Year 2019 (Jul-Jan)
------------------------	------------------------	------------------------	------------------------	-------------------------------------

***In U.S. Tons*****Fiber Products**

Newspaper, Magazines, Catalogs	524	512	419	424	277
Cardboard (Corrugated)	278	459	812	763	496
Mixed Paper and Phone Books	212	214	156	186	159
File Stock (Office Paper)	125	125	122	111	71
<b>Total Fiber Products</b>	<b>1,139</b>	<b>1,310</b>	<b>1,509</b>	<b>1,484</b>	<b>1,003</b>

**Other Products**

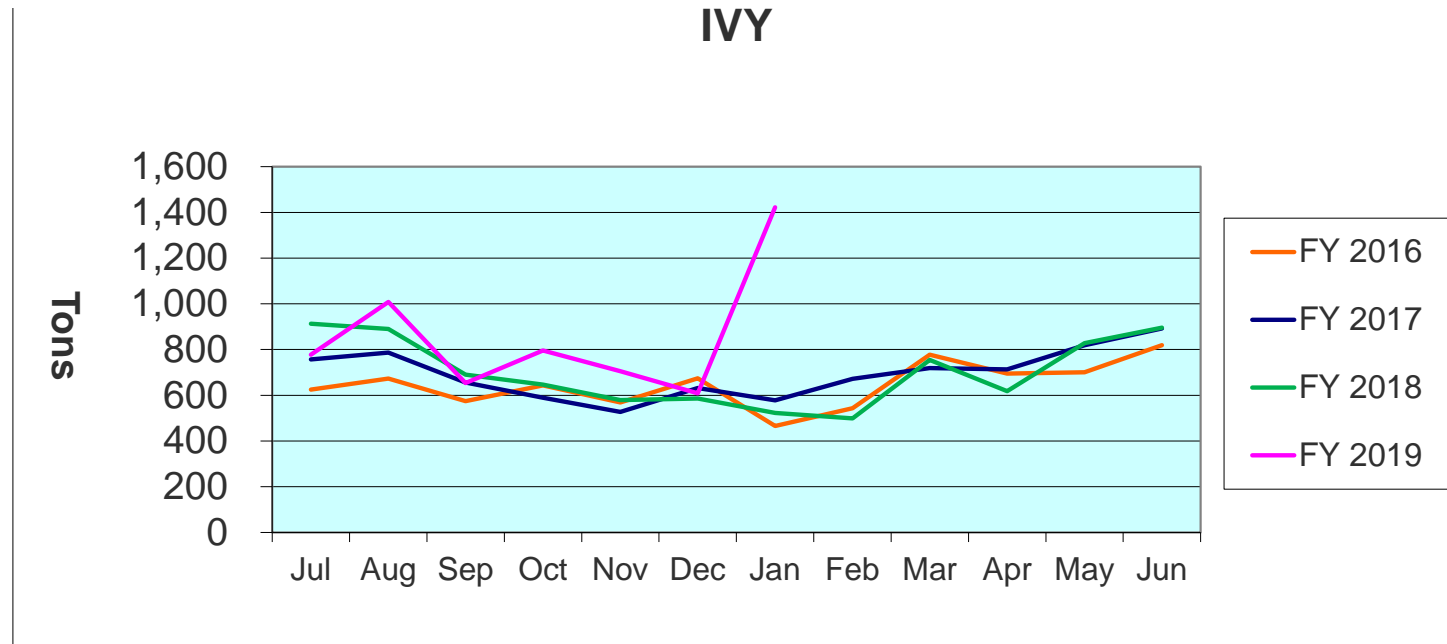
Glass	219	191	252	252	212
Metal Cans	30	32	31	41	28
Plastic	95	82	86	103	60
<b>Total Other Products</b>	<b>344</b>	<b>305</b>	<b>369</b>	<b>396</b>	<b>300</b>
<b>Total</b>	<b>1,483</b>	<b>1,615</b>	<b>1,878</b>	<b>1,880</b>	<b>1,303</b>



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**Rivanna Solid Waste Authority  
MSW Transfer Tonnages  
FY 2016 - 2019**

Appendix 6



**Rivanna Solid Waste Authority**  
**Fiscal Year 2019-2020**

Cash Reserve Balances

**Operating Cash Accounts**

January 2019 Ending Balance	<u>\$ 2,396,330</u>
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**Capital Cash Reserves**

January Ending Balance	\$ 1,225,686
Estimated additions	30,800
Estimated expenditures	(100,000)
Estimated Ending Balance	<u>\$ 1,156,486</u>

<b>Total Discretionary Funds</b>	<b><u>\$ 3,552,816</u></b>
----------------------------------	----------------------------

<b><u>Trust Fund with DEQ</u></b>	<b><u>\$ 123,741</u></b>
-----------------------------------	--------------------------

Liabilities

Closure and Post Closure *	\$ 5,841,454
Estimated Accounts Payable	110,300
Estimated Accrued Leave	41,400
Estimated Accrued VERIP	113,500
Net OPEB Liability	36,000
Net Pension Liability	96,800

<b>Total Liabilities</b>	<b><u>\$ 6,239,454</u></b>
--------------------------	----------------------------

\* The City and County are currently using a local guarantee option as financial assurance to DEQ with the exception of the \$123,741 trust fund for the Transfer Station Closure.

**Rivanna Solid Waste Authority  
Fiscal Year 2019-2020**

Local & MOU Support

	<u>Annual FY 2020</u>	<u>Annual FY 2019</u>	<u>Change</u>
<u>County</u>			
Local Support - Ivy	\$ 753,522	\$ 829,879	\$ (76,357)
Local Support - Recycling	327,293	231,472	95,821
MOU - Environmental	638,937	195,925	443,012
	<b>\$ 1,719,752</b>	<b>\$ 1,257,276</b>	<b>\$ 462,476</b>
<u>City</u>			
Local Support - Recycling	\$ 140,269	\$ 99,202	\$ 41,066
MOU - Environmental	351,663	107,835	243,828
	<b>\$ 491,932</b>	<b>\$ 207,037</b>	<b>\$ 284,894</b>



# STRATEGIC PLAN QUARTERLY UPDATE

Year One Wrap-Up

Report to the Board of Directors  
May 28, 2019

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**RIVANNA**  
WATER AND SEWER AUTHORITY  
& SOLID WASTE AUTHORITY

# Year 1 Review

Goal	Champion
Communication & Collaboration	Katie McIlwee
Workforce Development	Betsy Nemeth / Lonnie Wood
Operational Optimization	David Tungate
Environmental Stewardship	Andrea Terry
Solid Waste Services	Phil McKalips
Infrastructure & Master Planning	Scott Schiller

Overall plan completion  
for Year 1: 100%



# Communication & Collaboration Tactics

## Strategies:

- A. Create & maintain internal communication platforms
  - B. Create & implement a comprehensive public outreach plan
- 

## Recent Activity:

- A. Continued coordination with IT to research and test internal communications platforms
- B. Continued coordination with Admin and IT to research document workflow and management software

## Year 1 Highlights:

- A. Completed Employee Portal
- B. Enhanced usability of the Rivanna website
- C. Coordinated with Environmental Stewardship Goal Team and community partners to host events, such as Imagine A Day Without Water and RiverFest

# Workforce Development Tactics

## **Strategies:**

- A. Develop a comprehensive staffing, classification, & compensation plan
  - B. Conduct a training needs assessment & enhance the training program
- 

## **Recent Activity:**

- A. Recommend grade scale adjustment and new staffing positions
- B. Final Draft of Personnel Management Plan ready for approval, plan addresses policy changes and consolidates separate manuals each both Authorities
- C. Supported trainings – LOTO, Confined Space, Fall Protection and upcoming CPR/First Aid trainings via PVCC and outside vendors

## **Year 1 Highlights:**

- A. Implemented recommendations of compensation plan
- B. Presented and communicated multi-year Staffing Master Plan
- C. Updated and consolidated Personnel Management Plan



# Operational Optimization Tactics

## **Strategies:**

- A. Continually evaluate, prioritize, & improve key business & operational processes
  - B. Protect our workforce & the public through continually growing a culture of safety
- 

## **Recent Activity:**

- A. Continued study to further optimize the corrosion inhibitor project
- B. Started the American Water Infrastructure Act project (AWIA)
- C. Continued with design of the South Rivanna and Observatory WTP Renovation project

## **Year 1 Highlights:**

- A. Hired safety consultant to develop Safety Master Plan
- B. Installed security systems in South Rivanna and Crozet WTPs; new web based cameras purchased for safety and security

# Environmental Stewardship Tactics

## **Strategies:**

- A. Increase internal environmental engagement
  - B. Designate resources to support environmental outreach & green initiatives
- 

## **Recent Activity:**

- A. Participated and supported Rivanna RiverFest
- B. Completed stream clean-up at Moores Creek

## **Year 1 Highlights:**

- A. Increased internal environmental awareness and catalogued RWSA green activities
- B. Increased outside collaboration on green initiatives

# Solid Waste Services Tactics

## **Strategies:**

- A. Determine community needs & preferred service levels
  - B. Enhance partnerships with local governments & the University of Virginia
- 

## **Recent Activity:**

- A. Completed list of community partners and reached out for feedback on services
- B. Started a Composting Program study

## **Year 1 Highlights:**

- A. Completed Ivy Master Plan
- B. Increased hours of operation at IMUC
- C. Lowered MSW and CDD tipping fees

# Infrastructure & Master Planning Tactics

## **Strategies:**

- A. Implement an Authority-wide asset management program
  - B. Develop & maintain long-term master plans for all critical asset classes
- 

## **Recent Activity:**

- A. Developed an Asset Management Policy
- B. Reviewed inventory of Master Plans and developed a list of gaps

## **Year 1 Highlights:**

- A. Contracted with a consulting firm to guide development of Asset Management Plan
- B. Organized asset information
- C. Created a comprehensive list of existing Master Plans

# Looking Ahead to Year Two

- Examine current team membership
  - Replacing vacant positions
  - Allowing additional employees the opportunity to serve on a Goal Team
- Assess YR-1 tactics to decide if they are complete or need to be carried into YR-2
- Develop new YR-2 tactics for Strategies not completed
- Expand focus to remaining Strategies and develop tactics



# QUESTIONS?

---

# Strategies

## 1. Workforce Development

- A. Develop a comprehensive staffing, classification, & compensation plan
- B. Conduct a training needs assessment & enhance the training program

## 2. Operational Optimization

- A. Continually evaluate, prioritize, & improve key business & operational processes
- B. Protect our workforce & the public through continually growing a culture of safety

## 3. Communication & Collaboration

- A. Create & maintain internal communication platforms
- B. Create & implement a comprehensive public outreach plan

## 4. Environmental Stewardship

- A. Increase internal environmental engagement
- B. Designate resources to support environmental outreach & green initiatives

## 5. Solid Waste Services

- A. Determine community needs & preferred service levels
- B. Enhance partnerships with local governments & the University of Virginia

## 6. Infrastructure & Master Planning

- A. Implement an Authority-wide asset management program
- B. Develop & maintain long-term master plans for all critical asset classes

# Workforce Development Tactics

## Develop a comprehensive staffing, classification, & compensation plan

- Implement approved pay grade schedule - July 1
- Develop Master Staffing Plan
- Review staffing plans with BOD, gain approval (CONCEPTUALLY) of plan, formal approval will occur in budget approval for next fiscal year's new positions
- Continued annual review of staffing needs at an executive level

## Conduct a training needs assessment & enhance the training program

- 12 month training calendar
- PVCC Leadership Training
- Employee Development Plans
- New Employee Training - scheduling, comm., trainers, ON-BOARDING specific to positions
- Training communication and scheduling



# Operational Optimization Tactics

## Continually evaluate, prioritize, & improve key business & operational processes

- Inventory and prioritize critical business and operational processes
- Identify key performance indicators for each department
- Research appropriate benchmarks/best practices
- Select one key business or operational process to improve as a pilot
- Create training to support efficiency and effectiveness improvements

## Protect our workforce & the public through continually growing a culture of safety

- Identify and prioritize 10 safety concerns in each department regarding design engineering, operations, and preventative maintenance
- Research successful public-sector safety programs, including health and safety audits for project design
- Develop and communicate guidance for safety incident reporting, near misses, and suggestions
- Monitor and evaluate the outcomes from the vulnerability assessment
- Develop recommendations to improve cyber security

# Communication & Collaboration Tactics

## Create & maintain internal communication platforms

- Inventory current internal communications efforts and ensure all employees have equal access to internal communications
- Collaborate with Employee Council
- Create internal communication “trees” for specific types of information (e.g. safety, emergency information, on-boarding/off-boarding, etc.)
- Research and develop a digital communications protocol"
- Review SOPs for job duties
- Standardize records management protocols

## Create & implement a comprehensive public outreach plan

- Inventory current public outreach activities
- Research communication planning best practices
- Develop communication service level agreements with ACSA and the City of Charlottesville
- Create communication contact lists (names, roles, responsibilities) for City of Charlottesville, Albemarle County, ACSA, and UVA
- Evaluate social media outreach options, including Facebook
- Partner with local schools and civic groups for facility tours and environmental education

# Environmental Stewardship Tactics

## Increase internal environmental engagement

- Inventory green initiatives
- Partner with Community/env'l groups
- Research other Organizations on green initiatives
- Identify Environmental Engagement goals
- Develop communication tools
- Create Green Road shows

## Designate resources to support environmental outreach & green initiatives

- Create a standing Employee Environmental Committee (structure)
- Create a staffing plan (existing and potential new position) Coordinate with Workforce Development
- Develop an annual budget for green initiatives and activities

# Solid Waste Services Tactics

## Determine community needs & preferred service levels

- Research Existing Solid Waste and Recycling Practices/Data
- Communicate Data and Existing Services to Public
- Design Outreach
- Conduct Outreach
- Analyze Outreach Data
- Report on Outreach Results to Exec. Dir. & Board

## Enhance partnerships with local governments & the University of Virginia

- List Potential Partnership Organizations (POs)
- Identify Points of Contact for each PO
- Craft Message (what we are, resources we have, what we do)
- Contact Pos; discuss our resources, operations, needs; define their resources, needs, operations
- Evaluation Process (turn #4 into possible Programs and evaluate)
- Present possible Programs to Exec. Dir. and Board for action (and, if needed, funding)
- Implement

# Infrastructure & Master Planning Tactics

## Implement an Authority-wide asset management program

- Develop an RFP for an Asset Management Plan
- Create an Asset Management Committee and Prepare for AM
- Identify and Meet Short Term Software Needs
- Procure Consultant Assistance (Phase 1 - Strategic Plan)
- Organize Current Asset Information
- Develop an Asset Management Strategic Plan

## Develop & maintain long-term master plans for all critical asset classes

- Inventory all existing master plans
- Identify existing master plan obligations
- Conduct gap analysis to get to comprehensive master plans
- Classify all critical asset classes, functions, and departments that require master planning (in conjunction with Strategy 1, Tactic 5)
- Assign champions to asset class master plans
- Create a process to ensure that master plan-prioritized recommendations are linked to capital improvement program



## MEMORANDUM

**TO:** RIVANNA SOLID WASTE BOARD OF DIRECTORS  
RIVANNA WATER & SEWER AUTHORITY BOARD OF DIRECTORS

**FROM:** LONNIE WOOD, DIRECTOR OF FINANCE & ADMINISTRATION  
BETSY NEMETH, HUMAN RESOURCES MANAGER

**REVIEWED BY:** BILL MAWYER, EXECUTIVE DIRECTOR

**SUBJECT:** COMBINED AND UPDATED RSWA & RWSA PERSONNEL MANAGEMENT PLAN

**DATE:** MAY 28, 2019

Attached to this memo you will find the Personnel Management Plan for both Rivanna Solid Waste Authority and the Rivanna Water & Sewer Authority (the Authorities). Currently we have two separate policy manuals that are similar but have some variances.

Both current versions of the policy manual have not been updated in whole for over 15 years. Staff has had a goal over that time to combine the two into a new manual that will work for both Authorities. Parts of the policy had been updated over the years, but it was clear that a wholesale update was needed. There have been many changes such as Hybrid VRS changes that affected sick leave policy and FLSA overtime guidance that cross-over throughout the policy that were not address adequately in partial updates.

The other goals were to update the policy for changes in regulatory guidance, overall policy changes, and to streamline the management plan to focus more on policy and regulations, and to limit language concerning procedures as they are task driven to meet the policy and change over time which does not require Board approval. The Personnel Management Plan can only be changed with Board approval.

Major changes from the current two policy manuals is noted below:

- Compensation Section (D) was updated to address changes in premium pay and blended overtime pay. Overtime (OT) will now be calculated on a weekly basis and at a blended OT rate. This will benefit any non-exempt staff (operator, maintenance staff, attendants, etc.) who happen to work overtime. Blended OT takes into account all compensation, other than leave, earned in a weekly period in determining the pay at the required rate.

- Compensation Section (D) includes a new compensation differential for Night Shift Operators, much like the current Relief Operator differential. The Water (South Rivanna Plant only) and Wastewater (Moore's Creek Plant only) departments have operators that work 12-hour shifts on a rotating or rolling day/night weekly schedule. This is done so no group of operators is required to work the night shift only. The Night Shift differential (2%) is compensation for the practical and medical challenges of Operators who work this schedule. This challenge was identified by our Employee Council. The pay differential will contribute to our Workforce Development Goal to hire and retain highly qualified and dedicated water and wastewater treatment Operators.
- Compensation Section (D) includes a retirement payout policy for VRS designated Hybrid employees to receive \$200 for every year of service up to a maximum of \$5,000. Hybrid employees are not eligible for the current policy of accrued sick leave because Hybrid employees are not allowed to carry over, or accrue, sick leave like VRS Plan 1 & 2 employees are allowed. Again, this relates to our Workforce Development Goal of staff retention.
- Harassment Policy Section (E) is a new section setting forth policy, duties and remedies for all forms of workforce harassment.
- Leave Policy and Rules Section (F) added the 4<sup>th</sup> Wednesday in November from 12:30 - 4:30 p.m. (half-day before Thanksgiving) as a holiday. In addition, the revisions converted Jefferson's Birthday, April 13<sup>th</sup> to a floating holiday for staff. Our offices will be open on that day.
- Disciplinary Policy Section (G) was updated to include stronger reviews by the Executive Director in certain disciplinary actions up to termination.
- Employee Training, Development and Education Assistance Section (J) was written to change the titles of the types of training clarifying the definition of each but are essentially the same in content as they are in the current policy. Degree programs are better defined and the yearly (fiscal) tuition reimbursement was increased from \$2,625 in the current policy to \$5,250 in the proposed policy. This is relevant to our Workforce Development Goal of developing a highly skilled team.
- Travel Policy Section (K) is a new stand-alone policy. The current manual addresses travel policy within the Employee Training policy and wasn't always clear. Some travel outside the service area is not connected to employee training and a separate policy was needed.
- The Forms and Attachments Section (M) was created to have all attachments and forms in one section rather than scattered throughout the management plan. The forms section is meant to be flexible to updating forms and attachments as needed.

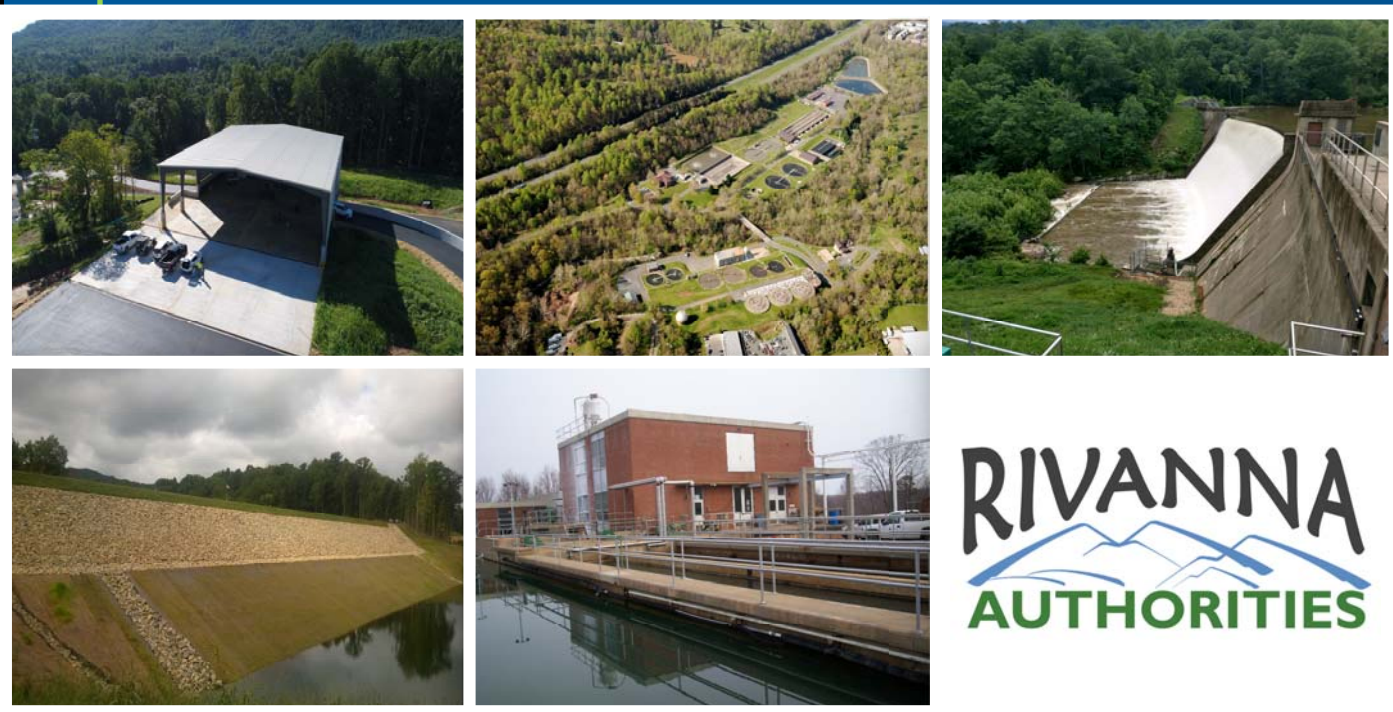
Overall, the Personnel Management Plan is streamlined from an operational optimization standpoint and meets many of our workforce development objectives, both goals within the Authorities' Strategic Plan.

**Board Action Requested:**

It is recommended that the Board of Directors of both Authorities, after consideration of the proposed revisions to the Personnel Management Plan, adopt the Plan effective July 1, 2019.



# Personnel Management Plan



Proposed Adoption May 2019

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DRAFT - BOD Review



## A. Introduction and Organization Chart

It is the policy of the Rivanna Water & Sewer Authority and the Rivanna Solid Waste Authority that a fair and uniform personnel management system be established and maintained in order to ensure effective service to our customers and community.

### 1. Authority

The policies and procedures in this Manual are intended to cover all aspects of the Rivanna Water & Sewer Authority and the Rivanna Solid Waste Authority (the Authority) personnel management system. They have been adopted or revised by the Authority's Boards of Directors (Boards) on the dates noted in each chapter or section. Administrative authority has been delegated to the Executive Director. The authority to revise or add to this manual remains with the Boards with day to day supervision by the department managers, or as delegated, with the exception that *Section D.3., "Compensation Plan and Administration, Job Descriptions"* may be revised as needed by the Executive Director. The power to create positions and departments remains with the Boards. Nothing in this Personnel Manual is to be construed as a contract of employment. The personnel management system and the Manual are subject to change at any time, with or without notice, by the Boards. The Boards retain the right to take whatever actions they believe to be in the best interest of the Rivanna Water & Sewer Authority and/or the Rivanna Solid Waste Authority and its clients and customers.

### 2. Work Service

All employees work under these policies as approved by the Authority's Boards and administered by the Executive Director. The followings categories of work service do not fall under these provisions:

- a. Consultants, contractors, and counsel;
- b. Volunteers, or persons appointed to serve without pay;
- c. Members of Boards, commissions, or committees;
- d. Other positions as designated by the Board.

### 3. Organizational Chart

The Executive Director may request or recommend changes to the organizational charts from time to time. When this occurs, the organizational charts shall be presented to the Board for review and approval. Once approved, the organizational charts will be updated accordingly. For Authority organizational charts see *Section M. Forms and Attachments*.

## B. Recruitment and Hiring Policy

### 1. Policy

It is the policy of the Authority to hire employees through a systematic recruitment and selection process that identifies, attracts, and selects the most qualified applicants for employment. All applicants are considered on the basis of job requirements and applicant qualifications and otherwise without regard to race, color, religion, sex, sexual orientation, national or ethnic origin, age, marital status, status as a veteran, disability, or any other non-job-related factor. The Authority's programs and practices seek to foster internal advancement opportunities for current employees. The Human Resources Department is responsible for overseeing the recruitment and selection process. All recruitment and selection will be done in accordance with applicable policies and laws and no selection decision will be made that would constitute unlawful discrimination in violation of state or federal laws.

### 2. Job Posting

- a. Open positions can be posted in one of the following ways:
  - 1) The job may be opened to Authority personnel only, in which case interested employees will notify the appropriate department manager or the Human Resources Manager of their interest.
  - 2) The job may be filled by evaluating applications already filed by qualified persons.
  - 3) The job may be advertised by contacting local schools, agencies, the Virginia Employment Commission, or by paid advertisements in appropriate newspapers, journals or Web posting and/or television.
- b. All open positions will be posted for a minimum of ten business days.
- c. The closing date of the posting will be listed as a part of the posting.
- d. Job advertisement is under the direct supervision of the Human Resources Manager. No position may be opened and filled without notifying the Human Resources Manager and following one of the above procedures. This policy is to ensure that job openings are publicized adequately, both in the interest of fairness and of finding the best candidate for a job opening.

### 3. Application Policy

- a. All applicants must complete an Authority employment application, either an online application or a paper application. All employment applications are submitted to the Human Resources Manager.
- b. Applicants must complete an employment application for a position before the closing date of the job posting.
- c. All applications received for any position must be retained as stated in the retention policy of the Library of Virginia. Destruction of employment applications at the end of the retention period must be confidential.

- d. All applicant data will be tracked by the Human Resources Department.

#### **4. Job Offer Policy**

The Executive Director has final approval of all hiring decisions. A recommendation will be made to the Executive Director by the hiring department manager and/or the Human Resources Manager for all open positions.

#### **5. Criminal Background Checks**

All applicants who are offered positions shall be required, as a condition of employment, to authorize the Authority to have a criminal background check investigation performed and additionally a motor vehicle investigation check when driving a motor vehicle is an essential function of the position.

- a. When an applicant has a prior conviction, the Executive Director will consider the nature of the offense, the date of the offense, and the relationship between the offense and the position for which application is sought.
- b. If an applicant should refuse to permit a background check, the applicant will be removed from further employment consideration.
- c. Applicants who omit criminal convictions from their employment application may be denied employment for falsification of the application. A new application may be filed after three (3) calendar years provided the person at the time lists their convictions.

#### **6. Post-Offer Physicals**

- a. A post offer physical is required of the successful candidate. The candidate must meet the physical requirements of the position and must successfully pass a medical examination prior to the first day of employment. All medical records are confidential and shall comply with HIPPA guidelines.
- b. A post offer drug screening is required of the successful candidate. At the time of the physical examination the candidate will submit a urine specimen for drug screening purposes. The candidate must test negative for any illegal drug use to be eligible for employment. All drug and alcohol records are confidential and are maintained in a file separate from the employee's personnel file. *See Section L, "Substance Abuse Policy"* for additional information on the Authority's drug testing policy.

#### **7. Orientation Policy**

All new employees will receive a copy of the Authority Employee Handbook prior to their first day of employment. New employees will attend an orientation session with the Human Resources Manager and the Payroll and Benefits Coordinator on their first day of employment, during which all of their employment documentation, to include Employment Eligibility forms, will be completed.

## C. Personnel File Policy

### 1. Policy

This policy establishes guidelines for the personnel files for each employee of the Authority and governs the access, dissemination, and purging of information contained within this file.

### 2. Description

The Personnel File contains personal information relevant to the individual's employment. These files are maintained under the supervision of the Human Resources Manager and are kept in a file cabinet which is locked at all times except when the files are inspected, or materials are added.

The personnel file shall be the only file which is to be considered official and complete in matters related to wages and salary, employee selection, employee relations, and arbitration hearings. Information pertaining to any personnel related aspect of employment (personnel action forms, letters of reprimand, letters of commendation, unemployment compensation requests, and any other pertinent information) shall be contained within the file.

All documents containing employee health information shall be maintained in a separate locked file and only those individuals with a need to know shall have access to these files as defined in the HIPAA Security Rule.

### 3. Access

The access, dissemination, and purging of information contained within a personnel file shall be in accordance with the federal Privacy Protection Act of 1974 and may from time to time be amended.

- a. The following individuals or agencies shall be designated as having regular access to the personnel files:
  - 1) The Executive Director.
  - 2) The Director of Finance and Administration, the Human Resources Manager, and the Payroll & Benefits Coordinator (for administrative purposes).
  - 3) Federal, State, or local law enforcement agencies during a properly warranted investigation of a violation or potential violation of the law.
- b. The following individuals or agencies may inspect a limited number of personnel files:
  - 1) An individual employee or former employee may inspect his or her own official personnel file after presenting proof of identity.
  - 2) An immediate department manager or Divisional Director may inspect portions of the official personnel file of any employee under their supervision.
  - 3) The members of a Grievance Appeals Board may inspect relevant files.
  - 4) The Virginia Employment Commission Unemployment Compensation Division may inspect relevant files.

All personnel files shall be reviewed in the presence of the Executive Director, the Director of Finance and Administration or the Human Resources Manager. No files shall be removed from the Administration Building unless needed for a grievance or court hearing.

There will be no release of any personal information contained within a personnel file to any individual or organization not having regular or limited access unless the employee has authorized the release of the information. The authorization from the employee must be in writing and signed by the employee.

Wage and salary information is not considered confidential under Freedom of Information Act laws and may be released as a part of a Freedom of Information Act (FOIA) request.

#### **4. Official Personnel Forms**

- a. The following forms will be maintained in an employee's personnel file:
  - 1) Performance Evaluation forms
  - 2) Personnel Action forms
  - 3) Employee pay history
  - 4) Tax forms
  - 5) Any policy sign-off forms
  - 6) Any documentation of performance issues, to include reprimands and suspensions
  - 7) Original hiring documents such as offer letters and applications
  - 8) Any other confidential documents pertaining to that specific employee
- b. The following forms will not be maintained in an employee's personnel file:
  - 1) Any health-related documents, to include health insurance applications, doctor's notes, physical and drug testing results and Family & Medical Leave forms
  - 2) Employment Eligibility Verification Form I-9
  - 3) Requests for employment verification

## D. Compensation Plan and Administration

### 1. Policy

By these rules and regulations, the Authority intends to establish a means of providing fair compensation to its employees while ensuring orderly and cost-effective operations. Employees shall be paid based on the value of work that they perform. Job performance shall be the major factor in determining wage and salary adjustments. Requests and appeals by employees regarding the application of these rules and regulations are to be submitted through appropriate channels, reaching to the Executive Director if necessary.

### 2. Definitions

Base Pay: An employee's normal hourly rate or annual salary, to include merit and administrative increases through the tenure of their employment. Base pay does not include overtime rates and premium rates. Base pay does include any relief or night shift operator differential pay.

Employee: Individual within a position.

Full-time Employee: A person with a work schedule of 40 hours per week. Treatment plant operators who work the 12-hour rotating shift schedule are also considered full time. Full time employees are eligible to receive benefits.

Intern: A student/trainee who works in a particular position full time for a restricted period of time or part-time, in order to gain work experience in a particular field. All interns will be paid at least the federal minimum wage and are considered temporary employees.

Job Title: A specific job that may have more than one position within it. (Note: a job title is defined by its job description that details the duties, qualifications and skills needed to perform the work.)

Part-time Employee: A part-time employee is an employee with a work schedule of less than 30 hours per week.

Position: An individual job. All positions must be approved by the Board of Directors.

Night Shift Operator – A water or wastewater operator who works a rotating schedule of shifting from day shifts to overnight shifts on a regular basis. Night shift operators must be permanent employees.

*The Manager of each Water and Wastewater Department or the Divisional Director shall designate for each department the employees assigned as Night Shift Operators. There shall be only 8 designated night shift operators at any given time in each of the two operating departments, for a total of 16 designated night shift operators.*

Pay Grade/Grade: A single pay range within a pay scale to which one or more job titles may be assigned.

Pay Range: The minimum, midpoint and maximum annual salary range within a pay grade paid for a specific job/position.

Pay Scale: A system that determines how much an employee in a job/job title can or may be paid as a base wage/salary for the job/position.

Performance or Merit Increase: An increase within grade to reward performance which meets or exceeds expectations of the position.

Separation or Termination: An employee ceasing to be employed by the Authority, either by resigning or by being dismissed.

Temporary Employee: A person whose employment with the Authority will last no longer than 90 days. These employees are not eligible for participation in the Authority benefits program.

Workweek: A fixed and regular recurring period of 168 hours – seven consecutive 24-hour periods. Different workweeks may be established for different employees or groups of employees.

The Authority uses a pay scale of numbered pay grades, with each grade approximately 5% above the previous grade. The pay range for each position has a total spread from the minimum to the maximum of approximately 66%. The determination of a pay grade in which a particular position falls will take into account pay equity for work performed and consistency in pay with positions that perform similar work. The assignment of positions to pay ranges and the pay rates within each grade may be modified both by reclassification, such as through a classification study, or by across-the-board adjustments added to all pay rates as approved by the Authority Boards.

The Executive Director will recommend adjustments to the pay scale annually as needed. All adjustments to the pay scale must be approved by the Board of Directors.

The Authority will conduct a Compensation and Classification Study a minimum of every five years, or sooner as needed, to ensure the internal and external equity of the pay scale.

### 3. Job Descriptions

Each job title has a specific job description. In the job description, the following items are outlined:

- a. **Job Summary:** A statement that contains overall job function/duties, department manager responsibilities, if any, and the job title of the department manager of the position.
- b. **Essential Job Functions:** A detailed list of job responsibilities for the job title.
- c. **Minimum Education and Experience:** A list of the minimum education and work experience expected of the employee in the job.
- d. **Knowledge, Skills and Ability:** A list of the basic abilities an employee must possess in order to effectively perform the job.
- e. **Physical Requirements:** A list of physical acts that the employee must be able to perform in the job.
- f. **Work Environment:** A summary of the working conditions in which the job is performed.
- g. **Special Requirements:** Any requirements for the job that are not listed elsewhere in the job description or that are unique to the job.

#### 4. Determination of Pay Grade

All job titles are assigned a pay grade based on:

a. Complexity of the Work

- 1) Unskilled: Work requiring the performance of uncomplicated tasks, physical work.
- 2) Semi-Skilled: Work requiring the performance of uncomplicated work, specialized physical work.
- 3) Skilled: Work requiring specialized physical skills used in the performance of complicated tasks.
- 4) Clerical: Work requiring the use of basic language, mathematical and social skills in orderly duplication, processing, recordation and maintenance of information documents.
- 5) Skilled Clerical: Work requiring the use of basic language, mathematical and social skills in orderly duplication, processing, recordation and maintenance of information and financial documents and requiring typing skills.
- 6) Technical: Work requiring the specific application of detailed procedures and techniques to recurring situations or problems. Work may also require specialized physical skills.
- 7) Paraprofessional: Work requiring the application of advanced knowledge and often advanced social skills in support of professional activities and may include research and data collection, client assistance or other activities.
- 8) Professional: Work requiring the application of advanced knowledge and personal ingenuity, creativity, estimation or related input and often advanced social skills, to the solution of complex problems or situations.
- 9) Administrative: Work requiring the application of general procedural knowledge and advanced social skills in the planning, organizing, coordinating, directing and/or control of agency activities, procedures and practices.

b. Level of Work

- 1) Routine: This is the lowest level of the type of work performed requiring the employee to handle a restricted scope of simple or more basic assignments or problems.
- 2) Responsible: This is the senior and often department manager level of this type of work requiring the employee to handle a variety of typical assignments or problems.
- 3) Difficult: This is the senior and often department manager level of this type of work requiring the employee to handle all assignments or problems except those requiring unit or departmental policy or procedural change.
- 4) Complex: This is the highest level of mastery of this type of work and is often a managerial position. It requires the employee to handle or direct the handling of all assignments or problems.



c. Supervision Received

- 1) Immediate Supervision: The employee works under close supervision and work is checked regularly.
- 2) Regular Supervision: The employee generally works independently, following standard practices requiring only occasional supervision, work is checked periodically for quality accuracy and quantity; department manager normally available for consultation and advice upon request.
- 3) General Supervision: The employee requires only general direction, working from broad policies and on general objectives. Refer specific matters to superior only when interpretation of municipal or agency policies is deemed necessary; sets own standard of performance, limited only by general policies and budget; direct responsibility for final results.
- 4) Supervision Exercised: The employee is responsible for the supervision of others. This is determined by the number of employees supervised – a small group being less than six employees, a medium group being between six and twenty employees and a large group being over 20 employees supervised.

d. Knowledge, Skills, and Abilities

- 1) Some Knowledge: the employee has sufficient familiarity with the subject to know elementary principles and terminology and to understand simple problems.
- 2) General Knowledge: The employee has sufficient knowledge of the subject to enable the employee to work effectively in a limited range of work situations.
- 3) Thorough Knowledge: The employee has almost complete coverage of the subject matter; work calls for sufficient comprehension to solve unusual as well as common-place work problems.
- 4) Comprehensive Knowledge: The employee has the most advanced degree of knowledge likely to be found; work calls for complete mastery and understanding of the subject.

e. Education and Experience

Level of education required for the job, as stated in the job description.

- 1) Some Experience: Sufficient to enable employee to acquire some familiarity with methods and nomenclature in common work situations of the occupational field (usually six months to two years).
- 2) Considerable Experience: Sufficient experience in an occupational field to perform work as assigned with little direct supervision, work calls for a journeyman comprehension of standard work situations (usually two to five years).
- 3) Administrative Experience: Extensive experience as defined and develop or advise on major policy matters and independently direct the operations of a major agency.

f. Special Job Requirements

These are specific requirements that must be met by an employee working in a particular job, such as licensing and specific physical requirements.

g. Current Pay Scale & Position Table

For current pay scale and position table, *see Section M., "Forms and Attachments"*.

h. The Authority will conduct a comprehensive classification and compensation study every five years at a minimum. The Executive Director may, if warranted, recommend an adjustment to the overall pay scale during a year that a survey is not completed, which must be approved by the Board of Directors.

## 5. Pay Rates

a. Starting Pay

The Executive Director is authorized to hire employees at any point within the salary range based on market conditions and the qualifications of the individual.

Original appointment above the minimum pay rate for a class may be recommended, subject to approval by the Executive Director, if any of the following conditions exist:

- 1) The qualifications and/or experience of the applicant exceed the basic requirements for the position.
- 2) The applicant is a former employee.
- 3) Difficulty of recruitment requires offering a higher pay rate.

b. Promotion, Demotion and Transfer

When an employee is promoted from one job to another having a higher pay range/pay grade and additional responsibilities, the employee shall receive an increase of at least ten percent (10%).

*See 7.d. of this Section, "Other Forms of Compensation, Operator License Incentive Program"* regarding license increases, which are not considered promotions under these rules and regulations.

When a position is filled by demotion, the employee shall be paid at any rate in the pay grade assigned to the position the employee is demoted to, as determined by the Executive Director.

When a position is filled by a transfer of an employee from a position assigned the same grade, the base pay rate normally shall not change. When an employee chooses to apply and transfers to a position in a lower pay grade, that employee may receive a reduction in base pay, as determined by the Executive Director.

c. Former Employee Hiring

A former employee who is hired to fill a position in the same pay grade in which they previously served, shall be paid the current base pay rate within the grade commensurate with their current work experience and qualifications.

A former employee who is hired to fill a position in a pay grade other than which they previously served, shall be paid the current base pay rate within the pay grade commensurate with his/her current work experience and qualifications, at the discretion of the Executive Director.

d. Reclassification

A reclassification is the reassignment of a job title to a different pay grade to a position whose previous pay grade/pay range no longer accurately reflects the duties performed. A new pay grade within the pay scale may be established if necessary, with the approval of the Board.

An employee whose regular and continuing duties are reclassified from one pay grade into a higher pay grade will receive a 5% pay increase in their base pay for reclassification resulting in a one pay grade increase and a 10% increase in their base pay for reclassification resulting in a two or more pay grade increase or the minimum in the new grade, whichever is higher.

An employee whose regular and continuing duties are reclassified to a lower pay grade shall not incur any base pay rate reduction even if the employee's current base pay rate is higher than the maximum in the new pay grade when not related to less than expected performance.

Any employee whose position is reclassified into a higher pay grade as the result of a Compensation/Classification study or market survey will not automatically be entitled to an increase in base pay, unless their current rate of base pay is below the minimum of the new pay grade.

## 6. Employee Performance Appraisal and Merit Pay

a. Purpose

The annual employee performance appraisal is a process that allows an employee and their department manager to discuss the employee's performance from the prior year, as well as to set performance expectations for the following year. Employee performance that meets or exceeds expectations can result in an annual merit increase. Merit increases will take effect on July 1 for the review period of April 1 through March 31. Merit increase funding is a function of the annual budget process and must be reviewed and approved by the Boards of Directors. The total merit pool is a percentage of total salaries.

Specific policy and procedures related to the execution of employee performance appraisals are found in the Performance Evaluation System Manual, a separate manual from this policy, which is approved by the Board of Directors.

b. Appraisal Procedure and Merit Increase Eligibility

If the Boards approve a merit increase with the adopted annual budget, increases can be awarded to all eligible employees, to be allocated based on each employee's performance appraisal by a calculation method stated in the Performance Evaluation System Manual and formally approved by the Board or Directors.

No employee shall receive a salary increase that would cause the employee's base pay rate to exceed the maximum pay rate in the employee's pay grade. If an employee is ineligible for a salary increase because an increase would cause their annual salary to exceed to top of their pay grade; the employee may receive a performance bonus. *See Section 7.b.1. of this Section, "Other Forms of Compensation, Bonuses, Performance Bonus".*

New employees in a probationary status as of March 31 are not eligible for a merit increase in the next fiscal year; however, the same employee may be eligible of a one-time administrative increase after a successful six-month probation period, pending Executive Director approval. *See 7.c. of this Section, "Other Forms of Compensation, Administrative Increase".*

Eligibility for performance increases shall not be affected by other salary increases, including administrative, promotion, and bonus increases or by a transfer or reclassification provided there remain sufficient range in the grade.

Employee performance information is personal information and shall be handled in a confidential manner and retained in their personnel file.

## 7. Other Forms of Compensation

a. On-Call Pay

Certain positions are required to participate in an after-hours on-call schedule. In the event of an emergency, the on-call employee is expected to respond immediately and be fit for duty. Employees that are on-call will receive a wage rate of 10% of their hourly base pay rate for every hour waiting to be called outside of their normal work schedule. Lunchtime during the normal workweek is not considered on-call time. Should the employee be required to come into work during their on-call schedule, he/she will receive Unscheduled Premium pay for two hours or the actual hours worked out of schedule. In the case of an emergency operation status, as determined by the Executive Director, other positions may temporarily be included in the on-call schedule. Department Managers shall designate any employee that is in On-Call status for each pay period.

b. Bonuses

1) Performance Bonus. An employee who is at the maximum of his or her pay grade shall be eligible for a performance bonus. If an employee is ineligible for a salary increase because an increase would cause their annual salary to exceed to top of their pay grade; the employee may receive a performance bonus as determined by the merit-based pay increases, if any. *See Section D.6.b., "Compensation Plan and*

*Administration, Employee Performance Appraisal and Merit Pay, Appraisal Procedure and Merit Increase Eligibility”.*

- 2) Meritorious Bonus Award. The Executive Director may make a cash award to an employee(s) for extraordinary events; such as, extraordinary performance or significant money saving suggestions conceived outside the usual and normal expectations of their position(s). The award is a one-time, lump sum bonus of \$100 to \$3000. Only the Executive Director has the authority to award such a bonus.

c. Administrative Increase

An employee who performs the duties and responsibilities of his position in a consistently superior manner deserving recognition beyond what is provided through pay for performance increases, as determined by the Executive Director, shall be eligible to be considered for an administrative increase where a promotion may not be possible and/or may not be warranted. An administrative increase may also be used to adjust any inequities, which may arise from the application of these rules and regulations. An administrative increase shall have no effect upon eligibility for pay for performance increases.

An administrative increase to advance an employee when such action seems justifiable may be recommended to or by a divisional director and/or the Executive Director. Such a recommendation shall be submitted in writing to the Executive Director for approval and shall state the reason for the recommendation.

An administrative increase shall not exceed 15% within grade.

An administrative increase may be granted in the case of a temporary promotion or transfer, limited to the duration of the temporary assignment. *See 7.c. of this Section, “Other Forms of Compensation, Administrative Increase”.*

d. Operator License Incentive Program

Persons in an Operator position who pass a licensing exam for a higher-class license than the one currently held will be reclassified and be paid either the minimum for the new pay grade or a rate in the new range 5% above the current salary/base pay, whichever is greater, if the experience requirements have been met.

Granting of a license increase shall not be considered a promotion under these rules and regulations.

e. Overtime

Overtime shall be utilized to relieve specific occasional peak workloads or emergencies, and as a part of the Authority’s day-to-day operations.

Non-exempt employees are paid overtime for hours worked in excess of 40 hours in a workweek. Overtime pay is based on the employee’s base rate of pay for hours actually worked. This includes compensation for hours worked while in unscheduled premium and

compensation while in on-call pay status; which is added to the base rate of pay (or blended). It also includes compensation for relief operator differential pay and night time shift differential pay within in any given week. It does not include compensation or time for sick, vacation, holiday or other leave granted, holiday premium pay, or bonuses received within the workweek. Pay for these items is added after overtime is calculated.

This will result in non-exempt employees receiving a Blended Overtime rate each week there is applicable time worked beyond the statutorily required 40 hours per week.

Regular part-time employees and interns receive overtime pay for work hours exceeding 40 hours in a workweek.

All overtime specified above, must be preauthorized by the immediate department manager on a daily basis.

Vacation leave is available to non-exempt employees in lieu of overtime pay. In all instances of overtime, the employee may request in lieu of overtime pay, a vacation leave credit at a rate of 1.5 times the overtime hours worked. An employee may request up to a total of 30 hours of vacation leave time instead of overtime pay (instead of 20 hours of overtime pay) per calendar year as allowed by law. An employee's department manager must approve the request for vacation leave in lieu of overtime.

f. Premium Pay

Holiday Premium Pay: Hourly employees will receive premium pay at the rate of 0.5 times their hourly rate of base pay, in addition to their regular base pay for any hours worked in the workweek that are on an Authority designated regular holiday.

Unscheduled Premium Pay: Hourly employees will receive premium pay at the rate of 0.5 times their hourly base pay rate, in addition to their regular base pay, for any hours worked in the workweek that are unscheduled hours worked due to emergency call-in, special work load needs or covering another employee's work schedule. (Examples: line breaks, plant shutdowns, special construction needs requiring night time work.)

g. Pay Differential – Relief Operators

In recognition of the additional demands with the Relief Operator assignment and to implement an incentive to retain qualified operators in Relief Operator assignment, the Relief Operator will be eligible to receive a 10% pay differential above their hourly base pay rate once fully trained at all related facilities as determined by the department manager. This new pay rate becomes their base pay.

At such time when a water or wastewater operator ceases to perform the assignment of a Relief Operator, the 10% pay differential for the Relief Operator assignment will no longer be paid.

h. Night Shift Pay Differential – Water and Wastewater Night Shift Operators

In recognition of the additional demands on water and wastewater operators who are working overnight shift schedules, these operators will be eligible to receive a 2% pay differential above their hourly base pay rate. This new pay rate becomes their base pay. Overnight shift operators must be designated by the Water and Wastewater Managers.

When a water or wastewater operator no longer works the overnight shift schedule, the 2% pay differential for the shift assignment will no longer be paid.

## 8. Benefits Briefly Explained

### a. Retirement

The Authority is a member of the Virginia Retirement System (VRS). The Authority makes contributions into the plan as determined and instructed by VRS. In addition, the employee pays a minimum 5% employee member contribution as a pre-tax deduction from their creditable compensation. An employee's creditable compensation is their annual salary, or their hourly base pay rate multiplied by 2,080 hours (which is 40 hours per week for a year). Participation in VRS is a condition of employment for all eligible employees.

### b. Retirement Pay Out

In recognition of employee service to the Authority, employees who are eligible to retire under the Virginia Retirement System will be paid one of the following upon their retirement based on the VRS Plan in which they participate:

- 1) VRS Hybrid Plan participants will be paid a Service Bonus of \$200 per year of continuous service to the Authority, up to a maximum of \$5,000.
- 2) VRS Plan 1 and Plan 2 participants will be paid a percentage of their accrued sick leave time at the time of retirement, based on the table below, up to a maximum of \$5,000.

Years of Service	%	Benefit Calculation
<3	0	No cash benefit
3 to <5	10	Sick leave balance x employee hourly rate x 10%
5 to <10	15	Sick leave balance x employee hourly rate x 15%
10 to <15	20	Sick leave balance x employee hourly rate x 20%
15 to <20	25	Sick leave balance x employee hourly rate x 25%
20 +	30	Sick leave balance x employee hourly rate x 30%

### c. Life Insurance

All Authority employees must participate in a group life insurance plan tied to the retirement plan. The premium and benefits are based upon each employee's base gross salary. The Authority pays the premium cost. The contribution made by the Authority is subject to change as part of the Authority's annual budget. Employees may also elect to purchase additional life insurance and extend coverage to family members. This additional optional life insurance is at the employee's expense.

### d. Medical/Dental Insurance

The Authority participates in a major medical and dental plan for employees and their families. The Authority makes a contribution towards the premiums and the employee pays the remaining amount through a payroll deduction. The specific features of this plan are normally subject to change annually.

e. Workers' Compensation

Under State Law, the Authority maintains workers' compensation insurance to pay for treatment of work-related injuries and to protect against loss of income resulting from a job-related injury. See Section F.10., *"Leave Policy and Rules, Workers' Compensation Leave"*.

f. Leave

The various types of leave are covered in Section F., *"Leave Policy and Rules"*.

g. Other Optional Benefits

In addition to optional life insurance noted above, other optional benefits include dependent and health care flexible spending accounts, health savings accounts, optional critical care insurance, a 457 Deferred Compensation Account and gym memberships at a reduced rate.

The Authority retains the right to change, alter or discontinue benefits offered where applicable.



## E. Harassment Policy

### 1. Policy

It is the policy of the Authority to provide a working environment that is free from all forms of discrimination and conduct that is considered harassing, coercive or disruptive, to include sexual harassment. Actions, words, jokes or comments based on an individual's sex (including pregnancy), race, color, national origin, age (over 40), religion, disability, genetic information, sexual orientation and any other legally protected characteristic will not be tolerated. This policy includes reporting procedures and remedies in the event of harassing behavior.

### 2. Workplace Harassment

Offensive behavior toward an employee may constitute workplace harassment if:

- a. The conduct occurs because of a person's inclusion in a legally protected class;
- b. The conduct is unwelcome;
- c. The conduct results in a tangible employment action against the alleged victim (termination, demotion, denial of promotion, decrease in pay, or altering that individual's duties in a way that blocks the individual's opportunity for promotion or salary increase);
- d. Or if the conduct is sufficiently severe or pervasive to create a hostile, intimidating or offensive work environment, to unreasonably interfere with a person's work performance, or to otherwise adversely affect terms, conditions, or opportunities of a person's employment.

Such behavior can include, but is not limited to:

- a. Repeating stereotypical jokes or making stereotypical comments related to race, age, sex, sexual orientation, national origin, religion or disability or any other legally protected characteristic;
- b. Displaying derogatory pictures or offensive printed material;
- c. Insults, name-calling, and any other words or comments that demean, stigmatize, intimidate, or single out a person because of one's sex, sexual orientation, race, religion, national origin, age, disability or other legally protected status;
- d. Physical contact, invading one's physical space, damaging one's personal property, offensive gestures, or any other demeaning physical act directed at someone based on their legally protected status.

### 3. Sexual Harassment

Sexual harassment is defined as unwanted sexual advances, or visual, verbal, or physical conduct of a sexual nature. This definition includes many forms of offensive behavior and includes gender-based harassment. The following is a partial list of sexual harassment examples:

- a. Unwanted sexual advances;
- b. Offering employment benefits in exchange for sexual favors;

- c. Making or threatening reprisals after a negative response to sexual advances;
- d. Visual conduct that includes leering, making sexual gestures, or displaying sexually suggestive objects or pictures, cartoons, or posters;
- e. Verbal conduct that includes making or using derogatory comments, epithets, slurs or jokes;
- f. Verbal sexual advances or propositions;
- g. Verbal abuse of a sexual nature, graphic verbal commentaries about an individual's body, sexually degrading words used to describe an individual, or suggestive or obscene letters, notes or invitations;
- h. Physical conduct that includes touching, assaulting, or impeding or blocking movements.

Unwelcome sexual advances (either verbal, written, online or physical), requests for sexual favors, and other verbal, written, online or physical conduct of a sexual nature constitute sexual harassment when:

- a. submission to such conduct is made either explicitly or implicitly a term or condition of employment;
- b. submission or rejecting of the conduct is used as a basis for making employment decisions; or
- c. the conduct has the purpose or effect of interfering with work performance or creating an intimidating, hostile, or offensive work environment.

#### **4. Employee Responsibilities**

All employees are responsible for assisting in the prevention of harassment by refraining from participation in, or encouragement of, actions that could be perceived as harassment. An employee who feels they have experienced or witnessed sexual or other unlawful harassment in the workplace is required to immediately report such incidents. Employees are required to report incidents to either their immediate department manager, their divisional director or any other divisional director, the Human Resources Manager, or the Executive Director. Employees are assured that concerns and reports can be made without fear of reprisal or retaliation.

#### **5. Department Manager Responsibilities**

Each department manager and divisional director is responsible for assisting in the prevention of harassment by monitoring the work environment for signs that harassment may be occurring, counseling employees on the types of behavior prohibited, and knowing and following procedures for reporting and resolving complaints of harassment.

#### **6. Complaint Procedures**

All allegations of sexual or other unlawful harassment will be quickly and discreetly investigated. To the extent possible, confidentiality of the complainant and any other witnesses, as well as the harasser, will be protected against unnecessary disclosure.

- a. Any employee encountering harassment is encouraged to tell the person directly responsible that their actions are unwelcome and offensive. The employee should document all incidents of harassment in order to provide the fullest basis for investigation.
- b. If the incident is serious (i.e., physical advance), unacceptable or repeated, especially if the employee has asked the offender to refrain from such behavior in the past, a written complaint should be filed immediately.
- c. A complaint should be reported to one's immediate department manager, a department manager from another department, their divisional director or any other divisional director, the Human Resources Manager, or the Executive Director. The employer representative taking such complaint must document all information including dates, times, places, names, and quotes.
- d. The employee will be informed as to how and when the employer representative intends to follow up on the complaint. If the situation warrants, immediate steps to protect the employee from further harassment may be taken.

## **7. Corrective and/or Disciplinary Action**

Any employee engaging in sexual or other unlawful harassment will be subject to disciplinary action, including one or more of the following:

- a. A verbal reprimand
- b. A written reprimand
- c. Suspension with or without pay
- d. Discharge Dismissal

In addition, the filing of a false complaint, or false statements during an investigation will be subject to disciplinary action as stated above.

## **8. Recourse Through Other Policies/Agencies**

Employees who have encountered harassment, or employees accused of harassment, are not precluded by this policy from filing a complaint with the Equal Employment Opportunity Commission (EEOC). Employees may also file an appeal or grievance through the Authority's grievance policy, see *Section H., "Grievance Procedure"*.

## F. Leave Policy and Rules

### 1. Policy

Department managers shall grant leave in accordance with these policies, on the basis of the work requirements, and whenever possible in accordance with the wishes of the employee. Employees are encouraged to plan use of their cumulated annual leave far enough in advance that full consideration can be given to their requests.

### 2. Holiday Leave

It is the policy of the Authority to ensure that all regular employees enjoy the same number of holidays each year, irrespective of the provisions of the section below on granting holiday leave. The standard shall be the number of holidays in a year which will be celebrated by regular employees.

The following holidays are observed by the Authority and shall be granted to all full-time employees with pay, and to part-time, non-benefited employees without pay, unless such employees are required to be on duty as scheduled:

- New Year's Day, January 1
- Martin Luther King Day, Third Monday in January
- Presidents' Day, Third Monday in February
- \*Jefferson's Birthday, April 13 (Floating)
- Memorial Day, Last Monday in May
- Independence Day, July 4
- Labor Day, First Monday in September
- Veterans Day, November 11
- Thanksgiving, close at 12:00 pm the fourth Wednesday, closed on fourth Thursday and Friday of November
- Christmas Eve, December 24
- Christmas Day, December 25

\*The RWSA/RSWA offices will be open on Jefferson's Birthday, April 13. Holiday leave may be taken on the formal holiday with the department manager's approval. If leave is not taken on the holiday, it will become 8 hours of annual leave and will be treated as such. Holiday premium pay will not be paid for time worked on April 13.

Holidays observed by the Authority shall be subject to the following rules:

- a. Holiday on weekend. In the case of non-shift employees when a holiday falls on Saturday, it shall be observed on the preceding Friday. When a holiday falls on a Sunday, it shall be observed on the following Monday. Employees working shift schedules (water operators, wastewater operators) will observe the holiday on the actual day and be paid accordingly.
- b. Holiday on a mandatory work day. Any hours worked on a holiday will be paid at a rate noted in *Section D., "Compensation and Plan Administration"*. The employee will also

receive 8 hours of pay at their base pay rate. Temporary employees are not eligible for holiday pay.

- c. Holidays during paid leave. A holiday falling within a period of paid leave shall not be counted as a work day when computing the amount of leave debited. When an employee takes unauthorized leave on a holiday, time shall be deducted from his/her sick leave or annual leave or be charged as leave without pay. *See Item 9. of this Section, "Unauthorized Absence/Leave".*
- d. Holiday during unpaid leave. When a holiday falls within a period of leave without pay or immediately preceding or following such leave, the employee shall receive no pay for the holiday.
- e. Employment or separation on a holiday. The employment or separation of a regular or part-time employee shall not be affected by a holiday, except when the employee works that day.

### 3. Annual Leave

Annual leave is intended to be used for personal leave and for vacations. Annual leave must be scheduled with and approved by the appropriate department manager at least one business day prior to the employee taking the leave time. Final approval rests with the department manager, divisional director or as delegated.

#### a. Accrual

Annual leave shall normally be accrued to regular full-time employees at the following rates (employees on unpaid leave will not receive an accrual during leave):

Years of Service	<5 Years	5 to <10 Years	10 to <15 Years	15 to <20 Years	20 to <25 Years	25 + Years
Annual Accrual Rate	96 hours	120 hours	144 hours	168 hours	192 hours	216 hours

#### b. Annual Carry Over

Annual leave may be carried over to the next calendar year at the following rates:

Years of Service	<5 Years	5 to <10 Years	10 to <15 Years	15 to <20 Years	20 to <25 Years	25 + Years
December 31 Maximum	192 hours	240 hours	288 hours	336 hours	384 hours	432 hours

Employees may carry over twice their annual accrual as of January 1st each year. Annual leave in excess of these limits on January 1st shall be lost. Only the Executive Director or his designate may grant an extension to this date.

#### c. Taking

The following rules pertain to taking annual leave:

- 1) In most cases, annual leave may not be taken until an employee has completed their 6-month probation period. This is at the department manager's discretion.
- 2) Annual leave shall normally be granted each calendar year. Any annual leave taken should be approved by the employee's department manager prior to the leave being taken.
- 3) Annual leave taken shall not exceed the annual leave time that has been accrued by the employee at the time they are taking annual leave. Exceptions must be approved by the Executive Director. Such excess leave granted will be debited against future annual leave credits. Any such negative accumulation at the time of separation must be reimbursed.
- 4) Failure to return from an approved annual leave may result in an unauthorized leave or in disciplinary action, up to and including termination.

d. Debiting

The amount of annual leave debited will be computed on the basis of the days or hours an employee is scheduled to work during the period when leave is taken. Holidays and other regular days off will not be included.

e. Effect of Separation

- 1) Provided that an employee has given a two week notice at the time of resignation, any unused annual leave shall be paid to the employee at their current hourly base pay.
- 2) Annual leave credits shall be prorated through the employee's effective date of separation.
- 3) Upon separation, all annual leave hours shall be cleared from the employee's leave record.
- 4) Employees shall reimburse the Authority for any unearned or excess leave taken, regardless of leave type, upon separation. Any reimbursement to the Authority or any nonpayment for hours taken shall be documented for the record and appropriate action taken in accordance with these rules and regulations and the documentation filed in the employee's personnel file.

#### 4. Sick Leave

Sick leave is leave with pay granted to an employee for an illness, bodily injury resulting in temporary disability, medically required confinement and medical/dental appointments. Sick leave may also be used for bereavement leave and immediate family sick leave. Immediate family in this event includes spouse, children, parents, step-siblings, foster children, siblings, grandparents, grandchildren, step-children, step-parents, guardian or same relative of spouse and any other relatives or individuals residing with the employee. The FMLA policy may apply in some instances of sick leave after the first 12 months of employment.

A doctor's certificate or other documentation of illness may be required by a department manager should absence exceed three days or when misuse of sick leave is suspected. This certificate or

documentation will include the nature of the employee's condition and the expected date on which the employee will be able to return to work and perform their normal job duties.

a. Accrual

- 1) VRS Plan 1 and VRS Plan 2 participating employees will accrue sick leave time at a rate of 12 days annually or 3.69 hours per pay period.
- 2) VRS Hybrid Plan participating employees will receive annual sick leave based on the following:

Months of Service	Sick Leave Accruals (hours)
Less than 60	96 (8 hours per month)
60 to 119	104
120 or more	120

b. Annual Carry Over

- 1) VRS Plan 1 and VRS Plan 2 participating employees do not have any limit to the amount of sick time that they may carry over.
- 2) VRS Hybrid Plan participating employees may not carry over sick leave.

c. Taking

The following rules pertain to taking sick leave:

- 1) Sick leave taken shall not exceed the total cumulated sick leave hours earned by the employee.
- 2) Leave without pay may be granted for sickness extending beyond the use of all sick or other leave. *See Item 5 of this Section, "Family and Medical Leave Act (FMLA) Provisions".*
- 3) Employees who have completed six months of service may use annual leave hours when sick leave hours have been exhausted.

d. Debiting

The amount of sick leave debited will be computed on the basis of the days or hours an employee is scheduled to work during the period when the leave is taken. Holidays and other regular days off will not be included when computing debits.

e. Other Rules and Regulations Regarding Sick Leave

- 1) Reporting of sickness

- a) An employee who is absent from duty for reasons which entitle them to sick leave shall notify his/her department manager at least four (4) hours before his/her usual reporting time, or as required by his/her department manager, if physically able. Failure to do so may result in unauthorized *leave*. See *Items 2.b. and 3.a. below*.
- 2) Investigation of sickness
  - a) A department manager may verify the questionable illness of an employee using sick leave by requesting a note from the employee's physician.
  - b) Failure by the employee to cooperate in sick leave investigating or to return from sick leave when expected may result in an unauthorized leave or in disciplinary action.
- 3) False or fraudulent use of sick leave
  - a) Use of sick leave for other than the purposes stated above shall be cause of disciplinary action (including suspension or dismissal) against the offending employee.
- 4) Conversion of sick leave
  - a) the use of sick leave for annual leave purposes shall not be permitted.
- f. Sick Leave Pay Out Upon Separation

Accrued sick leave will not be paid out in the event of a termination or resignation. For sick leave pay out upon retirement, see *Section D.8.b., "Compensation Plan and Administration, Benefits Briefly Explained, Retirement Pay Out"*.

## 5. Family and Medical Leave Act (FMLA) Provisions

Notwithstanding any other provision of this Manual, eligible employees may take up to 12 workweeks of paid or unpaid leave under the provisions of the Family and Medical Leave Act, subject to the following rules and regulations. The twelve (12) month period during which an employee may take up to twelve (12) workweeks of leave under the Family and Medical Leave Act will begin on the first day that leave is taken. *In this Section, see: Item 3, "Annual Leave"; Item 4, "Sick Leave"; and, if eligible, Item 6, "Sick Leave Bank"*.

### a. General Description

An eligible employee may take family/medical leave, continue any paid medical/dental insurance during such leave and be restored to the same position upon their return (or a position equivalent in pay, benefits and terms of employment) in any of the cases of:

- 1) Birth, adoption or foster placement of a child;
- 2) Care of a spouse, child or parent with a serious medical condition;
- 3) Serious health condition of the employee rendering the employee unable to perform an essential function of his/her position;



- 4) Covered military active duty; and
- 5) Care of a covered service member with a serious injury or illness when the employee is the spouse, child, parent or next of kin of the service member, as defined by the Family and Medical Leave Act. This type of leave may be for up to 26 workweeks.

b. Definitions

Child: Includes son or daughter under the age of 18 or son or daughter over 18 who is disabled and cannot care for themselves, legal wards, stepchildren and others for whom the employee stands in the place of parent.

Eligible employee: An employee who has been employed at least one year and has worked at least 1,250 hours during the 12 months immediately preceding the proposed leave.

Health Care Provider: A licensed medical doctor or any other person determined by the U.S. Secretary of Labor to be capable of providing health care service.

Parent: Biological parents as well as any others who have acted in the place of a parent to the employee. This does not include parents-in-law.

Serious Medical Condition: A physical or mental illness or an injury requiring inpatient care at a hospital, hospice, or residential medical care facility; or continued treatment by a health-care provider.

Leave due to the birth or adoption must be completed within the 12-month period beginning on the date of birth or adoption. In addition, in cases where the married couple are both employed by the Authority, the two together may be limited to a combined total of twelve (12) workweeks of leave during any 12-month period for the birth or adoption of a child, or for the care of the same son, daughter, or parent.

c. Notice of Leave

If the need for family/medical leave is foreseeable, the employee must give his/her immediate department manager written notice at least 30 days prior to leave, except in extraordinary circumstances. Additionally, if medical treatment is planned the employee must first consult with his/her immediate department manager regarding the dates of such treatment. If this is not possible, the employee must at least give notice as soon as practicable (within one or two business days of learning of the need for leave). Failure to provide such notice may be grounds for delay of leave. As in all cases of leave, a leave request form must be submitted to the immediate department manager. Family/medical leave forms are available from department managers or the Human Resources Manager. These forms must be used when specifically requesting family/medical leave. In cases where family/medical leave has not been specifically requested, but has been determined as FMLA-qualifying leave, a family/medical leave form will be provided and must be completed as soon as possible so that FMLA leave may be approved.

d. Medical Certification

If leave is requested due to the employee's or a covered relation's serious health condition, the employee and relevant health care provider must supply appropriate medical certification. Medical Certification forms are available from the Human Resources Manager. When leave is requested, the Authority will notify employees of the requirement for medical certification and when it is due. Failure to provide requested medical certification in a timely manner may result in delay of leave until such time as it is received. The Authority, at its expense, may require an examination by a second health care provider designated by the Authority, if initial medical certification is deemed incomplete or unsatisfactory. If the second health care provider's opinion conflicts with the original medical certification, the Authority, at its expense, may require a third, mutually agreeable, health care provider to conduct an examination and provide a final binding opinion. The Authority may require subsequent medical recertification.

e. Reporting While on Leave

In cases of leave for the employee's own serious health condition, or to care for a covered relation, the employee and the Human Resources Manager will determine how often the employee should contact their department manager regarding the status of their condition and their intention to return to work. In addition, notice must be given as soon as is practicable (within two business days if feasible) if the dates of leave change or are extended, or initially unknown.

f. Pay During FMLA Leave

Family/medical leave is legally unpaid leave (with the exception of worker's compensation benefits). The Authority requires an employee taking a leave covered by the FMLA to use first, their sick leave hours, and then their annual leave hours during their FMLA leave. Family/medical leave runs concurrently with other type of leave, including leave for work-related injury or illness.

g. Medical and Other Benefits

During an approved family/medical leave, the Authority will maintain health benefits for the employee, as in cases of active employment. The Authority will continue to deduct the health and dental insurance premiums from the employees pay. If the employee does not have leave time to use during their family/medical leave and the family/medical leave is unpaid, the employee is responsible to pay by the 25th of each month, the monthly employee portion of the premium. Employees will be notified if payments are more than 15 days late. If payments are not received within 15 days from the date of the late notice, coverage will cease, effective on the last day for which premiums have been paid.

Membership with the Virginia Retirement System will not be affected by family/medical leave; however, no wages will be reported during periods of unpaid leave. In addition, life insurance premiums will not be paid by the Authority during periods of unpaid leave and must be paid by the employee, as well as applicable premiums for optional life insurance, as set forth above. Upon return to work, the employee may be eligible to purchase the

lost service with VRS, if the leave is necessitated by birth or adoption, as defined by VRS policies. The Authority will resume its contribution to life insurance and wage reporting to VRS, with no lapse in credited service.

h. Exemption for Highly Compensated/Key Employees

Highly compensated or key employees (the highest paid 10 percent of employees) may not be returned to their former or equivalent position following a leave if the employee's restoration to their position will cause substantial and grievous economic injury to the Authority. This determination is not based on whether the absence of the employee will cause such substantial and grievous injury to the Authority. The Authority will make this fact-specific determination on a case-by-case basis. The Authority will notify the employee at the time of a leave request if he/she qualifies as a "highly compensated" employee, if the Authority believes that the restoration of the employee to their position may be denied, and of the employee's rights in such instances.

i. Intermittent and Reduced-Schedule Leave

Leave due to a serious health condition, or to care for a covered relation with a serious health condition, can be taken intermittently (in separate blocks of time, due to a single health condition) or on a reduced-leave schedule (reducing the usual number of hours worked per workday or workweek), if medically necessary. Requests for intermittent or reduced leave schedule for birth or adoption of a child must be approved in advance and will be approved on a case-by-case basis. If leave is unpaid, the Authority will reduce the employee's salary based on the amount of time actually worked. In addition, while on intermittent or reduced-schedule leave, the Authority may temporarily transfer the employee to an available alternative position that better accommodates the recurring leave, and which has equivalent pay and benefits.

j. Record Keeping and Anti-Retaliation

The Human Resources Manager shall maintain records necessary to demonstrate compliance with FMLA. A doctor's note is not required for each absence under a FMLA leave. FMLA requires that no employee be subject to any penalty for seeking rights under FMLA or for testifying for or otherwise helping other employees seek rights under FMLA.

## 6. Sick Leave Bank

Each Authority will maintain a sick leave bank to be used when a member of the bank becomes incapacitated by long-term and/or chronic illness or injury as long as one-third of the eligible employees agree to participate in accordance with the terms contained herein. The sick leave bank is not for use for any other type of illness or injury leave, such as that of a family member.

Membership in the sick leave bank shall be voluntary and open to all eligible personnel who accrue sick leave. Each employee of the Authority who accumulates sick leave is eligible for membership and agrees to donate eight (8) hours of their sick leave to join the bank.

The Human Resources Manager is designated as the administrator of the sick leave bank.

a. Enrollment Procedures

- 1) An eligible employee may enroll within the first thirty days of employment by completing a Sick Bank Donation Form.
- 2) An employee who does not enroll when first eligible may do so between any subsequent January 1 to January 31 period by completing a Sick Bank Donation Form and providing satisfactory evidence of good health from a doctor to the Human Resources Manager.
- 3) An employee gains membership into the sick leave bank by contributing eight (8) hours of their sick leave time to the bank and eight (8) hours thereafter whenever an assessment is required. The donated leave will be deducted from the employee's accumulated days of sick leave. Employees will be notified of an assessment two (2) weeks prior to any deduction to their sick leave hours.

b. Rules of Use

- 1) The first twenty (20) working days of illness or disability will not be covered by the bank and must be covered by the member's own accumulated leave or leave without pay.
- 2) Requests for use of the sick leave bank must be made in writing by the employee (or representative if the employee is unable to submit the request) prior to the absence for which the leave days are to be used. In extenuating circumstances, retroactive request may be considered. Requests must be supported by a medical doctor's certification.
- 3) A maximum of 180 hours each rolling 12-month period can be used by any one member.
- 4) Hours drawn from the sick leave bank for any one period of eligibility do not need to be used consecutively but must be for the same illness.
- 5) A member of the bank will not be able to use the sick leave bank benefit until all of the employee's leave balances decline to zero.
- 6) Members of the bank will be assessed an additional eight (8) hours of sick leave when the bank is depleted to 40 hours, unless they choose not to participate further in the bank. Members who have no sick leave to contribute at the time of assessment will be assessed eight (8) hours and allowed to temporarily maintain a negative balance. Should an employee drop membership at the time of an assessment, the member will not be eligible to rejoin the bank until open enrollment in January of each year and only after providing satisfactory evidence of good health.
- 7) Members utilizing sick leave from the bank will not have to replace hours used except as a regular contributing member of the bank.

c. Termination

Upon termination of employment or membership in the sick leave bank, a participating employee may not withdraw the hours he/she has contributed to the bank.

## 7. Military Leave

This policy provides employees with the time required to perform any form of military service for the Armed Forces of the United States, National Guard or Naval Militia whether voluntary or involuntary, called or activated, such as being placed on active duty and for training.

Any full-time employee who is also a member of the organized reserve forces of any of the armed services of the United States, National Guard, or Naval Militia, is entitled to a leave of absence from their duties without loss of accumulated leave or regular salary on all days when in training or when called to duty by the Governor of Virginia, in accordance with the Code of Virginia, Article 10, Section 44-93 and Title 38 of the United States Code, Chapter 43, Section 2024 (d). Up to fifteen (15) days, or time as required by federal law, of Military Leave per calendar year is available to those employees who are called for training with their military units. Employees are required to submit a copy of their orders, prior to the effective date of the leave, to the Executive Director for approval. The Authority will pay to the employee the difference between the employee's military pay and their regular Authority base pay for the period of time that the employee is on Military Leave. It is not intended that the employee receive an amount of compensation greater than he would normally have received from their regular employment for the period of the Military Leave.

The Authority will make all efforts to accommodate National Guard weekend drills.

## 8. Court Leave

A regular employee shall be granted court leave when summoned to jury duty. Employees serving jury duty will receive full salary and may retain compensation received from the court. Employees are expected to give their department manager notice of jury duty and submit a copy of the official summons for jury duty. If the employee's presence is required for less than a full work day, the employee is required to contact the department manager concerning return to work.

Employees who are subpoenaed to appear as witnesses in legal proceedings in their capacity as an Authority employee will be entitled to treat time spent in such proceedings as compensable working time. However, employees who initiate or are otherwise involved in private legal actions of any kind (excluding employee grievance proceedings) will not be permitted to treat time spent during working hours in connection with such actions as compensable working time. Employees will be required to use accrued annual or compensatory time for all hours spent in connection with such action that occur during working hours.

## 9. Unauthorized Absence/Leave

Unauthorized absence includes:

- a. Failure to report for a scheduled shift without notifying your department manager.
- b. Failure to report to work at the end of an authorized leave.
- c. Absence without leave time available.

An employee shall receive no pay for the duration of any unauthorized leave and may be subject to disciplinary action, using the following procedure as a guide:

- a. The first occurrence of absence without approved leave shall result in a written reprimand.

- b. The second occurrence of absence without approved leave shall result in a suspension without pay.
- c. The third occurrence of absence without approved leave shall result in immediate dismissal.
- d. Failure to report for three consecutive scheduled shifts without department manager notification shall be considered a voluntary resignation.

## 10. Workers' Compensation Leave

All Authority employees receive benefits provided by the Virginia Workers' Compensation Act (referred to in this policy as "WCA") if they suffer a work-related injury or disease, and covered employees who are entitled to benefits under the WCA also are eligible for supplemental benefits provided by the Authority.

If an employee suffers a workplace injury that causes them to miss time from work, they will be placed on sick leave. If the disability continues past seven working days, workers' compensation insurance will provide compensation from that point forward. An employee may not receive payment from worker's compensation and sick leave at the same time. If an employee does not have enough sick and/or annual leave hours to cover the first seven days of absence, the employee will be placed on leave without pay.

Temporary modified duty or a reasonable accommodation (a modification or adjustment to the work environment, or to the manner or circumstances under which the position held is customarily performed, that enable a qualified individual with a disability to perform the essential functions of that position) may be offered to an injured employee, once the treating physician states that it is safe for the employee to return to work and once the physician provides information in regard to the employee's capabilities. When an employee is released to modified duty the Authority:

- a. May assign a temporary modified/light duty work assignment for the employee.
- b. May offer temporary modified duty at a reduced wage.
- c. May offer temporary modified duty in a different department than the employee's pre-injury job.
- d. May offer temporary modified duty at a reduced number of hours.
- e. May modify an employee's pre-injury job to accommodate the employee's restrictions.

The Authority will make every effort to place the employee in an available position for which he/she is qualified for. In all cases, the Authority will comply with the American's With Disabilities Act and will make reasonable accommodations to maintain the individual as an employee.

## 11. Procedures for Requesting Leave

For all leave except holiday and unplanned sick leave, a request indicating the type of leave, and duration of leave to include start date and time and end date and time must be approved in advance by the appropriate department manager. The request should be made at least one business day prior to the planned leave time that is being requested. This time is to allow the

department manager to make any schedule or workload adjustments necessary to accommodate the request. Unless an absence for voluntary leave is approved by the appropriate department manager, the absence will be regarded as unauthorized leave.

## **12. Maintenance of Leave Records**

The Human Resources Manager is responsible for maintaining accurate leave records in a form acceptable to the Executive Director. Questions regarding leave should be addressed to the Human Resources Manager or the appropriate department manager.

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## G. Disciplinary Policy

### 1. Policy

This policy provides a guideline to effectively correct an employee's unsatisfactory work performance or misconduct in an effort to promote maximum employee potential. All employees will be covered under this policy. Any disciplinary matters involving drugs or alcohol are covered in *Section L, "Substance Abuse Policy"*.

### 2. Unsatisfactory Work Performance or Misconduct

Each need for discipline has varying circumstances and requires the exercise of discretion on the part of the employee's department manager. Disciplinary action may be taken for any of the following examples of unsatisfactory work performance and misconduct. These examples are not in any way to be construed as a comprehensive listing of possible violations nor are they to be considered as rigid guidelines.

- a. Recurring tardiness
- b. Absence without leave
- c. Violation of the Substance Abuse Policy
- d. Sleeping on the job
- e. Serious neglect of work
- f. Serious neglect of duty
- g. Insubordination, defined as refusal to comply with a direct order from a department manager
- h. Deliberate or careless conduct endangering the safety of oneself or other employees
- i. Pattern(s) of safety violations, severity of risk to be determined
- j. Negligence in the care and handling of Authority or customer property
- k. Theft or unauthorized use of Authority property or of another employee's property
- l. Incompetence or inefficiency in the performance of required job duties
- m. Use of offensive, abusive, threatening, coercive, indecent or discourteous language toward department managers, divisional directors, other employees, or members of the public
- n. Intentional falsification of personnel records, time records, or any other Authority records or reports
- o. Provoking, instigating or participating in a fight while on duty or on Authority property or in an Authority vehicle
- p. Harassing other employees
- q. Carrying of a firearm during work hours or on Authority property or in Authority vehicles
- r. Violation of *Section I.1., "Administrative Policies, Conflict of Interest/Accepting Gifts"*.



s. Violation of Authority Policies

**3. Progressive Discipline Policy**

The Authority will support the practice whereby all employees will be disciplined by the same process. The discipline of an employee will be a progressive process in most cases, where disciplinary actions of lesser severity than dismissal/involuntary separation can be taken in an attempt to correct an employee's unsatisfactory work performance or misconduct before a dismissal/involuntary separation is initiated. However, the Authority reserves the right to bypass the progressive discipline policy to address breaches of law, Authority policy and actions by employees which hinder the goals and or public perception of the Authority. Disciplinary actions may take any of the following forms and are not necessarily restricted to the order set forth below:

- a. Verbal reprimand
- b. Written reprimand
- c. Suspension
- d. Executive Director Inquiry
- e. Administrative decrease
- f. Demotion
- g. Dismissal/Involuntary Separation

All formal disciplinary actions, as listed above, should be documented. In the case of all of the above, except for a verbal reprimand, the employee should receive a copy of the written notice that will be placed in their personnel file. Any written notice should contain a statement of reasons for the disciplinary action, a warning of what further disciplinary action could result if the situation is not corrected and a statement of the employee's right to appeal in accordance with the Authority's Grievance Procedure, *See Section H., "Grievance Procedure"*.

- a. Verbal Reprimand: A verbal reprimand is a discussion between the department manager and the employee during which the employee is advised and cautioned in reference to unsatisfactory work performance or misconduct. Department managers are required to document the date, subject and details of the conversation for future reference if needed.
- b. Written Reprimand: A written reprimand is a written documentation to the employee from the department manager during which the employee is advised and cautioned with reference to unsatisfactory work performance or misconduct. A copy of the written reprimand should be signed by the employee and retained in their personnel file.
- c. Suspension: A suspension is the temporary prohibiting of an employee to perform his/her duties. The suspension period shall be without pay for just cause or with pay for investigative purposes. All suspensions must be approved by the Executive Director. A copy of the suspension letter should be signed by the employee and retained in their personnel file.

- d. **Executive Director Inquiry:** Prior to any demotion or dismissal recommendation from the department manager or divisional director, the Human Resources Manager/Director of Finance & Administration and the Executive Director will conduct a formal interview with the employee and applicable management staff regarding the merits of the recommendation regarding the employee's unsatisfactory work performance or misconduct. Any disciplinary action that takes place will be approved by the Executive Director and documented in the employees personnel file.
- e. **Administrative Decrease:** An administrative decrease is a reduction in an employee's pay. All administrative decreases must be approved by the divisional director and the Executive Director. The letter of notification of an administrative decrease stating the specific reason for the decrease and signed by the employee should be retained in the employee's personnel file.
- f. **Demotion:** A demotion is a reduction in the pay range of an employee in conjunction with a change in job duties and responsibilities. All demotions must be approved by the divisional director and the Executive Director. The letter of notification of a demotion stating the specific reason for the demotion and signed by the employee should be retained in the employee's personnel file.
- g. **Dismissal/Involuntary Separation:** A dismissal is an involuntary termination from employment initiated by the Authority as a result of the employee's unsatisfactory work performance or misconduct. All dismissals/involuntary separations must be approved by the divisional director and the Executive Director and are subject to appeal or Loudermill hearing/grievance.

All formal disciplinary actions, as listed above, should be documented. In cases above, except for a verbal reprimand, the employee should receive a copy of the written notice that will be placed in their personnel file. Any written notice should contain a statement of reasons for the disciplinary action, a warning of what further disciplinary action could result if the situation is not corrected and a statement of the employee's right to appeal in accordance with the Authority's Grievance Policy. See Section H., "Grievance Procedure".

## H. Grievance Procedure

### 1. Policy

The Authority Grievance Procedure affords an immediate and impartial method for the resolution of disputes that may arise between the Authority and employees in the Authority service.

### 2. Coverage of Grievance Procedure

This procedure applies to all non-probationary employees in permanent full-time and permanent part-time positions in the Authority.

This procedure shall not apply to the following employees:

- a. Appointees of the Board of Directors;
- b. Employees in temporary or seasonal positions;
- c. Student interns, volunteers, or persons appointed to serve without pay;
- d. Probationary employees; and
- e. The Executive Director

### 3. Definitions

Executive Director: shall mean either the Executive Director or his/her designee.

Grievance: shall mean a complaint or dispute by an employee eligible to use this procedure relating to his or her employment, including but not limited to:

- a. disciplinary actions, including dismissals, demotions and suspensions, provided that dismissals shall be grievable only when resulting from formal discipline or unsatisfactory job performance;
- b. the application of personnel policies, procedures, rules and regulations;
  - 1) acts of retaliation as the result of using the grievance procedure or of participation in the grievance of another Authority employee;
- c. acts of retaliation because the employee has complied with any law of the United States or of the Commonwealth of Virginia, has reported any violation of such law to a governmental authority, or has reported an incidence of fraud, abuse, or gross mismanagement; and
- d. complaints of discrimination on the basis of race, color, creed, political affiliation, age, disability, national origin or sex.
- e. Grievant: shall mean an eligible employee who has filed a complaint under this procedure.

Human Resources Manager: shall mean either the Human Resources Manager or his/her designee.

Management: shall mean the Board of Directors and its designees who establish policy for the Authority.

#### **4. Management Responsibilities**

Management retains the exclusive right to manage the affairs and operations of the Authority. Accordingly, the following complaints are non-grievable:

- a. establishment and revision of wages or salaries, position classification or general benefits;
- b. work activity accepted by the employee as a condition of employment or work activity which may reasonably be expected to be a part of the job content;
- c. the contents of established personnel policies, procedures, rules and regulations;
- d. failure to promote except where the employee can show that established promotional policies or procedures were not followed or applied fairly;
- e. the methods, means and personnel by which or by whom work activities are to be carried out;
- f. termination, layoff, demotion or suspension from duties because of lack of work, reduction in work force, or job elimination, except where such action affects an employee who has been reinstated within the previous six months as the result of the final determination of a grievance;
- g. the hiring, promotion, transfer, assignment and retention of employees within the Authority; and
- h. the relief of employees from duties of the Authority in emergencies.

In any grievance brought under the exception to Section 4.f above, the Authority's action shall be upheld upon a showing by the Authority that:

- a. there was a valid business reason for the action, and
- b. the employee was notified of the reason in writing prior to the effective date of the action.

#### **5. Human Resources Department Responsibilities**

The Authority Human Resources Department shall serve as an impartial administrator of this process. Upon the filing of a grievance, the Human Resources Department shall do the following:

- a. establish and maintain a file;
- b. ensure that all parties are aware of the process;
- c. monitor procedures and time frames;
- d. notify either party of noncompliance;
- e. be informed of the status of the grievance by both parties at each step;
- f. maintain appropriate documentation; and
- g. perform all other responsibilities as specified in this Procedure.

## 6. Grievance Procedure Generally

For purposes of this procedure, “days” shall be defined as calendar days and time periods shall begin to run on the day following that on which any action is taken, or report rendered, without regard to weekends or Authority-observed holidays. If a time period specified in this procedure ends on a weekend or holiday, the last day of the time period shall be the next full business day following the weekend or holiday.

For example, a written grievance under Step 1 must be presented to the grievant’s immediate department manager within five (5) days of the department manager’s verbal reply to the informal grievance. The five (5) days shall begin to run on the day after receipt of the department manager’s verbal reply and shall terminate on the fifth day following. If the fifth day is a weekend or holiday, the time period shall terminate at the end of the next full business day.

Time limits established under this procedure are intended to be strictly construed and enforced. However, in the interests of fairness, such time limits may be extended if both parties agree to such extensions in writing.

All stages of this procedure beyond Step 1 shall be reduced to writing on forms supplied by the Human Resources Department. With the exception of the final management step, the only persons who may normally be present in the management step meetings are the grievant, the appropriate Authority official and appropriate witnesses for each side. Witnesses shall be present only while actually providing testimony. At Step 4 and above, the grievant may, at his option, choose to have a representative of his choice, including legal counsel. If the grievant is represented by legal counsel or other person(s), the Authority likewise has the option of being represented by legal counsel, provided that a person may not serve as both a witness and a representative at any Step under this procedure.

The grievant shall bear any and all costs involved in employing representation and preparing his case at all steps of this procedure, including but not limited to attorneys’ fees and expenses and any costs of judicial filings or appeals.

After the initial filing of a written grievance, failure of either party to comply with all substantial procedural requirements of this procedure, without just cause, shall result in a decision in favor of the other party on any grievable issue, provided that the noncomplying party fails to correct the noncompliance within five (5) days of receipt of written notification by the other party of the compliance violation.

However, the right of the grievant to correct compliance violations shall not apply to any determinations under Steps 1 through 3, or to grievability determinations, provided that the grievant has previously received written notice of the applicable deadlines for appealing such determinations at the time the determination was rendered but has failed to respond in a timely fashion.

The Executive Director may require a clear written explanation of the basis for any requests for just cause extensions or exceptions and shall determine all compliance issues. Such determinations by the Executive Director are subject to appeal by the grievant by filing a petition with the Circuit

Court of Albemarle County within thirty (30) days of the compliance determination. The grievant shall be solely responsible for filing such petition.

## **7. Grievability**

Decisions regarding grievability, including the question of access to this procedure, shall be made by the Executive Director. Grievability decisions shall be made at the request of the grievant or his divisional director or immediate department manager within ten (10) days of such request. A copy of the Executive Director's decision concerning grievability shall be sent to the grievant, to the divisional director and/or immediate department manager and to the Human Resources Manager.

Decisions by the Executive Director that an issue or complaint is not grievable may be appealed by the grievant to the Circuit Court of Albemarle County for a hearing de novo on the issue of grievability as provided in Virginia Code § 15.2-1507(A)(9).

Proceedings for the review of the Executive Director's decision regarding grievability shall be instituted by filing a notice of appeal with the Executive Director within ten (10) days from the date of receipt of the decision and giving a copy thereof to all other parties. Within ten (10) days thereafter, the Executive Director shall transmit to the Clerk of the Circuit Court of Albemarle County a copy of his decision, a copy of the notice of appeal, and any exhibits that may have been provided in connection with the resolution of the issue of grievability. A list of the evidence furnished to the court shall also be furnished to the grievant.

The failure of the Executive Director to transmit the record shall not prejudice the rights of the grievant. If the Executive Director fails to transmit the record within the time required, the Circuit Court, on motion of the grievant, may issue a writ of certiorari requiring the Executive Director to transmit the record on or before a certain date.

The Circuit Court, sitting without a jury, shall hear the appeal on the record transmitted by the Executive Director and such additional evidence as may be necessary to resolve any controversy as to the correctness of the record. The Court, in its discretion, may receive such other evidence as the ends of justice require. The Court may affirm, reverse or modify the decision of the Executive Director. The decision of the Court is final and is not appealable.

The issue of grievability may be raised at any step of the Grievance Procedure prior to the panel hearing provided in Section 13 of this procedure, or it shall be deemed waived by all parties. Once raised, the issue shall be resolved before further processing of the complaint. A request that grievability be determined shall toll the time limits under this procedure. Time limits shall begin to run again the day after the decision on grievability is made by the Executive Director or the Circuit Court.

The classification of a complaint as nongrievable by either the Executive Director or the Circuit Court of Albemarle County shall not be construed to restrict any employee's right to seek, or management's right to provide, customary administrative review of complaints outside the scope of the Grievance Procedure.

## 8. Consolidation of Grievances

If more than one grievance is filed arising from the same factual circumstances, the Executive Director may, at any time prior to a panel hearing, consolidate those grievances for joint processing, including grievability determinations. If consolidation occurs, all time limits set forth in this procedure shall thereafter be calculated from the date of the last filed grievance. Once consolidated, the grievances shall all be processed as a single matter pursuant to this procedure.

## 9. Step 1 Procedure - Immediate Department Manager

No later than fifteen (15) days after the occurrence or condition giving rise to the grievance, the employee affected shall identify the grievance verbally to his immediate department manager. Within ten (10) days of such identification, the immediate department manager shall give his response to the employee with respect to the particular grievance. The failure of an employee to identify the grievance within the time specified above shall constitute forfeiture and a waiver of any rights to proceed further and shall terminate the grievance.

If a satisfactory resolution is not reached by this informal process, the employee shall notify the Human Resources Department of the intent to file a grievance and shall obtain a copy of Grievance Form, see *Section M., "Forms and Attachments"*. The employee shall reduce the grievance to writing on the Grievance Form, Part A, identifying specifically and in detail the nature of the grievance and the requested remedy. Should he prevail in the grievance, an employee is entitled only to the relief specifically requested. Such written grievance shall be presented to the immediate department manager within five (5) days of the department manager's verbal reply to the oral grievance. The department manager shall then reply in writing to this written grievance within five (5) days of receiving it.

If the employee's immediate department manager is also his department manager, he shall pass by Step 2 of this procedure and proceed immediately to Step 3. If the employee's immediate department manager is the divisional director, he shall pass by Steps 2 and 3 and proceed to Step 4. If the employee's immediate department manager is the Executive Director, he shall pass by Steps 2, 3 and 4 and proceed to Step 5.

## 10. Step 2 Procedure - Department Manager

If a satisfactory resolution is not reached at the conclusion of Step 1 as outlined above, the grievant shall have the right to appeal as follows. Within five (5) days following receipt of the Step 1 (written reply), the grievant shall notify his department manager and the Human Resources Department in writing on the Grievance Form, Part A that resolution has not occurred and shall supply the reasons why the grievant believes that resolution has not occurred. The department manager shall schedule and hold a meeting with the grievant to review the grievance within five (5) days of receipt of such submission, or on such other date as the parties may mutually agree.

The only persons who may be present at this meeting are the grievant and the department manager. The Human Resources Manager may be present if requested by either party. The meeting may be adjourned to another time or place by agreement of the parties. A written reply to the grievance shall be provided to the employee and the Human Resources Department within five (5) days after the meeting.

**11. Step 3 Procedure - Divisional Director**

If a satisfactory resolution is not reached at the conclusion of Step 2 as outlined above, the grievant shall have the right to appeal as follows. Within five (5) days following receipt of the Step 2 written reply, the grievant shall notify the divisional director and the Human Resources Department in writing on the Grievance Form, Part A that resolution has not occurred and shall supply the reasons why the grievant believes that resolution has not occurred. The divisional director shall schedule and hold a meeting with the grievant to review the grievance within five (5) days of receipt of such submission, or on such other date as the parties may mutually agree.

The only persons who may be present at this meeting are the grievant and the divisional director. The Human Resources Manager may be present if requested by either party. The meeting may be adjourned to another time or place by agreement of the parties.

A written reply to the grievance shall be provided to the employee and the Human Resources Department within five (5) days after the meeting.

**12. Step 4 Procedure - Executive Director Level (Final Management Step)**

If a satisfactory resolution is not reached at the termination of Step 3 as outlined above in Section 11, the grievant shall notify the Human Resources Department, indicate on the Grievance Form, Part A that resolution has not occurred and submit the grievance to the Executive Director within five (5) days following receipt of the Step 3 reply. The Executive Director or his designee shall schedule and hold a meeting with the grievant to review the grievance within ten (10) days of receipt of such submission, or on such other date as the parties may mutually agree.

The grievant may have legal representation or another representative present at the Step 4 meeting. If the grievant is represented by legal counsel or another representative, the Executive Director may also have legal counsel or another representative present. The grievant shall inform the Authority in writing of the name of his legal counsel or other representative at least five (5) days prior to the Step 4 meeting and failure to do so shall result in a waiver by the employee of his right to representation. The Executive Director or designee shall, in his sole discretion, determine whether the testimony of a witness is relevant or, if witnesses have testified, whether additional testimony by other witnesses is necessary.

A written reply to the grievance shall be provided to the grievant and the Human Resources Department within ten (10) days after the Step 4 meeting, or on such other date as the parties may mutually agree.

**13. Step 5 Procedure - Grievance Panel**

If a satisfactory resolution is not reached at the termination of Step 4 as outlined above in Section 12, the grievant shall notify the Human Resources Department, indicate on the Grievance Form, Part A that resolution has not occurred and request a hearing before a Grievance Panel ("Panel"). The request shall be submitted to the Human Resources Manager within five (5) days following receipt of the Step 4 reply.

An impartial Grievance Panel shall be constituted and selected for each grievance hearing. The Human Resources Manager shall arrange for the Panel selection. If the Human Resources Manager



is a party to the grievance, the request form shall be submitted to the Director of Administration, who shall make the necessary arrangements.

#### **14. Composition of the Grievance Panel**

The Panel shall be composed of three (3) members who shall be chosen in the following manner: one member shall be appointed by the grievant, one member shall be appointed by the Executive Director and a third member shall be selected by the first two Panel members. To ensure an objective, impartial Panel, no persons having direct involvement with the grievance being heard by the Panel, or with the complaint or dispute giving rise to the grievance, shall serve on the Panel. Managers who are in a direct line of supervision of a grievant, persons residing in the same household as the grievant and the following relatives of a participant in the grievance process or a participant's spouse are prohibited from serving as panel members: spouse, parent, child, descendants of a child, sibling, niece, nephew and first cousin.

Both the grievant and the Executive Director shall make their appointments to the Panel within ten (10) days after the request for a panel hearing is filed. The Human Resources Manager shall be notified of the appointments on the Grievance Form Part B. The two panel members chosen by the grievant and Executive Director shall select the third panel member within ten (10) days after the request for a panel hearing is filed and shall notify the Human Resources Manager of their selection. Unless it is necessary to involve the Circuit Court in the selection of the third member, a complete panel shall be selected within ten (10) days after the request for a panel hearing is filed.

In all cases where the first two members cannot reach an agreement as to the third member within ten (10) days, the Human Resources Manager, after confirming such fact, shall immediately notify the Director of Administration who shall request the Chief Judge of the Circuit Court of Albemarle County to appoint the third member pursuant to the selection procedures outlined in paragraph one of this section. The Authority and grievant shall share equally in the costs and expenses, if any, of the third panel member.

The Authority, at its sole option, may use an administrative hearing officer in employee termination or retaliation cases. When the Authority elects to use an administrative hearing officer as the third panel member in an employee termination or retaliation case, the administrative hearing officer shall be appointed by the Executive Secretary of the Supreme Court. The appointment shall be made from the list of administrative hearing officers maintained by the Executive Secretary pursuant to Va. Code § 9-6.14:14.1. If the Authority elects to use an administrative hearing officer, it shall bear the expense of such officer's services.

In all cases, the third member shall serve as chairperson of the panel. The chairperson shall set the time for the hearing and notify the Human Resources Manager, who shall in turn notify the grievant and Executive Director. The grievant and the Executive Director shall each be responsible for arranging the presence of their respective witnesses. The hearing shall be held as soon as possible after the date of the original request for a hearing, allowing sufficient time for access to records as specified in paragraph six below. Either party may have an attorney or other representative of his choice present at the Panel hearing.

The Human Resources Manager shall provide the Panel with copies of the grievance record prior to the hearing and provide the grievant with a list of documents furnished to the Panel. At least ten (10) days prior to the hearing, the grievant and his attorney or other representative shall be allowed access to and copies of all relevant documents intended by the Authority to be used in the hearing. At least five (5) days prior to the hearing, the grievant and the Authority shall exchange lists of witnesses and exhibits to be called or introduced at the proceeding.

## 15. Conduct of Grievance Panel Hearing

The Panel is constituted solely for the purpose of determining whether a grievance filed by an employee is substantiated and what remedy, if any, should be provided. The Panel may not formulate or change Authority policy, rules or procedures. The Panel shall determine whether the grievant has demonstrated, by a preponderance of the evidence, that the action complained of was without cause, or done in violation of a law, rule, regulation or other policy. The Panel shall not otherwise substitute its judgment for that of management.

The Panel shall conduct the hearing as follows:

- a. At the request of either party, the hearing shall be private and limited to the grievant, the Panel members, the legal counsel or other representative of the grievant and the Authority, appropriate witnesses as they testify, and any court reporters or other official recorders of the hearing. At the request of either party, witnesses shall be separated from the hearing room and allowed to be present only during the time that they actually testify.
- b. The Panel shall consider the grievance without regard to any proposed disposition (including offers of settlement) by any lower authority, unless the grievant and the Executive Director shall agree in writing that the issue(s) shall be so limited. In all other cases, the Panel shall consider the matter as if presented to it in the first instance.

The Panel may at any time ask the parties or their representatives for statements clarifying the issues involved in the grievance.

Exhibits, when offered by the grievant or the Authority, may be received as evidence by the Panel, and when so received shall be marked and made a part of the record.

Both parties shall have the right to make opening statements, starting with the grievant. After opening statements, the order of the hearing shall be as follows: the grievant shall proceed first and shall bear the ultimate burden of persuasion. At the conclusion of the grievant's evidence, the Authority shall have the opportunity to present its evidence. At the conclusion of the Authority's presentation, the Chairperson shall specifically inquire of all parties whether they have any further evidence to offer or witnesses to be heard. Upon receiving a negative response, the Chairperson shall permit the parties to summarize their cases (beginning with the grievant) and shall then declare the hearing closed.

Both parties have the right to offer evidence, cross-examine witnesses, and shall produce such additional evidence as the Panel deems necessary for understanding and ruling upon the dispute. There shall be no formal rules of evidence at the hearing; however, the Panel shall have the right

to determine the relevancy of any evidence offered. All evidence shall be taken in the presence of the Panel and the parties, except by mutual consent of the parties.

The hearing may be reopened by the Panel on its own motion or upon application of either party for good cause shown at any time before a final decision is made.

Upon the request of the Panel, the Authority or the grievant, the Human Resources Manager shall insure that a verbatim record of the hearing is made and retained in his/her custody for not less than 12 months. The record may be in writing or by a taped recording. The party requesting the record shall bear the costs of preparation and transcription, including any costs associated with attendance of a court reporter. If both the grievant and the Authority request such a record, they shall share equally in all costs incurred.

The Human Resources Manager or his/her designee may be called upon by the Panel or either party as a witness at any time to provide specific policy interpretation or clarification of applicable Authority policy and these procedures.

In any matters not covered by this section, the Panel shall determine the applicable procedures to be followed.

## **16. Decision of Grievance Panel Hearing**

The decision of the Panel shall be filed in writing by the Chairperson with the Executive Director and the grievant no later than thirty (30) days after the completion of the hearing. The decision shall summarize the grievance and the evidence, shall make specific findings of fact, and shall state in full the reasons for the decision, and the remedy (if any) to be granted. Decisions shall be made by majority vote of the entire Panel. The decision of the Panel shall be final and binding and shall be consistent with law and written policy.

The question of whether the relief granted by the Panel is consistent with written policy shall be determined by the Executive Director, or his designee, unless such person has a direct personal involvement with the event or events giving rise to the grievance, in which case the decision shall be made by the Commonwealth's Attorney of Albemarle County. The Executive Director or Commonwealth's Attorney shall request the Panel to reconsider any decision which in his judgment is inconsistent with the laws or written policy applicable to grievance resolution. He shall not disturb any decision consistent with the laws or written policy.

If the Panel determines that the grievant prevails on any grievable complaint or dispute, it may remedy that complaint or dispute by ordering that the grievant be reinstated to a former position; awarding back pay; or ordering expungement of information contained in the grievant's personnel file(s) maintained by the Authority Human Resources Department or individual department; or rendering opinions specifying the application or interpretation of Authority personnel policies and procedures as they may relate to the specific facts of the grievance. The grievant shall not, however, be entitled to any relief that he has not specifically requested in the original written grievance form, unless the parties have mutually agreed otherwise as to alternative relief.

If, in response to a grievable complaint or dispute, the Panel finds that a divisional director or other Authority official failed to follow established procedures governing promotion, demotion, transfer,

hiring or layoff, the Panel shall remand the grievance back to the divisional director or official with instructions that the actions taken be rescinded, and proper procedures be followed for the matter at issue. In connection with such remand, the Panel may make appropriate provisional orders concerning the case.

#### **17. Implementation of Grievance Panel Decision**

The Executive Director shall implement any remedy that may be ordered by the Panel, provided that such remedy is consistent with applicable law and Authority personnel policies. If the Executive Director determines that the Panel decision is not consistent with applicable law or Authority personnel policies, the following steps shall be taken:

- a. The Executive Director shall inform the Panel and the grievant of his determination within ten (10) days of his receipt of the Panel's written decision; and,
- b. The Executive Director shall not implement the decision of the Panel.

Either party may petition the Albemarle County Circuit Court for an order requiring implementation of the Panel decision. The review of the Circuit Court shall be limited to the question of whether the panel's decision is consistent with provisions of law and written policy.

## **I. Administrative Policies**

### **1. Conflict of Interest/Accepting Gifts**

All employees are expected to make business decisions that are in the best interest of the Authority and the customers it serves. Employees are prohibited from engaging in any private business or professional activity, or having a financial interest in such activity, which would be or appear to be in conflict with their public responsibilities. Any employees having official responsibility for procurement transactions will conduct themselves in a manner that avoids the appearance of impropriety or unlawful conflicts of interest.

An employee cannot accept money, loans, trips, gifts, gift cards, reward cards, favor, service, business or professional opportunity of any value that might influence them in the performance of their official duties, or when it is known there is a reasonable likelihood that the item is being offered to influence an Authority employee in the performance of their duties. Employees are responsible for avoiding any impropriety or the appearance of impropriety. If there is a question as to what is permissible, the final decision will be made by the Executive Director.

### **2. Service Awards**

This is a program that recognizes employees' years of work service. Awards are presented for service in five-year increments. All awards are presented annually in a mass setting.

Gift cards or cash are fully taxable under IRS regulations; all appropriate federal, state and other taxes will be withheld from the employee's next payroll.

### **3. De Minimis Fringe Benefits**

De minimis fringe benefits are defined by the Internal Revenue Service as any property or service given to an employee by the employer which, after taking into account the frequency provided, whose value is so small as to make accounting for it unreasonable or administratively impracticable. Any benefit, with the exception of cash or gift cards, with a value of under \$25 will be considered as a de minimis fringe benefit by the Authority and will not be subject to taxation. In accordance with Internal Revenue Service regulations, any cash or gift cards given to employees as awards or benefits will be subject to taxation.

### **4. Termination of Employment**

Any employee who voluntarily terminates their employment with the Authority is expected to give two-weeks' notice to their department manager. All Authority property, to include phones, uniforms and any other equipment supplied to the employee by the Authority, is to be returned prior to any employee's last day of employment. If the employee fails to return any Authority property, they will be expected to reimburse the Authority for the cost of the property through a payroll deduction from their last pay check.

## 5. Voluntary Early Retirement Incentive Program (VERIP)

### a. Eligibility

Participants in the VERIP must be regular full-time employees eligible for benefits and meet the following requirements:

- 1) Be eligible for early or full retirement under the provisions of the Virginia Retirement System (VRS). Part-time employees must meet the same criteria as if covered under VRS.
- 2) Have been employed by the Authority for 10 of the last 13 years prior to retirement and meet the VRS requirements.
- 3) Employees retiring under the disability provisions of VRS and/or Social Security shall not be eligible for the VERIP.

### b. Benefits

VERIP benefits shall be paid monthly for a period of five years after retirement or until age 65, whichever comes first.

Benefits under VERIP will be calculated as follows:

- 1) Compute the annual VRS benefit. This computation shall include any reductions for early VRS retirement if appropriate;
- 2) Recompute the annual VRS benefit with the addition of five more years of service or the number of additional years needed to reach age 65, whichever is the lesser;
- 3) The difference between these two calculations shall be the annual VERIP benefit to be paid on a monthly basis.

The Board will pay the employee the amount of the Board's contribution toward an individual employee's health insurance as long as the employee is covered by VERIP benefits. The benefit will be paid to the retiree on a monthly basis.

If the retiree returns to work in a part-time position with the Authority and chooses to participate in the Authority's health care program while receiving VERIP benefits, there will be no additional Board contribution towards the individual's health insurance.

### c. Application

Applications for VERIP must be made to the Executive Director prior to December 1st of the year preceding the fiscal year the VERIP takes effect. Applications received after December 1 may be approved based on the needs of the Authority.

### d. VERIP Contract

Any employee retiring under the VERIP program must read and sign a VERIP Contract. The contract is administered by the Human Resources Manager and it reviews all of the provisions and rules of the VERIP program, as well as information specific to the employee.

e. Administration

Administration of the VERIP policy is delegated by the Board of Directors to the Executive Director.

f. Duration

Once an employee has been approved for VERIP, the benefits will continue without interruption as outlined in this policy. Subsequent alternations or deletion of this policy shall not affect the benefits of those who have retired under these provisions.

This policy automatically continues unless the Board acts to discontinue the policy for another year.

## 6. Anti-Nepotism Policy

No administrator or any other person in a department manager position shall have under his or her direct supervision any employee whose relationship is that of father, mother, brother, sister, spouse, son, daughter, son in law or daughter in law, aunt, uncle, or same relative of spouse and any other relatives or individuals residing with the employee. In the event of a promotion which brings about the conditions thus described, the employee of lower rank shall be transferred to another position for which he or she is qualified when and if such a vacancy occurs.

## 7. Inclement Weather Policy

The objective of this policy is to establish procedures and guidelines for all Authority employees concerning the potential closings or delays in opening Authority facilities.

a. Roles and Responsibilities

- 1) The Executive Director will be responsible for determining whether a delayed opening or closing of some or all of the Authority facilities is necessary due to inclement weather.
- 2) Essential employees will be expected to report to work regardless of the weather. It is the department manager's responsibility to ensure their employees know whether they are considered essential employees. Essential employees are employees who are designated to work, even when offices are closed, because they work in operations that provide services to the community around the clock.
- 3) Notice of delayed opening or closing may be announced via local radio and local television announcements for the public. The number that non-essential employees should call to ascertain weather-related instructions is (434) 977-2970, ext. 333.

b. Use of Leave during Inclement Weather Incidents

- 1) Employees will not be required to make up time missed due to weather-related delayed openings or early closings that have been authorized by the Executive Director.
- 2) Employees will not be required to make up lost time if offices are authorized to be closed for the entire day by the Executive Director.

- 3) Employees who are delayed due to weather conditions on days when the offices are opened at the regular time or who need to leave early due to weather-related concerns when the facility remains open until its normal closing time will be expected to account for time missed within the same workweek or use annual leave time to account for the time missed.

## **8. Personal Use of Authority Vehicles**

Personal use of Authority vehicles is not permitted. Employees who use vehicles for personal errands or chores not incidental to work assignments are subject to disciplinary action.

## **9. Technology System Acceptable Use Policy**

All employees will have access to the Authority's Technology System, which can include computers, printers, phones, cell phones, networks, software, internet access, email, voicemail, radios, Supervisory Control and Data Acquisition systems for industrial process control and any other technology used by the Authority. The following policies apply to all employees of the Authority:

- a. All employees are expected to follow the Technology System Acceptable Use Policy.
- b. All employees will receive a copy of this policy during their new hire orientation and will sign an acknowledgement of receipt of this policy at that time.
- c. All employees will maintain their secure passwords to the Technology System, and they will keep them confidential.
- d. Use of these systems by any employee implicitly consents to the Authority's right to monitor their activity on the systems.
- e. All employees using these systems to communicate are acting as representatives of the Authority.
- f. All information/communications must be retained as required to comply with the Library of Virginia Records Retention and Disposition Guidelines.
- g. No electronic communication is assured to be confidential. Sensitive and/or confidential information should not be sent electronically unless it is encrypted.

Further details as related to the Technology System Acceptable Use Policy can be found in the policy document (see Section M., "Forms and Attachments"). Any violation of this policy can result in disciplinary action, up to and including termination of employment.

## **10. Effect of Criminal Conviction or Arrest**

It is the policy of the Board not to employ or to continue the employment of personnel who may be deemed unsuited for service by reason of arrest and/or criminal conviction. Individuals applying for employment with the Authority for any position shall be required to disclose prior convictions of law other than minor traffic violations or juvenile offenses. Information provided by applicants may be certified by work history, personal reference or criminal record inquiries to determine the applicant's acceptability for employment. In the case of a prior criminal conviction, the Authority will consider the nature of the offense, the date of the offense, and the relationship between the



offense and the position for which application is sought. If an applicant makes any misrepresentation or willful omissions of fact regarding prior criminal history, such misrepresentation or omission shall be sufficient cause for disqualification of the applicant or termination of employment.

Any employee who is arrested for a criminal violation of any kind, whether misdemeanor or felony, is required to report such arrest promptly to their department manager or divisional director within one (1) business day unless mitigating circumstances exist. This reporting requirement applies regardless of whether such arrest has occurred on-duty or off-duty. Failure to comply with this reporting requirement shall be grounds for disciplinary action, up to and including dismissal. In addition, all employees shall have the continuing duty to notify the Authority of any arrest or criminal conviction that occurs subsequent to being hired by the Authority.

Department managers or divisional directors shall contact the Executive Director or designee upon receiving notification that an employee has been arrested. The Authority reserves the right to determine appropriate disciplinary action in such cases, up to and including dismissal, depending upon the facts and circumstances surrounding the arrest.

## **11. Fitness for Duty**

All job descriptions will clearly state the minimum physical and emotional health requirements of the particular job. Employees are responsible for familiarizing themselves with these requirements.

All new employees are required to have a fit for duty medical examination within two days of signing their job offer and prior to their first day of work. The results must be received by the Human Resources Manager before the employee begins working.

Results of the fitness for duty examination will be shared with the employee. If the fitness for duty examination indicates that the employee requires some treatment prior to resuming their employment responsibilities, the employee is responsible for obtaining treatment sufficient to qualify as again fit for duty before returning to work. The employee may use leave authorized by this policy during the period of absence to the extent leave is available. If the Authority physician or the EAP counselor indicates that the employee is not fit for duty on a permanent basis, the employee may also have benefits such as retirement disability.

If the fitness for duty examination indicates that the employee could perform their responsibilities with some reasonable accommodation to the job, the Executive Director will determine whether or not such modifications to the job can be made.

When employees return to work after hospitalization or prolonged absence for health reasons, a doctor's release to return to duty is required. Should circumstances dictate, the Executive Director may require that the employee be examined by the Authority physician prior to allowing the employee to return to duty.

## **12. ID Badges**

As a vital part of the Authority's security system, an identification badge with the employee's name, photo and department will be issued to employees on their first day of employment. All employees

are required to carry an ID badge during their shift or while conducting any Authority business on or off premises. All employees are required to produce said ID badge when requested.

If an identification badge is lost or stolen, the employee must obtain a replacement. A fee of \$5.00 will be assessed for all replacement badges. Lost or stolen cards should be reported to the department manager as soon as possible. Failure to be able to display or produce your ID badge when requested or excessive loss or damage to cards can lead to disciplinary action.

Upon termination, employees will be required to return ID badges to the Human Resources Department.

### **13. Dress Code/Personal Hygiene**

All employees are expected to dress neat and professionally based on the needs of their position.

- a. Uniforms are provided to certain departments. Employees in those departments are expected to wear their uniforms. Uniforms are to be returned to the Authority upon termination of employment.
- b. Any Personal Protective Equipment required in a certain location or work environment must be worn.

### **14. Safety Shoe Program**

The Authority will provide all employees required to wear steel toed shoes with \$125 per fiscal year (July 1 – June 30) towards the purchase of their shoes. An employee may carry over up to \$250 by not using their annual voucher.

### **15. Prescription Safety Glasses Program**

The Authority will provide all employees required to wear prescription safety glasses a voucher for \$250 for the purchase of those glasses. This program is administered by the Safety Manager.

### **16. Social Media Policy**

The primary online presence for the Authority will be the Authority's website. If it is deemed necessary to establish an additional online presence via social media, the Communications Manager will be responsible for maintaining that presence. This policy will be further amended at that time.

### **17. Smoking/Vaping**

Smoking and vaping are not permitted in any Authority building or vehicle. Additionally, employees are not permitted to smoke or vape at building entrances. Smoking and vaping will be permitted in designated areas and employees are expected to dispose of cigarette butts in the appropriate receptacles.

### **18. Transferring Between Authority**

Employees may apply for open positions in the other Authority. If an employee transfers to the other Authority, they will maintain their years of service with the Authority. At the time of transfer,

all annual and sick leave balances will be transferred to that Authority with no loss of accrued time. The employee will continue to accrue leave time based on their combined years of service.

DRAFT - BOD Review

## J. Employee Training, Development and Educational Assistance Program

### 1. Policy

The Authority promotes professional excellence and encourages employees to achieve their highest potential through education, training, and mentoring. The Authority encourages employees to use developmental opportunities to enhance their career progression, develop fully in their current position, and/or prepare for and become eligible to seek promotional opportunities within the organization. Training and education are separated into three categories: Essential Training, Advanced Development Training and Degree Programs.

### 2. Definitions

Advanced Development Training: Voluntary training and education that will assist the employee in their pursuit towards an advanced skill or licensing level.

Degree Program: Training and education that will result in credit or credit hours towards a college degree.

Essential Training: All training that is determined by the employee's department manager or divisional director to be necessary to perform duties of the employee's current position.

Financial Assistance: Financial assistance offered and paid for by the Authority, available to an employee participating in approved Advanced Development Training and Degree Programs.

Work Schedule: An employee's assigned hours to work as required by their position.

### 3. Employee Eligibility

Employees who have been employed for six months or less, are eligible to apply for Essential Training but are not eligible to participate in Advanced Development Training or Degree Programs. Employees who have been employed for more than six months are eligible to apply for Essential Training, Advanced Development Training and Degree Programs.

### 4. Essential Training

- a. All training and education that is determined by the department manager and/or the divisional director as necessary to perform the duties of the employee's current position to include:
  - 1) Training and education necessary to maintain and/or improve the employee's knowledge, skills and ability to perform the required job tasks;
  - 2) Training and education mandated by law; and
  - 3) Training and education necessary to keep up with technological or process changes.
- b. Types of Essential Training includes:
  - 1) Authority sponsored in-house training;
  - 2) Off-site training;

- 3) Seminars or conferences; and
- 4) Webinars.
- c. Textbooks or study materials purchased for Essential Training may be:
  - 1) Prepaid and purchased by the Authority; or
  - 2) Prepaid and purchased by the employee, who will then be reimbursed by the Authority.
- d. Registration or Enrollment Fees will be:
  - 1) Paid for in advance by the Authority if possible; or
  - 2) Paid for by the employee and be reimbursed.
- e. Expense Reimbursement

Expenses paid by the employee related to the approved Essential Training are reimbursable. Request for reimbursement must be submitted to the Authority within 60 days after the expenses were incurred. Request for reimbursement must be clear, concise, itemized and include original receipts.

## **5. Advanced Development Training**

- a. All training and education that will assist the employee in their pursuit towards an advanced skill or licensing level as well as enhancing the employee's contribution to the Authority.
- b. Types of Advanced Development Training includes but is not limited to:
  - 1) Authority pre-approved training and education programs for operator correspondence courses (Sacramento); and
  - 2) Authority pre-approved mechanic training programs.
- c. Textbooks and/or study materials purchased for Advanced Development Training may be:
  - 1) Prepaid and purchased by the Authority; or
  - 2) Prepaid and purchased by the employee.
- d. Registration or Enrollment Fees will be:
  - 1) Paid for in advance by the Authority if possible; or
  - 2) Paid for by the employee and to reimbursed.
- e. Expense Reimbursement

Expenses paid by the employee related to the approved Advanced Development Training are reimbursable. Request for reimbursement must be submitted to the Authority within 60 days after the expenses were incurred. Request for reimbursement must be clear, concise, itemized and include original receipts.

## 6. Degree Program

- a. All training and education that will result in the earning of credit or credit hours towards a college degree and will enhance the employee's contribution to the Authority.
  - 1) A Degree Program is not required to maintain the employee's current position.
  - 2) A Degree Program must be directly related to the employee's current position.
- b. Registration, enrollment, tuition, textbooks and study materials must be paid for by the employee.
- c. Financial Assistance & Reimbursement Requirements

The Authority offers financial assistance to those employees participating in an approved Degree Program. Through the financial assistance program, employees may request reimbursement for expenses related to an approved Degree Program to include registration/enrollment/tuition fees, textbooks, study materials or other degree related expenses.

- 1) All reimbursements are conditional upon the approval of the Authority's annual budget;
  - 2) The Authority will reimburse up to a maximum of \$5,250 per fiscal year (July 1 through June 30) for eligible educational expenses paid for by the employee.
  - 3) Reimbursements that exceed the maximum of \$5,250 per fiscal year will be held and reimbursed in upcoming fiscal years until all expenses have been reimbursed.
- d. Employee Requirements for Education Reimbursement
    - 1) The employee's Degree Program and request for financial assistance must be pre-approved by the employee's department manager and divisional director;
    - 2) The employee must complete all course requirements within the prescribed timeframe;
    - 3) The employee must receive a passing grade of a C or higher for all undergraduate or business courses;
    - 4) The employee must receive a passing grade of a B or higher for all graduate college courses;
    - 5) The employee must submit an official grade transcript within 30 days of course completion;
    - 6) The employee must remain employed by the Authority; and
    - 7) In the event of voluntarily separation of employment the employee shall be required to repay all received reimbursed expenses from the prior 12-month period.

e. **Tax Liability for Tuition Reimbursements**

In some circumstances, education aid or reimbursement may be considered taxable income under the IRS regulations. Generally, educational assistance for job-related courses is not counted as taxable income. If an employee receives more than the annual IRS maximum allowable amount for educational assistance, the amount exceeding the IRS maximum will be subject to payroll taxes.

**7. Pre-Approval**

All employee requests for training, regardless of type, must be pre-approved by the employee's department manager or divisional director before registration.

**8. Work Schedule Adjustment**

Provided it is in the best interest of both the employee and the Authority, an adjusted work schedule may be approved if the Essential Training or Advanced Development Training is not allowed to be conducted during the normal work schedule hours. All requests will be approved on a case by case basis and must occur before training registration. Adjusted work schedules will not be granted for Degree Programs.

**9. Authority Responsibilities**

- a. Provide for the training and education necessary for employees to obtain or renew required certificates and licenses necessary for the position.
- b. Provide for the training and education necessary to keep up with changing work requirements.
- c. Provide for the training and education which is mandated by law.
- d. Provide timely payment and/or reimbursement upon receipt of all required expense reimbursement requests and transcripts if applicable.
- e. Register employees for training and education provided employee gives ample time to process. See employee's responsibilities below.

**10. Employee Responsibilities**

- a. Must submit a completed training request form to the department manager in enough time to process request.
- b. Complete all registration forms and if necessary, register in person at the training site.
- c. Complete all the required applications related to examinations.
- d. Employees seeking assistance from the Administration Office with registration, fees, travel and/or lodging arrangements must be made 30 days prior to travel and/or registration date.
- e. Must provide proof of successful completion.

- f. Expense Reimbursement Requests for reimbursement must be submitted to the Authority within 60 days after the expenses were incurred. Reimbursement requests must be clear, concise, itemized and include original receipts.

#### **11. Human Resources Responsibilities**

The Human Resources Manager or designee will maintain records of training, education and related requirements.

#### **12. Department Manager Responsibilities**

- a. The department manager will promptly review all employee requests for training and consistently apply the rules relating to this policy.
- b. The department manager will monitor the employee's progress.
- c. The department manager will develop an annual training and education needs assessment and request funds need in the department budget.

#### **13. Divisional Director Responsibilities**

The divisional director will ensure the rules of this policy are consistently applied.



## K. Travel Policy

### 1. Policy

This policy establishes guidelines for the approval and reimbursement of travel related expenses. The Authority will reimburse employees traveling on official Authority business for reasonable and necessary expenses incurred. It is the policy of the Authority to limit travel costs to expenses that are necessary for providing essential services to its customers. The use of Authority funds to accommodate personal comfort and convenience is not permitted. Travelers and travel planners must seek ways to reduce the cost of travel.

### 2. Travel Reimbursement Requirements

#### a. Travel Request

All travel outside of the Authority's service area (Charlottesville or Albemarle County) requiring reimbursable travel expenses must be approved in advance by the employee's department manager or divisional director. The employee traveling must complete a Travel Request Form. (Please note – if travel expenses are related to properly approved training, education or conference attendance, then the appropriate form for that approval will suffice for approval of related travel request. This is for the form approval only and all policies herein apply.) Each Travel Request Form should detail anticipated or estimated expenses for the trip. The USGSA can be used to estimate travel costs.

The Authority has a policy of reimbursement for reasonable costs actually incurred to exempt such payments to employees from federal and state taxation. When an employee is seeking reimbursement of expenses incurred during a trip, they should complete an Expense Reimbursement Form, and have it approved by their department manager. An approved Travel Request Form should be attached to all Expense Reimbursement Forms that include overnight trips.

#### b. Reservations

Whenever possible, travel reservations should be made in advance through the Administration department. This would include airline tickets, hotel reservations, conference fees and any other travel cost that can be paid in advance.

Itemized receipts must be provided for all reimbursed travel. Any travel costs submitted without an itemized receipt will not be reimbursed, to include meals. An Expense Reimbursement Form should be completed with all receipts attached.

#### c. Expense Submittal

- 1) An Expense Reimbursement Form must be submitted to an employee's department manager within 14 days of the completion of the trip. The following expenses are reimbursable for overnight stays:

- a) Mileage
  - b) Transportation (airfare, rail, bus, rental car, taxi)
  - c) Tolls and Parking
  - d) Lodging
  - e) Meals
  - f) Registration Fees (conferences)
- 2) The following expenses are not reimbursable:
- a) Lost or stolen property
  - b) Alcoholic beverages
  - c) Damages to personal items
  - d) Movies charged to hotel bill
  - e) All expenses related to personal negligence such as fines
  - f) Entertainment expenses
  - g) Towing charges
  - h) Expenses for children, spouses or other companions while traveling
  - i) Travel insurance

This list is not all inclusive and traveler should use prudent judgement regarding travel expenses. Department managers have a responsibility to question any costs that seem to be unreasonable and deny any costs that are unreasonable or undocumented.

### **3. Authority Vehicles**

Employees are encouraged to use Authority vehicles for business travel whenever possible. Vehicles can be reserved in advanced and can be used for overnight travel. All Authority vehicles must be signed out by the employee who is driving the vehicle. Authority vehicles must be returned immediately when the employee returns from a trip.

Employees who have take-home Authority vehicles should use those vehicles for all business travel.

Authority vehicles should not be used for any personal travel unless approved by the Executive Director or the Divisional Director.

### **4. Mileage**

When traveling outside the service area, employees are permitted to use their personally owned vehicle when an Authority owned vehicle is not available, or when the use of a personally owned vehicle is cost-beneficial to the Authority. Employees electing to use their personal vehicle as a matter of convenience will not be reimbursed for mileage unless approved by their department manager.

Mileage will be reimbursed (when traveling outside of the service area) at the current same rate as the Federal IRS published rate for business travel deduction.

Round trip mileage for reimbursement purposes will be total miles traveled to and from the destination from the employee's home or Administration Office location, whichever is shorter. (i.e any normal commuting costs are not reimbursable.)

## **5. Transportation**

### **a. Air Travel**

- 1) Any air travel booked should be at economy airfare unless approved by the Executive Director or if the difference between the airfare purchased and economy airfare is paid for by the employee.
- 2) All flight reservations must be made by the Administration department.
- 3) Any baggage fees incurred will be reimbursed for a checked bag. Any baggage fees that are incurred due to a bag being over the air carriers weight limits or multiple bags checked must have a legitimate business reason or they will not be reimbursed.
- 4) Any change fees incurred due to flight changes made by the employee must have a legitimate business reason or they will not be reimbursed.

### **b. Other Transportation**

Other forms of transportation can be used for business travel is permissible if the reduction in cost is beneficial to the Authority.

### **c. Rental Cars**

- 1) Employees traveling to attend conferences should book the hotel where the conference is being held or a hotel within walking distance whenever possible.
- 2) All rental car reservations will be made through the Administration department.
- 3) Any fees, other than basic car rental expenses will not be reimbursed.

## **6. Lodging**

- a. Reimbursement for lodging will include hotel nightly rate and any hotel taxes, fees or surcharges. Any other charges will not be reimbursed unless approved by the employee's department manager and/or divisional director. An itemized hotel bill must be provided.
- b. If travel plans change and a hotel reservation needs to be cancelled, it is the responsibility of the employee to notify either the Administration department so that the reservation can be cancelled or to cancel it themselves so as to not incur a cancellation charge.

## **7. Meals and Incidentals**

- a. The employee must provide itemized receipts in order to be reimbursed for meals and incidentals.
- b. Employees will be reimbursed for tips up to 15% on meals.

- c. Any meal or incidental expenses deemed excessive will not be reimbursed. The Authority will use the U.S. GSA per diem as a guideline when appropriate.

## **8. Compensation While Traveling, Overnight Travel**

- a. Overnight travel is travel away from home community, as defined by the FLSA and the Code of Virginia.
- b. An employee will be compensated for travel away from home when it clearly cuts across the employee's normal workday or the hours that correspond to an employee's normal work hours on nonworking days.
- c. An employee will be compensated for any hours spent in a class or training that was mandated by a department manager or divisional director.
- d. An employee will be compensated for time spent driving other employees to a location in an Authority vehicle if the employee was directed to do so by a department manager or divisional director.
- e. If an employee is offered transportation (air, rail, etc.) for travel away from home and chooses to use his/her own vehicle, either the time spent driving their own vehicle or the time it would have taken to use the offered transportation will be compensated if the time clearly cuts across the employee's normal workday.

## **9. Travel Advances**

Cash advance for travel should be avoided; however, occasionally there is a need for an employee to estimate the costs of travel and obtain a cash advance. Once a cash advance has been approved (request must be made 30 days in advance of need) the employee is responsible for handing in all receipts to document the costs incurred like any other travel event. If the cash advance was more than the documented receipts, the employee will be required to pay the difference to the Authority. If, however, there were more costs (documented by receipts turned in) than the cash advance, the Authority will pay the employee the difference.

Then all the rules for submitting the documentation of costs will apply per 4 above. Any excess the employee will have to reimburse the Authority any shortage the Authority will pay the employee.

## L. Substance Abuse Policy

The goal of the Rivanna Solid Waste Authority and the Rivanna Water & Sewer Authority, collectively the “Authority”, through this policy is to establish and maintain a safe and healthy workplace that is free from alcohol abuse and illegal drug use for its employees and to protect the safety of its customers by providing the highest quality service.

This policy contains all the Authority’s policies relating to substance abuse as it affects the workplace.

This policy is separated into and will be detailed into the following sections:

Section I - General Policy, Provisions and Definitions

Section II - Federal Highway Administration (FHWA) Coverage–Commercial Driver’s License (CDL)

Section III - All Other Authority Coverage–Non-CDL

Section IV – Appendixes

## Section I: General Policy, Provisions and Definitions

### 1. Policy

This policy establishes guidelines and procedures for the detection of on the job alcohol use and illegal drug use within the workplace. All Authority employees shall be responsible for reporting any evidence of illegal drug use or the use of alcohol in the workplace by any co-worker or supervisor. All such reports shall be thoroughly investigated and reported to the Executive Director or designee and appropriate action will be taken as necessary. The Authority's Executive Director, or his/her designee, shall be the person responsible for the administration, evaluation, and oversight of the Substance Abuse Policy and all its components.

For purposes of this policy, "illegal drugs" shall mean any controlled substance, or imitation controlled substance, whose unauthorized manufacture, distribution, dispensing, possession, consumption, use, or sale is prohibited by federal or state law. "Unauthorized use of prescription drugs" means use of a drug by anyone other than the person for whom the drug was prescribed, or in any manner that is prohibited by federal or state laws.

The Authority will not tolerate any violation of the law and, in accordance with the law, will fully support any employee who, in good faith and with probable cause acts to report the activities of other employees as they relate to the use of alcohol or drugs on Authority property. Any Authority employee determined to have violated this policy will be subject to disciplinary action up to and including dismissal.

In the event of conflict between federal or state law and the policy stated herein, federal and/or state law shall prevail.

### 2. Employee Rules of Conduct

All employees are expected to adhere to the following guidelines as a condition of their employment with the Authority, and any violation of this policy may subject the employee to discipline, up to and including dismissal from employment and can include a first offense.

- a. The manufacture, distribution, dispensing, possession, consumption, use, transportation, or sale of illegal drugs at anytime and anywhere on the Authority property, at an Authority sponsored function or event, or in any other manner while performing duties or obligations related to the Authority employment, is strictly prohibited.
- b. No employee shall report to work, perform assigned duties, or otherwise engage in the Authority's business, with detectable amounts of alcohol, illegal drugs, unauthorized prescription drugs, or illegal drug metabolites in his or her system. Whether the employee has alcohol, illegal drugs, unauthorized prescription drugs, or illegal drug metabolites in his or her system shall be determined in accordance with medically established standards for detectable amounts of these substances. The only limited exception to the foregoing pertains to employees who are not on an official on-call roster and who are called in to work outside their normal duty hours to perform emergency or unscheduled work. No such employee will be disciplined for off duty consumption of alcohol that results in reporting to duty with alcohol in his or her system so long as the employee first reports that

consumption of alcohol to the supervisor making the work request prior to the commencement of any work activity, and such consumption does not impair the employee's ability to safely perform his/her job functions.

- c. Employee must submit to substance detection testing (alcohol and drug tests) when requested to do so by management pursuant to this policy.
- d. Employee must provide within one day (24 hours) of request evidence of a current valid prescription for any drug found to be in his/her possession or identified in a positive drug screen analysis. Failure to provide a valid prescription shall give rise to a presumption that the employee did not legally possess or use the drug.
- e. Employee must notify the employer of any criminal drug or alcohol charge or conviction no later than five (5) days after such charge or conviction. Failure to notify the Authority of such charge or conviction is grounds for dismissal.
- f. Employees must notify his/her supervisor of any suspension, revocation, or other loss of driver's license privileges within one (1) work day (24 hours) of the event, provided the employee must drive an Authority vehicle as part of their job duties. This notice to Supervisor shall also precede any use of a motor vehicle for Authority business after the time the employee becomes aware of the lost license privilege.

### 3. Selection Process

- a. All employees are subject to unannounced testing based on random selection.
- b. The random selection procedure will be a computer-based number generator and conducted by the Medical Review Officer (MRO) facility.
- c. The Authority will maintain two separate random drug testing pools. "Covered positions" include both Commercial Driver's License (CDL) positions and Non-Commercial Driver's License (Non-CDL) positions from which selection will take place. The Non-CDL pool selection will be 10% for the first twelve months after the adoption of this policy, and will remain 10% in subsequent years unless the Executive Director determines on a year-to-year basis that the percentage needs to be increased, not to exceed 25% without Board of Directors' approval, on the basis of statistics showing increased number of positive Non-CDL alcohol or drug tests in the preceding year. The CDL pool selection will be based on the requirements from the United States Department of Transportation.
- d. Within every twelve (12) month calendar period, the Authority shall randomly test from each pool. An employee may be randomly picked more than once or not picked at all during a twelve-month period.
- e. An employee shall only be tested for alcohol while the employee is performing, just before the employee is to perform, or just after the employee has performed their work tasks. It is the Authority's position that covered employees are expected to perform their work functions any time that they are on duty or on paid on-call to report to duty.

#### 4. Leave During Testing

The following provisions will apply when persons are waiting to be tested for alcohol or drugs and when employees refuse tests:

- a. If an employee refuses to take a test, he shall be deemed “not qualified” for duty. Employees deemed “not qualified” for duty as a result of refusal to take their test, in addition to any disciplinary action, shall have their time charged as unauthorized absence without pay.
- b. When employees are sent to be tested, awaiting tests to be conducted by the medical provider, he/she shall remain in pay status and no leave time is charged, unless there is an unrelated reason for the Authority to suspend pay or charge leave time.
- c. Employees who are awaiting the results of a substance detection test shall have time away from the job handled on a case-by-case basis giving consideration to the total circumstance.

#### 5. Physical Searches

- a. Supervisors may not physically search employees or employee personal property under any circumstances.
- b. Supervisors may search without employee consent, all areas and property in which the Authority maintains either joint control with the employee or full control. All Authority vehicles, equipment and Authority owned property are subject to full search without the employee’s consent.
- c. If illegal drugs are found in an employee’s possession or in any area under their control, the police will be immediately summoned, and the drugs will not be touched, moved, or confiscated by the supervisor. All reasonable efforts short of physical force shall be used to prevent the employee from disposing of the drugs before the police arrive.

#### 6. Disciplinary Actions

All employees, who engage in any of the following conduct, will be subject to disciplinary action up to and including dismissal in accordance with due process:

- a. Violate any of the foregoing rules regarding manufacturing, distributing, dispensing, possessing, consuming, using, or selling drugs or alcohol;
- b. Have drugs or alcohol in their systems in violation of this policy;
- c. Refuse to submit to or cooperate with drug and/or alcohol testing which includes, but is not limited to:
  - 1) tampering with or attempting to adulterate the specimen or collection procedure;
  - 2) not reporting directly and immediately to the collection site;
  - 3) not accurately signing in and reporting the arrival and departure times at the test site; and



- 4) leaving the scene of an accident without a valid reason before the tests have been concluded;
- d. Fail to report their consumption of over-the-counter or prescribed medication(s) that could impair their ability to perform their duties safely; or
- e. Fail to report any drug or alcohol conviction or charge as required by this policy.

This policy shall be administered consistently with the Authority's obligations under federal, state and local laws and regulations. Recommendations for disciplinary actions, including dismissal for violation of this policy, will be consistent with standard operating procedures to ensure that due process is observed throughout all proceedings. Disciplinary actions affecting employment status shall be reviewed by the Executive Director or designee, before a final decision with respect to continued employment status or disciplinary actions is reached. An employee who is charged with a drug-related felony or convicted of any criminal offense shall notify his or her immediate supervisor who shall report the information to the Human Resources Manager within five (5) days of the charge or arrest or prior to reporting for duty, whichever is earlier.

## **7. Multi-Function Position (CDL and Non-CDL employees)**

Employees may be responsible for performing different functions (i.e. job duties which are covered under both CDL and Non-CDL provisions). When these cases arise, the following rules generally apply:

- a. Federal Highway Administration (FHWA) provisions which apply to post-accident testing under the CDL licensing requirement and the Authority provisions which apply to post-accident testing for Non-CDL employees are the same. Therefore, all employees are subject to same set of testing guidelines regardless of class vehicle the employee may be driving (i.e. commercial motor vehicle or other licensed or unlicensed vehicles).
- b. Employees who perform duties requiring a CDL license shall be placed in the CDL pool for random selection testing and only those CDL employees are subject to all of the pre-employment requirements of the federal agency rules.

## **8. Severability**

If any part of this policy is held to be unconstitutional, illegal, or otherwise unenforceable, that part shall be deemed severable and the hold shall not affect the validity and enforceability of the remaining parts.

## **9. Definitions**

**Accident - CDL (FHWA):** an incident involving a commercial motor vehicle in which there is either:

- a fatality; or
- the employee driver receives (or is expected to receive) a citation under state or local law for a moving violation arising from the accident which also includes at least one of the following:
  - o bodily injury to any person who immediately receives medical treatment away from the scene; and/or

- one or more motor vehicles incur damage requiring the vehicle(s) to be towed away from the scene.

**Accident - Non-CDL:** an incident involving a state licensed or unlicensed vehicle in which there is either:

- a fatality; or
- the employee driver receives (or is expected to receive) a citation under state or local law for a moving violation arising from the accident which also includes at least one of the following:
  - bodily injury to any person who immediately receives medical treatment away from the scene; and/or
  - one or more motor vehicles incur damage requiring the vehicle(s) to be towed away from the scene.

**Air Blank:** a reading by an evidential breath testing device (EBT) of ambient air containing no alcohol.

**Alcohol:** the intoxicating agent in beverage alcohol, ethyl alcohol or other low molecular weight alcohol including methyl or isopropyl alcohol.

**Alcohol Concentration:** the alcohol in a volume of breath expressed in terms of grams of alcohol per 210 liters of breath as indicated by an evidential breath test conducted under Federal regulations.

**Alcohol Misuse Prevention Plan (AMPP):** the portion of the Authority's Substance Abuse Policy that outlines the employer's policy on alcohol misuse in the workplace.

**Alcohol Program Manager (APM):** the person designated by the Authority who is primarily responsible for the administration of the AMPP as it relates to the Substance Abuse Policy.

**Alcohol Use:** the consumption of any beverage, mixture, or preparation, including any medication, containing alcohol.

**Anti-Drug Plan (ADP):** Anti-Drug Plan portion of the Authority's Substance Abuse Policy.

**Authority:** shall mean Rivanna Water & Sewer Authority and/or Rivanna Solid Waste Authority.

**Breath Alcohol Technician (BAT):** an individual who instructs and assists individuals in the alcohol testing process and operates an evidential breath testing device (EBT).

**Code of Federal Regulations (CFR):** the United States Code of Federal Regulations.

**Canceled Test:** a drug or alcohol test that has a problem identified by a Medical Review Officer that cannot be or has not been corrected, or which this part otherwise required to be canceled. A canceled test is neither a positive nor a negative test. A sample that has been rejected for testing by a laboratory is treated the same as a canceled test.

**Chain of Custody:** the procedure used to document the handling of the urine specimen from the time the employee gives the specimen to the collector until the specimen is destroyed. This procedure uses the Federal Drug Testing Custody and Control Form (CCF).

**Collection Container:** a container into which the employee urinates to provide the specimen for a drug test.

**Collection Site:** a place selected by the employer where employees present themselves for the purpose of providing a urine specimen for a drug test.

**Collector:** a person who instructs and assists employees at a collection site, who receives and makes an initial inspection of the specimen provided by those employees, and who initiates and completes the CCF.

**Commercial Driver's License (CDL):** a license issued by a government agency that allows an individual to operator a commercial motor vehicle.

**Commercial Motor Vehicle (CMV):** a motor vehicle or combination of motor vehicles used in commerce to transport passengers or property if the motor vehicle: (1) has a gross combination weight rating of 26,001 or more pounds inclusive of a towed unit with a gross vehicle weight rating of more than 10,000 pounds; (2) has a gross vehicle weight rating of 26,001 or more pounds; (3) is designed to transport 16 or more passengers, including the driver; or, (4) is of any size and is used in the transportation of hazardous materials requiring placards. This includes all qualifying vehicles in all departments.

**Confirmation Test:** a second alcohol test, following a screening test with a result of 0.02 or greater that provides quantitative data of alcohol concentration. For controlled substances, confirmation testing means a second analytical procedure to identify and quantify the presence of a specific drug or metabolite and reviewed by the Medical Review Officer.

**Confirmed Drug Test:** a confirmation test result.

**Consortium/Third-party Administrator (C/TPA):** a service agent that provides or coordinates the provision of a variety of drug and alcohol testing services to employers.

**Controlled Substance:** shall mean the same as "drug" unless another meaning is clear from context and shall include marijuana, cocaine, opiates, phencyclidine (PCP), and amphetamines.

**Covered Employee:** any full-time, part-time or temporary employee to include both CDL and Non-CDL positions.

**Designee:** an agency, firm, individual, or other party contacted by the Authority to provide services under this program.

**Department of Health and Human Services (DHHS):** United States Department of Health and Human Services.

**Director, Staff:** Executive Director, Director of Finance and Administration, Director of Operations (RWSA only), Director of Maintenance and Engineering (RWSA only), Director of Solid Waste (RWSA only).

**DOT Agency:** in agency of the United States Department of Transportation administering regulations related to drug or alcohol testing. The Federal Highway Administration and Federal Transit Administration are DOT agencies.

**Driver:** an employee who operates a motor vehicle owned by the Authority.

**Driver-CDL:** any employee who operates a commercial motor vehicle (CMV) requiring a commercial driver license (CDL) or is in a position which requires a CDL as an eligibility criterion because they must drive or be on-call and ready to drive if necessary. This includes full-time, part-time, and temporary personnel. In every position requiring a CDL, the employee is either driving or in a state of readiness on call if required to drive. Drivers are subject to drug and alcohol testing under federal and Authority policy. For purposes of pre-employment/pre-duty testing only, the term “driver” includes a person applying to the Authority to drive a commercial motor vehicle.

**Drug:** shall mean the same as “controlled substance” unless another meaning is clear from the context and shall include marijuana, cocaine, opiates, phencyclidine (PCP), and amphetamines. Additionally, the use of any substance for the purpose of achieving a drug-like effect will fall under the prohibition against drugs.

**Drug Metabolite:** the specific substance produced when the human body metabolizes a given drug as it passes through the body and is excreted in the urine.

**Drug Program Designee (DPD):** the person designated by the Authority who is primarily responsible for the administration of the ADP as it relates to the Substance Abuse Policy.

**Drug Test:** the laboratory analysis of urine specimen collected in accordance with 49 CFR part 40 and analyzed in a DHHS approved laboratory.

**Employee Assistance Program (EAP):** a program provided to assist employees in dealing with drug or alcohol dependency and other personal problems. Rehabilitation and reentry to the work force are usually arranged through an EAP.

**Evidential Breath Testing Device (EBT):** an EBT approved by the National Highway Traffic Safety Administration (NHTSA) for evidential testing of breath and placed on NHTSA's conforming products list of evidential breath measurement devices (CPL), and identified on the CPL as conforming with the model specifications available from the National Highway Traffic Safety Administration, Office of Alcohol and State Programs.

**Employee:** any full-time, part-time, temporary or intern status person who is employed by the Authority and receives some form of compensation.

**Federal Highway Administration (FHWA):** the DOT operating authority that regulates commercial motor vehicles.

**Invalid Drug Test:** the result of a drug test for a urine specimen that contains an unidentified adulterant or an unidentified interfering substance, has abnormal physical characteristics, or has an endogenous substance at an abnormal concentration that prevents the laboratory from completing or obtaining a valid drug test result.

**Medical Review Officer (MRO):** a licensed physician responsible for receiving laboratory results generated by an employer's drug testing program who has knowledge of substance abuse disorders and has appropriate medical training to interpret and evaluate an individual's confirmed positive test result together with his or her medical history and any other relevant biomedical information.

**Medical Service Provider (MSP):** Authority Medical Services Provider.

**Motor Vehicle:** motorized equipment, either licensed or unlicensed, capable of carrying one or more passengers, including the driver.

**Non-DOT Test:** drug or alcohol testing conducted for employees who do not hold a CDL but drive other non-CDL Authority vehicles as part of job duties and responsibilities.

**Omnibus Transportation Employees Testing Act of 1991:** the federal law that requires drug and alcohol testing of drivers in various industries. By the authority of this act, the Office of the Secretary of Transportation, U.S. Department of Transportation (DOT) on February 15, 1994, has published rules requiring employers to test each applicant for employment or employee who is required to obtain a CDL for the illegal use of alcohol and controlled substances.

**Prohibited Drugs:** any of the following substances specified in Schedule I or Schedule II of the Controlled Substances Act, 21 U.S.C. 801.812 (1981 & 1987 Cum. P.O.): marijuana, cocaine, opiates, amphetamines, and phencyclidine (PCP).

**Refusal to Submit (to an alcohol or controlled substance test):** a covered employee fails to provide an adequate breath sample for testing without a valid medical explanation after receiving notice of the requirement to be tested; or fails to provide an adequate urine specimen for controlled substances testing without a valid medical explanation after he has received notice of the requirement for drug testing; or engages in conduct that clearly obstructs the testing process.

**Safety-Sensitive Function:** an employee is performing a safety-sensitive function whenever he/she is engaged in driving a commercial motor vehicle (CDL required) or working in any employment capacity which could affect the safe operation of the vehicle and the safety and welfare of others. This includes any period in which the employee is actually performing, ready to perform or immediately available to perform any safety sensitive functions.

**Substance Abuse Professional (SAP):** a licensed physician (Medical Doctor or Doctor of Osteopathy), or a licensed or certified psychologist, social worker, employee assistance professional, or addiction counselor (certified by the National Association of Alcoholism and Drug Abuse Counselors Certification Commission), with knowledge of and clinical experience in the diagnosis and treatment of alcohol or drug abuse related disorders.

**Screening Test (or initial test):** an analytic procedure to determine whether an employee may have a prohibited concentration of alcohol in a breath specimen. In controlled substances testing, an immunoassay test on urine specimens to eliminate "negative" specimens from further testing.

**Split Sample Testing:** division of the urine specimen in controlled substance testing into two separate containers, the primary specimen used for the screening test and the split specimen used

if the employee requests a second test after being informed of a verified positive screening test of the primary specimen or a verified adulterated or substituted test result.

**Stand-down:** the practice of temporarily removing an employee from the performance of their safety-sensitive functions based only on a report from a laboratory to the MRO of a confirmed positive test for a drug or drug metabolite, an adulterated test, or a substituted test, before the MRO has completed verification of the test result.

**Verified Positive (drug test result):** a drug test result reviewed by a Medical Review Officer and determined to have evidence of prohibited drug use.

**Workplace:** any Authority facility, vehicle, equipment, site or location as well as any other facility, vehicle, equipment or other site or location where an Authority employee is on duty or performing work tasks.

**49 CFR, Part 40:** refers to the U.S. Department of Transportation Drug Testing Program Procedures (laboratory testing, specimen collection, etc.) in the federal register.

**49 CFR, Part 382:** refers to the regulations issued by the U.S. Department of Transportation relating to alcohol and drug testing for commercial motor vehicles and commercial driver's licenses.

## 10. Federal Mandates

This Policy applies to all employees. Federal law provides standards for creating a workplace free of illegal drugs with the passage of the Drug Free Workplace Act of 1988. In addition, required standardized tests have been established by the government with the passage of the Omnibus Transportation Employee Testing Act of 1991 (Omnibus Act) for employees who are drivers of commercial motor vehicles. The Authority has exceeded these minimum requirements to establish and maintain a drug-free workplace for all employees.

- a. The Drug Free Workplace Act of 1988 requires that an organization receiving federal funds through grants or other means shall maintain a drug free workplace. The Authority from time to time receives such funds. Under this Act the employee must notify the employer of any criminal drug statute conviction for a violation occurring in the workplace no later than five (5) days after such conviction. Failure to notify the Authority of drug related convictions is grounds for dismissal. The Authority must notify any federal contracting agency within ten (10) days of having received notice that an employee engaged in the performance of such contract has had any criminal drug statute conviction for a violation occurring in the workplace. The Authority will impose a sanction on any employee who is so convicted.
- b. Under the U.S. Department of Transportation final rules implementing the Omnibus Transportation Employee Testing Act of 1991, the Authority is required to establish a program to conduct pre-employment/pre-duty, reasonable suspicion, random and post-accident alcohol and controlled substances testing of each applicant for employment or employee who is required to obtain a commercial driver's license (CDL).

## 11. Revision Dates

The policy was originally implemented in January 1, 1996 and has been revised on the following effective dates:

November 25, 1996

September 24, 1999

July 25, 2005

April 2019

DRAFT - BOD Review

## **Section II: Federal Highway Administration (FHWA) Coverage, US Department of Transportation, CDL Positions**

Section II of the Authority Substance Abuse Policy applies to all those employees who are required to maintain a commercial driver's license (CDL) to perform any portion of their job duties. It is the Authority policy to comply with all Federal and State laws rules, and regulation relating to commercial driving safety. This section incorporates those policies and procedures found in the US Department of Transportation Federal Highway Administration (FHWA) Regulations 49 CFR, Part 40 and 49 CFR, Part 382.

In the event of any conflicts between Federal Law and the Policy stated herein, Federal Law shall prevail.

This section is separated into two categories:

Part A – Alcohol Misuse and Prevention Plan (AMPP)

Part B – Anti-Drug Plan



## Part A - Alcohol Misuse and Prevention Plan (AMPP)

The goal of the Authority is to establish and maintain a safe and healthy workplace that is free from alcohol abuse by all employees and to protect the safety of its customers by providing the highest quality of service. Therefore, the Authority maintains a zero-tolerance policy for levels of alcohol use that could imperil the health and well-being of its employees or threaten the safety and reliability of service to its customers and the public.

There are mandates that require employers to test all employees who must maintain a commercial driver's license (CDL) to perform any portion of their job duties. The Authority require testing for misuse of alcohol under the following conditions:

- Random
- Post-Accident
- Reasonable Suspicion
- Return-to-Duty
- Follow-Up

The US Department of Transportation Federal Highway Administration (FHWA) Regulations 49 CFR, Part 40 and 49 CFR, Part 382 specifies procedures which must be followed.

The purpose of this policy is to:

- Set consistent guidelines and procedures for the detection and deterrence of alcohol abuse within the Authority;
- Identify management and employees' responsibilities; and
- Comply with the US Department of Transportation (DOT), Federal Highway Administration (FHWA) Drug Testing Regulations.

In the event of any conflicts between Federal Law and the Policy stated herein, Federal Law shall prevail.

This document in providing specific information and guidance to employees is used for complying with Federal Regulations. Employees may view a copy of these Federal Regulations for specific requirements of compliance during normal business hours at the Administration Office, 695 Moores Creek Lane, Charlottesville, Virginia.

### 1. Responsibilities

- a. **Alcohol Program Manager (APM):** Appendix A contains the name and phone number of the individual(s) who are responsible for the preparation of an alcohol misuse plan which complies with requirements of the Department of Transportation regulations as set for the in 49 CFR, Parts 40 and 382. The APM shall be responsible for providing oversight and evaluation of the plan; providing guidance and counseling in regards to the plan; ensuring that all discipline applied under this plan is consistent and conforms to human resources policies and procedures; scheduling for types of testing (i.e. random); maintaining a locked file system on all alcohol test results; and overseeing the referral of employees for evaluation and treatment. The Authority shall ensure that all covered employees are aware of the provisions and coverage of the Authority AMPP. All employees will have access to the current Substance Abuse Policy.

- b. **Supervisor(s):** Supervisors are responsible for observing the performance and behavior of employees; observation and documentation of events suggestive of reasonable suspicion; and requesting post-accident testing if determined that it is applicable.
- c. **Employees:** Covered employees shall be knowledgeable of the provisions of the Authority AMPP and fully comply with the provisions of the plan.

## 2. Applicability

- a. **Individuals Subject to Alcohol Testing:** Any employee who is required to maintain a commercial driver's license (CDL) to perform any portion of his/her duties is subject to alcohol testing under Section 2, Part A of the Policy. A complete copy of all covered positions is maintained in Main Office for inspection.
- b. **Procedure for Notifying Covered Employees:** Upon receipt of the Authority's Substance Abuse Policy which contains the AMPP, each manager and/or supervisor shall post a copy of the Policy in a prominent location that is readily accessible to all covered employees. All covered employees will have access to a copy of the Substance Abuse Policy.
- c. **Employee Notification Criteria:** Each new employee will be informed of the Authority's testing policy and will be required to sign an Employee Notification Letter which will tell them which drug testing pool they are in. In addition, all employees will be notified of any changes and/or revision through notices.

When requested, Human Resources shall provide information to all covered employees on the following elements:

- a. Name of representative designated to answer questions for covered employees about the alcohol regulations (See Appendix A).
- b. List covered employees who are subject to the alcohol regulations. A detailed position listing of all covered positions is maintained in the Administration Office.
- c. Circumstances under which a covered employee will be tested for alcohol under the AMPP portion of the Substance Abuse Policy.
- d. Procedures that cover:
  - 5) testing for presence of alcohol,
  - 6) protection of employee rights;
- e. Information concerning requirements for covered employees to submit to various types of alcohol tests.
- f. Information detailing what constitutes a refusal and consequences of such refusal.
- g. Information detailing consequences of covered employees who violate the prohibitions as set forth in the AMPP portion of the Substance Abuse Policy. This information addresses the removal from performing covered functions and guidance on referral for evaluation and/or treatment.

- h. Information detailing consequences of covered employees who test at an alcohol concentration of 0.02 or greater.

### 3. Types of Testing

- a. Random

All FHWA employees covered by this Policy are subject to random alcohol testing.

The refusal of an employee who is on duty to report and submit to a random test within thirty (30) minutes of such a request and notification shall be considered as a refusal and shall be deemed equivalent to failure of the test and lead to disciplinary action up to and including termination.

- b. Post-Accident

As soon as possible following an accident involving a commercial motor vehicle, the Authority shall test the employee driver for alcohol when either:

- 1) The accident involved a fatality; or
- 2) The employee driver receives (or is expected to receive) a citation under state or local law for a moving violation arising from the accident which also includes at least one of the following:
  - a) bodily injury to any person who immediately receives medical treatment away from the scene; or
  - b) one or more motor vehicles incur damage requiring the vehicle(s) to be towed away from the scene.
- 3) It is the employee's immediate supervisor's responsibility to ensure that the provisions of post-accident testing are followed.
- 4) Each employee shall be required to submit to an alcohol test within two (2) hours of the accident. If a test is not administered within eight (8) hours following the accident, the Authority shall cease all attempts to conduct an alcohol test and shall prepare and maintain on file written documentation indicating why the alcohol test was not conducted. A copy of all such determinations shall be forwarded to the APM and, upon request, made available to FHWA officials.
- 5) An employee who is subject to post-accident testing who fails to remain readily available for such testing, including notifying the supervisor or department representative of his/her location if he/she leaves the scene of the accident prior to submission to such test, shall be deemed by the Authority to have refused to submit to testing.
- 6) The employee must remain available for alcohol testing and may not consume any alcohol for either (8) hours following the accident or until the alcohol test has been conducted. Notwithstanding the previous statement, nothing in this Policy shall

prevent employees from seeking and obtaining emergency medical care whenever necessary.

#### **4. Reasonable Suspicion**

Reasonable suspicion testing is designed to provide the Authority with a tool, in conjunction with the supervisor training on the signs and symptoms of alcohol misuse, to identify employees affected by/under the influence of alcohol who may pose a danger to themselves and others in their job performance. Supervisors must make a decision as to whether there is reasonable suspicion to believe an employee is using or has used alcohol.

The supervisor's determination that reasonable suspicion exists to require a covered employee to undergo an alcohol test shall be based on specific, articulated observations concerning the appearance, behavior, and speech or body odors of the employee who is just reporting for duty, currently on duty, or has immediately finished duty.

In making a determination of reasonable suspicion, some factors to be considered include, but are not limited to the following:

- a. Adequately documented pattern of unsatisfactory work performance for which no apparent non-impairment related reason exists, or a change in an employee's prior pattern of work performance, especially where there is some evidence of alcohol related behavior on or off the work site.
- b. Physical signs and symptoms consistent with alcohol abuse.
- c. Evidence of prohibited alcohol use while on duty or on paid on-call for duty.
- d. Occurrence of a serious or potentially serious accident that may have been caused by flagrant violation of established safety, security or other operational procedures.

The potentially affected employee should not be allowed to proceed alone to or from the collection site. Supervisor or other appropriate personnel shall accompany him/her to and from the collection site.

The Supervisor shall not permit a covered employee to report for duty or remain on duty while the employee is under the influence of or impaired by alcohol, as shown by the behavioral, speech, or performance indicators of alcohol misuse, nor shall the employee be permitted to perform or continue to perform work duties until:

- a. An alcohol test is administered and the employee's alcohol concentration measures 0.00; or
- b. The start of the employee's next regularly scheduled duty period, but not less than eight (8) hours following the determination that there is reasonable suspicion to believe that the employee has violated the prohibitions as contained in the AMPP portion of this Policy.

#### **5. Return-to-Duty**

Before an employee may return-to-duty to perform covered functions after engaging in prohibited conduct, he shall undergo a return-to-duty alcohol test with a result indicating an alcohol

concentration of 0.00. The Authority or their designated supervisors, managers, or agents shall not permit an employee who refuses to submit to an alcohol test to perform or continue to perform their job duties.

*Note: Return-to-Duty Testing presumes that the Authority has elected to retain the employee and has not exercised its authority to dismiss the employee under this Policy or under any other Authority disciplinary rules and regulations.*

## 6. Follow-Up

The Authority shall ensure that the employee is subject to unannounced random follow up alcohol testing as directed by a substance abuse professional (SAP).

Follow up testing shall be conducted when the employee is performing job functions; just before the employee is to perform job functions; or just after the employee has ceased performing job functions.

A minimum of six (6) unannounced, follow up alcohol tests must be administered within the first twelve (12) months after the employee has returned to duty. The SAP can direct additional testing during this period or for an additional period up to a maximum of 60 months from the date that the employee returned to duty. The SAP can terminate the requirement for the follow up testing in excess of the minimum at any time, if the SAP determines that the testing is no longer necessary.

*Note: Return-to-Duty Testing presume that the Authority has elected to retain the employee and has not exercised its authority to dismiss the employee under this Policy or under any other Authority disciplinary rules and regulations.*

## 7. Alcohol Prohibited Conduct

- a. **Alcohol Concentration:** A covered employee shall be prohibited from reporting for duty or remaining on duty requiring the performance of covered functions while having an alcohol concentration of 0.02 or greater. If an Authority representative has actual knowledge that a covered employee has an alcohol concentration of 0.02 or greater, the employee shall not be permitted to perform or continue to perform job duties.
- b. **Pre-Duty Use:** Federal Regulations prohibit a covered employee from using alcohol within four (4) hours prior to performing covered function, or, if an employee is called to duty to respond to an emergency, within the time period after the employee has been notified to report to duty. If the Authority or their agents has actual knowledge that a covered employee has used alcohol within four (4) hours prior to performing covered functions or within the time period after the employee has been notified to report for duty, the employee will not be permitted to perform or continue to perform job duties.
- c. **Possession of Alcohol:** All covered employees are prohibited while on duty from possessing alcohol including the possession of medicines containing alcohol unless the seal is unbroken.
- d. **On-Duty Use:** Federal Regulations prohibit a covered employee from using alcohol while performing covered functions. If the Authority or their agents have actual knowledge that

a covered employee is using alcohol while performing covered functions, the employee shall not be permitted to perform or continue to perform covered functions.

## 8. Refusal to Submit to Alcohol Tests

Compliance with this the alcohol testing policy is a condition of employment. Refusal to take a required alcohol test may be deemed equivalent to failure of the test and lead to disciplinary action up to and including termination.

## 9. Disciplinary Actions for FHWA Covered Position

- a. **Refusal to Report for Assessment with a Substance Abuse Professional:** If an employee refuses to report for assessment, evaluation, and/or referral for treatment with the Authority's substance abuse professional, the employee shall be dismissed.
- b. **Refusal to Enter or Successfully Complete a Rehabilitation or Counseling Program:** If an employee is referred for rehabilitation or counseling and the employee refuses to enter or fails to successfully complete such a program, the employee shall be dismissed.
- c. **Refusal to Submit to an Alcohol Test:** An employee who refuses to provide an adequate breath sample for alcohol testing without a valid medical explanation after he has received notice of the requirement to be tested, or who engages in conduct that clearly obstructs the testing procedure, shall be dismissed.
- d. **On-Duty Use of Alcohol:** On-duty use of alcohol during work time shall result in removal from performing a covered function and will result in disciplinary action up to an including dismissal.
- e. **Alcohol (Confirmation) Test with a Concentration of 0.02 or Greater, but less than 0.04:** When an employee has tested for alcohol at a concentration of 0.02 or greater, but less than 0.04, that employee will be immediately suspended or placed on leave. Such employee may conditionally return-to-duty after he/she has retested at an alcohol concentration of 0.00. Mandatory referral to the Authority EAP, participation for counseling is required as a condition of continued employment upon return-to-duty.
- f. **Alcohol (Confirmation) Test with a Concentration of 0.04 or Greater:** When an employee has tested for alcohol at a concentration of 0.04 or greater that employee will be immediately suspended or placed on leave. Such employee may conditionally return-to-duty after he/she has retested at an alcohol concentration of 0.00. Mandatory referral to the Authority EAP, participation in and successful completion of rehabilitation is required as a condition of continued employment upon return-to-duty.
- g. **Repeat Usage:** In all cases where an employee tests positive a second time during their employment with the Authority at an alcohol concentration of 0.02 or greater, the employee shall be dismissed.
- h. **Re-employment:** Any covered employee, who violates the provisions of this Part of the Authority Substance Abuse Policy, which results in a dismissal from Authority employment, that individual shall be barred from re-employment in any position for a period of three (3) years from the date of dismissal. Any employee rehired and dismissed a second time for

violation of the Substance Abuse Policy shall be ineligible for re-employment in any position with the Authority.

## **10. Alcohol Testing Requirements**

The alcohol testing procedures contained herein and in Appendix B shall be complied with by the designated alcohol testing sites. These procedures address the requirements contained in 49 CFR, Parts 40 and 382.

The alcohol testing site shall have all necessary personnel, materials, equipment, facilities, and supervision to provide for the testing and processing of alcohol test results.

## **11. Disclosure of Alcohol Information and Records**

The Authority will maintain all alcohol related testing information including all test results and other appropriate records in a secure manner to prevent the disclosure of such information to unauthorized personnel. The APM will maintain a locked file system which will contain the alcohol testing information and records. This file shall be maintained as confidential. Employee files will be handled on a strict "need to know" basis. Alcohol test results shall not be included in personnel files.

The Authority shall not release covered employee information that is contained in records in accordance with federal requirements except as required by law or when expressly authorized or required by 49 CFR, Part 382.

A covered employee is entitled, upon written request, to receive copies of any records pertaining to his/her use of alcohol, including any records pertaining to his/her alcohol tests. Access to an employee's records shall not be contingent upon payment for records other than those specifically requested.

The Authority shall make available copies of all results for alcohol testing and any other information pertaining to the administrative process of the Authority' AMPP portion of the Substance Abuse Policy as required by 49 CFR, Part 40 and 382 when requested by any FHWA or state agency with regulatory authority over the Authority.

When requested by the National Transportation Safety Board as part of an accident investigation, the Authority shall disclose information related to its administration of any post-accident alcohol test administered following the accident under investigation.

The Authority shall make alcohol records available to a subsequent employer, upon receipt of the written request from the covered employee. Disclosure by the subsequent employer is permitted only as expressly authorized by the terms of the employee's written request.

The Authority may disclose information required to be maintained under this program pertaining to an employee, the decision maker in a lawsuit, grievance, or other proceeding initiated by or on behalf of the individual, and arising from the results of an alcohol and/or controlled substance test, or from the employer's determination that the employee engaged in conduct prohibited by this program (including, but not limited to worker's compensation, unemployment compensation, or other proceeding relating to a benefit sought by the employee.)

The Authority shall release information regarding a covered employee's records as directed by the specific, written consent of the employee authorizing release of the information to an identified person. Release of such information by the person receiving the information is permitted only in accordance with the terms of the employee's consent.

## **12. Employee Assistance Program (EAP)**

The Authority contract with an Employee Assistance Program (EAP). EAP services are available to all employees. The EAP staff shall be available to provide employees with the appropriate education regarding the use of alcohol. Alcohol information will be periodically distributed and/or displayed in Authority work areas. The telephone number of the EAP office is located in Appendix D and is displayed in the work areas.

Supervisory personnel responsible for those employees covered under FHWA regulations will receive training under the alcohol misuse prevention plan. This training shall include at least one sixty (60) minute period of training on the specific, contemporaneous, physical, behavior, speech and performance indications of probable alcohol misuse. This training shall be for any supervisor who may determine whether an employee must be alcohol tested for reasonable suspicion.

## **13. Recordkeeping Procedures**

The Authority maintains testing records in compliance with 49 CFR, Part 382. All recordkeeping requirements and guidelines may be found in Appendix E.



## Part B - Anti-Drug Plan (ADP)

Section II, Part B of the Substance Abuse Policy has been developed by the Authority for those employees who are required to maintain a commercial driver's license (CDL) in order to perform any portion of their duties as outlined by Regulation administered by the Federal Highway Administration (FHWA). Our goal is to establish and maintain a safe, healthy and productive working environment. Therefore, the Authority maintains a policy of non-tolerance for any drug use that imperils the health and well-being of its employees or threatens the safety and quality of services to its customers or citizens.

This policy requires all CDL employees be subject to the following testing for detection of illegal drug use under the following conditions:

- Pre-Employment
- Random
- Post-Accident
- Reasonable Suspicion
- Return-To-Duty
- Follow-Up

The purpose of the FHWA Anti-Drug Plan (ADP) is to:

- Set consistent guidelines and procedures for the detection and deterrence of drug abuse within the Authority;
- Identify management and employee responsibilities; and
- Comply with the US Department of Transportation (DOT), Federal Highway Administration (FHWA) Drug Testing Regulations.

It is the policy of the Authority to comply with all Federal, State and Municipal laws, rules and regulations relating to commercial driving safety.

The Federal Highway Administration (FHWA) Anti-Drug Plan (ADP) incorporates those policies and procedures found in the US Department of Transportation, Federal Highway Administration Regulations, 49 CFR, Part 40 and Part 382 and this information is the foundation for this Section of the Substance Abuse Policy.

In the event of any conflicts between Federal Law and the Policy stated herein, Federal Law shall prevail.

This document provides specific information and guidance to employees and is used for complying with Federal Regulations. Employees may view a copy of these Regulations for specific requirements of compliance during normal business hours at the Main Office, 695 Moores Creek Lane, Charlottesville, Virginia.

## 1. Responsibilities

- a. **Drug Program Designee (DPD):** Appendix A contains the name and phone number of the individual(s) who are responsible for the preparation of a drug testing and anti-drug plan which complies with requirements of the US Department of Transportation regulations as set for the in 49 CFR, Parts 40 and 382. The DPD shall be responsible for providing oversight and evaluation of the plan; providing guidance and counseling; reviewing discipline applied under this plan for consistency and conformance to human resources policies and procedures; scheduling for types of testing, random and return-to-duty testing; overseeing the referral of employees for evaluation and treatment; and maintaining a locked file system on all drug testing results. The Authority shall ensure that all covered employees are aware of the provisions of the Authority's Anti-Drug Plan. All covered employees will be provided a copy of the current Substance Abuse Policy.
- b. **Supervisor(s):** Authority individuals responsible for observing the performance and behavior of employees; observation and documentation of events suggestive of reasonable cause; and making requests of second supervisor for substantiation and concurrence for reasonable cause testing, if applicable.
- c. **Employees:** Each employee has the responsibility to be knowledgeable of the requirements of the Authority's ADP and fully comply with the provisions of the plan.

## 2. Applicability

- a. **General:** All FHWA covered employees who fall under the "persons covered" section of 49 CFR, Part 382 will be subject to random drug testing. "Persons covered" include all persons listed under the definition of "FHWA Covered Employee" as stated earlier in the Authority's Substance Abuse Policy.
- b. **Covered Employees:** A complete listing of positions which will be required to adhere to FHWA random drug testing requirements is maintained in the Main Office and is available for review during normal business hours. Routinely, Human Resources will review the list of "covered persons" to ensure it is up-to-date and accurate. Names and positions may be added or deleted as jobs and circumstances change.
- c. **Notifying Employees of Plan:** The goal of the Authority is to establish and maintain a workplace that is free from drug use; one that is safe and healthy, and one that is a model for others to follow. Therefore, as early as the interview process, all job applicants will be informed as to whether or not the position/job they are seeking is a "FHWA" position, subject to the FHWA rules and procedures regarding drug testing. Each new employee will be informed of the Authority' testing policy and will be required to sign an "Acknowledgement Form" after receiving and reading their individual copy (see Appendix C). In addition, all employees will be notified of any changes and/or revision through notices.
- d. **FHWA Unauthorized Substances:** FHWA employees covered under the FHWA Regulations, 49 CFR, Part 30 and Part 382 will be tested for the following unauthorized substances:
  - 1) Marijuana (THC)

- 2) Cocaine
- 3) Opiates (Morphine and Codeine)
- 4) Phencyclidine (PCP); and
- 5) Amphetamines (Amphetamine, Methamphetamine)

### 3. Types of Testing

#### a. Pre-Employment

- 1) The Authority will not hire any person unless that person successfully passes a drug test.
- 2) All job applicants selected for employment under this Part shall undergo a drug test as part of a pre-employment physical at the Authority's expense. It is the Authority's policy, that any persons testing positive will be denied employment in any position with the Authority for a period of three (3) years from the date of the drug test results. Any applicant testing positive a second time shall be ineligible for employment.
- 3) A drug test will be conducted when a current employee moves from a Non-CDL position into an FHWA covered position.
- 4) An employee who previously was moved from an FHWA covered position will be subject to another pre-employment test prior to returning to his/her former position or in any other FHWA covered position.
- 5) All pre-employment job applicants who test positive shall have the right to have their original sample re-tested by a laboratory approved by the Medical Review Officer, at the applicant's own expense.
- 6) Employees moving into a FHWA covered position who test positive have the right to have their original sample re-tested at their own expense. Employees who fail the re-test will not be moved to an FHWA position and are subject to disciplinary action under the Non-CDL Parts of the Substance Abuse Policy.
- 7) An employee, who moves from one Authority FHWA position to another Authority FHWA position without interruption of service, shall not require testing under this Part of the Authority's Substance Abuse Policy.

#### b. Post-Accident

As soon as possible following an accident involving a commercial motor vehicle, the Authority shall test the employee driver for drugs when either:

- 1) The accident involved a fatality; or
- 2) The employee driver receives (or is expected to receive) a citation under state or local law for a moving violation arising from the accident which also includes at least one of the following:

- a) bodily injury to any person who immediately receives medical treatment away from the scene; or
    - b) one or more motor vehicles incur damage requiring the vehicle(s) to be towed away from the scene.
  - 3) It is the applicable employee's immediate supervisor's responsibility to ensure that the provisions of post-accident testing are followed.
  - 4) All covered employees shall be required to submit to a drug test within two (2) hours or as soon as possible after the accident. If a test is not administered within 32 hours following the accident, the Authority shall cease all attempts to conduct a drug test and shall prepare and maintain on file written documentation indicating why the drug test was not conducted. A copy of all such determinations shall be forwarded to the DPD and upon request, made available to FHWA officials.
  - 5) An employee who is subject to post-accident testing who fails to remain readily available for such testing, including notifying the supervisor or department representative of his/her location if he/she leaves the scene of the accident prior to submission to such test, shall be deemed by the Authority to have refused to submit to testing.
  - 6) The employee must remain available for drug testing until the drug test has been conducted. Notwithstanding the previous statement, nothing in this Policy shall prevent employees from seeking and obtaining emergency medical care whenever necessary.
  - 7) If an employee is injured, unconscious, or otherwise unable to grant consent to the drug test, all reasonable steps must be taken to obtain a urine sample. The Authority or their agents may decide not to test under this paragraph; however, such a decision must be based on the best information available immediately after the accident that the employee's performance could not have contributed to the accident, or that because of the time between that performance and the accident, it is not likely that a drug test would reveal whether the performance was affected by drug use.
- c. Random Testing
- 1) Once notified for random testing, the employee must report no later than the time it takes to travel from the work site to the testing site, plus 30 minutes. There are no exceptions and the employee will report to the designated facility.
  - 2) A covered employee who tests positive for drug use will be removed from performing job duties. Such employee shall be disciplined in accordance with the provisions of the Substance Abuse Policy.
- d. Reasonable Suspicion Testing
- 1) The Authority will test an FHWA covered employee when there is reasonable cause to believe the employee is under the influence and/or using prohibited drugs.

- 2) Reasonable suspicion is a belief based on objective and clearly stated facts sufficient to lead a supervisor, exercising sound judgment, to suspect that an employee is under the influence of drugs.
- 3) Every supervisor covered by this Policy, who will determine whether or not an employee will be subject to a reasonable suspicion drug test, will receive at least a one-hour training period on the specific physical, behavioral and performance indicators of probable drug use.
- 4) In making a determination of reasonable suspicion, some factors to be considered include, but are not limited to the following:
  - a) Adequately documented pattern of unsatisfactory work performance for which no apparent non-impairment related reason exists, or a change in an employee's prior pattern of work performance, especially where there is some evidence of alcohol related behavior on or off the work site.
  - b) Physical signs and symptoms consistent with alcohol abuse.
  - c) Evidence of prohibited alcohol use while on duty or on paid on-call for duty.
  - d) Occurrence of a serious or potentially serious accident that may have been caused by flagrant violation of established safety, security or other operational procedures.
- e. Return-to-Duty
  - 1) Before an employee may return-to-duty to perform job duties after engaging in prohibited conduct, the employee shall undergo a return-to-duty drug screening test with a negative result.
  - 2) The Authority or their designated supervisors, managers, or agents shall not permit an employee who refuses to submit to a drug screening test to return-to-duty.
- f. Follow-Up
  - 1) The Authority shall ensure that the employee is subject to unannounced random follow up drug screening tests as directed by a substance abuse professional (SAP).
  - 2) Follow up testing shall be conducted when the employee is performing job tasks; just before the employee is to perform job tasks; or just after the employee has ceased performing job tasks.
  - 3) A minimum of six (6) unannounced, follow up drug tests must be administered within the first twelve (12) months after the employee has returned to duty. The SAP can direct additional testing during this period or for an additional period up to a maximum of 60 months from the date that the employee returned to duty. The SAP can terminate the requirement for the follow up testing in excess of the minimum at any time, if the SAP determines that the testing is no longer necessary.

#### 4. Disciplinary Actions for FHWA Covered Positions

Once the Medical Review Officer (MRO) makes a determination that there is no legitimate medical explanation for a confirmed positive test result other than the unauthorized use of a prohibited drug, the Authority will not knowingly use such employee or person in any capacity. The employee shall be suspended or placed on leave immediately. The employee may return to work only after a Substance Abuse Professional has determined the employee is fit for duty and has successfully completed the prescribed drug rehabilitation program. The employee must also have a negative drug screening under return-to-duty testing.

An employee will be dismissed immediately:

- a. if an employee refuses to report to a substance abuse professional for assessment, evaluation, and/or referral for treatment with the Authority's abuse professional;
- b. if an employee is referred for rehabilitation and the employee refuses to enter or fails to successfully complete such a rehabilitation assessment program;
- c. if an employee refuses to provide an adequate urine sample for drug testing without a valid medical explanation after he has received notice of the requirement to be tested, or who engages in conduct that clearly obstructs the testing procedure; or
- d. if an employee tests positive a second time during their employment with the Authority.

**If an employee uses or has in their possession illegal drugs on Authority property or in an Authority vehicle, the Authority may impose discipline on the employee up to and including dismissal, even for a first offense.**

Any covered employee, who violates the provisions of this Part of the Authority Substance Abuse Policy, which results in a dismissal from Authority employment, that individual shall be barred from re-employment in any position for a period of three (3) years from the date of dismissal. Any employee rehired and dismissed a second time for violation of the Substance Abuse Policy shall be ineligible for re-employment in any position with the Authority.

#### 5. Specimen Collection Requirements

A complete copy of the specimen collection requirements may be found in Appendix F.

#### 6. Drug Testing Laboratory

The Authority uses a laboratory certified by the DHHS to conduct the analysis of urine samples. These documents contain specific Drug Testing Procedures and may be found in Appendix F. The testing laboratory will comply with all methods and procedures of 49 CFR and will provide annual reports to the contracting agency, and to the DPD showing compliance. The designated collection agency and testing laboratory information for the Authority ADP is listed in Appendix G.

#### 7. Blind Sample Performance Test Procedures

Regulations regarding the submission of blind samples may be found in Appendix F of this Policy. The Authority's Medical Services Provider (MSP) shall be responsible for the submission of blind samples in compliance with Federal Regulations.

## **8. Review of Drug Testing Results**

The Authority contract for the services of a Medical Review Officer (MRO). The name, address and general responsibilities of the MRO for the Authority are listed in Appendix H.

## **9. Retention of Samples**

All FHWA covered applicants and employees who test positive may challenge the test results by notifying the DPD in writing within seventy-two (72) hours of receiving the test results. If a test result is challenged, the original sample will then be re-tested by a certified DHHS laboratory other than the Authority's medical provider primary laboratory. The selection of the certified laboratory must be made from a list of laboratories maintained by the MSP provider and approved by DPD.

- a. Because some analytes deteriorate or are lost during freezing and/or storage, quantitation for a retest is not subject to a specific cutoff requirement but must provide data sufficient to confirm the presence or absence of the drug or metabolite.
- b. All costs associated with a positive re-test will be borne by the applicant or employee raising the challenge and must be prepaid.

## **10. Disclosure of Drug Information and Records**

Except as provided in the following paragraphs, the MRO shall not disclose to any third-party medical information provided by the individual to the MRO as a part of the testing verification process.

The MRO may disclose such information to the DPD in Human Resources; FHWA, or other Federal safety agency officials; or to a physician responsible for determining the medical qualification of the applicant or employee under the appropriate FHWA regulations, as applicable, only if:

- a. An applicable FHWA regulation permits or requires such disclosure;
- b. In the MRO's reasonable medical judgment, the information could result in the employee being determined to be medically unqualified under an applicable FHWA rule; or
- c. In the MRO's reasonable medical judgment, in a situation, in which there is not a FHWA rules establishing physical qualification standards applicable to the employee, the information indicates that continued performance by the employee of his/her covered function could pose a significant safety risk.
- d. Before obtaining medical information from an applicant or employee as part of the verification process, the MRO shall inform the applicant or employee that information may be disclosed to third parties as provided in this section and the identity of any parties to whom information may be disclosed.

## **11. Employee Assistance Program (EAP)**

The Authority contracts with an Employee Assistance Program (EAP). EAP services are available to all FHWA employees covered under this Policy. The EAP staff shall be available to provide employees with the appropriate education regarding the use of prohibited drugs. Drug information

will be periodically distributed and/or displayed in Authority work areas. The telephone number of the EAP office is located in Appendix D and is displayed in the work areas.

## **12. Record Keeping Procedures**

The Authority maintains testing records in compliance with 49 CFR, Part 382. All recordkeeping requirements and guidelines may be found in Appendix E.

DRAFT - BOD Review



### **Section III: All Other Authority Coverage, Non-CDL Employees**

Section III of the Authority Substance Abuse Policy applies to all employees other than those employees who are required to maintain a commercial driver's license (CDL). For purposes of this policy, all employees other than CDL employees will be referred to as Non-CDL employees. It is Authority policy to comply with all Federal and State laws, rules, and regulations relating to driving safety.

This section is separated into two categories:

Part A - Alcohol Misuse and Prevention Plan

Part B - Anti-Drug Plan

DRAFT - BOD Review

### **Part A - Alcohol Misuse Prevention Plan (AMPP)**

The goal of the Authority is to establish and maintain a safe and healthy workplace that is free from alcohol abuse by all employees and to protect the safety of its customers by providing the highest quality of service. Therefore, the Authority maintains a zero-tolerance policy for levels of alcohol use that imperil the health and well-being of its employees or threaten the safety and reliability of service to its customers and the public.

This policy requires all Non-CDL employees be subject to the following testing for misuse of alcohol under the following conditions:

- Random
- Post-Accident
- Reasonable Suspicion
- Return-to-Duty
- Follow-Up

The purpose of this policy is to:

- Set consistent guidelines and procedures for the detection and deterrence of alcohol abuse within the Authority relating to all covered employees; and
- Identify management and employee responsibilities.

## 1. Responsibilities

- a. **Alcohol Program Manager (APM):** Appendix A contains the name and phone number of the individual(s) who are responsible for the preparation of an alcohol misuse plan which applies to all covered employees. The APM shall be responsible for providing oversight and evaluation of the plan; providing guidance and counseling in regards to the plan; ensuring that all discipline applied under this plan is consistent and conforms to human resources policies and procedures; scheduling for types of testing (i.e. random); maintaining a locked file system on all alcohol test results; and overseeing the referral of employees for evaluation and treatment. The Authority shall ensure that all covered employees are aware of the provisions of the Authority's AMPP. All employees will have access to the current Substance Abuse Policy.
- b. **Supervisor(s):** Supervisors are responsible for observing the performance and behavior of employees; observation and documentation of events suggestive of reasonable suspicion; and requesting post-accident testing if determined that it is applicable.
- c. **Employees:** Covered employees shall be knowledgeable of the provisions of the Authority AMPP and fully comply with the provisions of the plan.

## 2. Applicability

- a. **Individuals Subject to Alcohol Testing:** All Non-CDL employees are subject to alcohol testing under this section.
- b. **Procedure for Notifying Covered Employees:** Upon receipt of the Authority's Substance Abuse Policy which contains the AMPP, each manager and/or supervisor shall post a copy of the Policy in a prominent location that is readily accessible to all employees. All employees will have access to a copy of the Substance Abuse Policy.
- c. **Employee Notification Criteria:** Each new employee will be informed of the Authority's testing policy and will be required to sign an Employee Notification Letter, which will tell them which drug testing pool they are in. In addition, all employees will be notified of any changes and/or revision through notices.

When requested, Human Resources shall provide information to all covered employees on the following elements:

- a. Name of representative designated to answer questions for covered employees about the alcohol regulations (see Appendix A).
- b. List employees who are subject to the alcohol regulations. A detailed position listing of all covered positions is maintained in the Main Office.
- c. Circumstances under which a covered employee will be tested for alcohol under the AMPP portion of the Substance Abuse Policy.
- d. Procedures that cover:

- 1) testing for presence of alcohol,
- 2) protection of employee rights,
- e. Information concerning requirements for covered employees to submit to various types of alcohol tests.
- f. Information detailing what constitutes a refusal and consequences of such refusal.
- g. Information detailing consequences of covered employees who violate the prohibitions as set forth in the AMPP portion of the Substance Abuse Policy. This information addresses the removal from performing job assignments and guidance on referral for evaluation and/or treatment.
- h. Information detailing consequences of covered employees who test at an alcohol concentration of 0.02 or greater.

### 3. Types of Testing

#### a. Random

- 1) All employees covered by this Policy are subject to random alcohol testing.
- 2) The refusal of an employee who is on duty to report and submit to a random test within thirty (30) minutes of such a request and notification shall be considered as a refusal and shall be deemed equivalent to failure of the test and lead to disciplinary action up to and including termination.

#### b. Post-Accident

As soon as possible following an accident involving an Authority motor vehicle, the Authority shall test the employee driver for alcohol when either:

- 1) The accident involved a fatality; or
- 2) The employee driver receives (or is expected to receive) a citation under state or local law for a moving violation arising from the accident which also includes at least one of the following:
  - a) bodily injury to any person who immediately receives medical treatment away from the scene; or
  - b) one or more motor vehicles incur damage requiring the vehicle(s) to be towed away from the scene.
- 3) It is the employee's immediate supervisor's responsibility to ensure that the provisions of post-accident testing are followed.
- 4) Each employee shall be required to submit to an alcohol test within two (2) hours of the accident. If a test is not administered within eight (8) hours following the accident, the Authority shall cease all attempts to conduct an alcohol test and shall prepare and maintain on file written documentation indicating why the alcohol test was not conducted. A copy of all such determinations shall be forwarded to the APM.

- 5) An employee who is subject to post-accident testing who fails to remain readily available for such testing, including notifying the supervisor or department representative of his/her location if he/she leaves the scene of the accident prior to submission to such test, shall be deemed by the Authority to have refused to submit to testing.
- 6) The employee must remain available for alcohol testing and may not consume any alcohol for either (8) hours following the accident or until the alcohol test has been conducted. Notwithstanding the previous statement, nothing in this Policy shall prevent employees from seeking and obtaining emergency medical care whenever necessary.

c. Reasonable Suspicion

- 1) Reasonable suspicion testing is designed to provide the Authority with a tool, in conjunction with the supervisor training on the signs and symptoms of alcohol misuse, to identify employees affected by/under the influence of alcohol who may pose a danger to themselves and others in their job performance. Supervisors must make a decision as to whether there is reasonable suspicion to believe an employee is using or has used alcohol.
- 2) The supervisor's determination that reasonable suspicion exists to require a covered employee to undergo an alcohol test shall be based on specific, articulated observations concerning the appearance, behavior, and speech or body odors of the employee who is just reporting for duty, currently on duty, or has immediately finished duty.
- 3) In making a determination of reasonable suspicion, some factors to be considered include, but are not limited to the following:
  - a) Adequately documented pattern of unsatisfactory work performance for which no apparent non-impairment related reason exists, or a change in an employee's prior pattern of work performance, especially where there is some evidence of alcohol related behavior on or off the work site.
  - b) Physical signs and symptoms consistent with alcohol abuse.
  - c) Evidence of prohibited alcohol use while on duty or on paid on-call for duty.
  - d) Occurrence of a serious or potentially serious accident that may have been caused by flagrant violation of established safety, security or other operational procedures.
- 4) The potentially affected employee should not be allowed to proceed alone to or from the collection site. A supervisor, or other appropriate personnel, shall accompany the employee to and from the collection site.
- 5) The Supervisor shall not permit a covered employee to report for duty or remain on duty while the employee is under the influence of or impaired by alcohol, as shown by

the behavioral, speech, or performance indicators of alcohol misuse, nor shall the employee be permitted to perform job duties until:

- a) An alcohol test is administered and the employee's alcohol concentration measures less than 0.00; or
- b) The start of the employee's next regularly scheduled duty period, but not less than eight (8) hours following the determination that there is reasonable suspicion to believe that the employee has violated the prohibitions as contained in the AMPP portion of this Policy.

d. Return to Duty Testing

Before an employee may return-to-duty to perform job duties after engaging in prohibited conduct, the employee shall undergo a return-to-duty alcohol test with a result indicating an alcohol concentration of 0.00. The Authority or their designated supervisors, managers, or agents shall not permit an employee who refuses to submit to an alcohol test to perform or continue to perform their job duties.

e. Follow-Up Testing

- 1) The Authority shall ensure that the employee is subject to unannounced random follow up alcohol testing as directed by a substance abuse professional (SAP).
- 2) Follow up testing shall be conducted when the employee is performing job tasks; just before the employee is to perform job tasks; or just after the employee has ceased performing job tasks.
- 3) A minimum of six (6) unannounced, follow up alcohol tests must be administered within the first twelve (12) months after the employee has returned to duty. The SAP can direct additional testing during this period or for an additional period up to a maximum of 60 months from the date that the employee returned to duty. The SAP can terminate the requirement for the follow up testing in excess of the minimum at any time, if the SAP determines that the testing is no longer necessary.

#### 4. Alcohol Prohibited Conduct

- a. **Alcohol Concentration:** A covered employee shall be prohibited from reporting for duty or remaining on duty requiring the performance of covered functions while having an alcohol concentration of 0.02 or greater. If an Authority representative has actual knowledge that a covered employee has an alcohol concentration of 0.02 or greater, the employee shall not be permitted to perform or continue to perform job duties.
- b. **Pre-Duty Use:** This policy prohibits a covered employee from using alcohol within four (4) hours prior to performing job duties, or, if an employee is called to duty to respond to an emergency, within the time period after the employee has been notified to report to duty. If the Authority or its agents has actual knowledge that a covered employee has used alcohol within four (4) hours prior to performing covered functions or within the time period after the employee has been notified to report for duty, the employee will not be permitted to perform or continue to perform their work duties.

- c. **Possession of Alcohol:** All covered employees are prohibited while on duty from possessing alcohol including the possession of medicines containing alcohol unless the seal is unbroken.
- d. **On-Duty Use:** The policy prohibits an employee from using alcohol while performing job duties. If the Authority or their agents has actual knowledge that an employee is using alcohol while performing work duties, the employee shall not be permitted to perform or continue to perform work duties.

## 5. Refusal to Submit to Alcohol Tests

Compliance with the alcohol testing policy is a condition of employment. Refusal to take a required alcohol test may be deemed equivalent to failure of the test and lead to disciplinary action up to and including termination.

## 6. Disciplinary Actions for All Non-CDL Employees

- a. **Refusal to Report for Assessment with a Substance Abuse Professional:** If an employee refuses to report for assessment, evaluation, and/or referral for treatment with the Authority's substance abuse professional, the employee shall be dismissed.
- b. **Refusal to Enter or Successfully Complete a Rehabilitation or Counseling Program:** If an employee is referred for rehabilitation or counseling and the employee refuses to enter or fails to successfully complete such a program, the employee shall be dismissed.
- c. **Refusal to Submit to an Alcohol Test:** An employee who refuses to provide an adequate breath sample for alcohol testing without a valid medical explanation after he has received notice of the requirement to be tested, or who engages in conduct that clearly obstructs the testing procedure, shall be dismissed.
- d. **On-Duty Use of Alcohol:** On-duty use of alcohol shall result in removal from performing job duties. The policy prohibits an employee from using alcohol while performing job duties and shall be disciplined up to and including dismissal.
- e. **Alcohol (Confirmation) Test with a Concentration of 0.02 or Greater, but less than 0.04:** When an employee has tested for alcohol at a concentration of 0.02 or greater, but less than 0.04, that employee will be immediately suspended or placed on leave. Such employee may conditionally return-to-duty after he/she has retested at an alcohol concentration of 0.00. Mandatory referral to the Authority EAP, participation in counseling is required as a condition of continued employment upon return-to-duty.
- f. **Alcohol (Confirmation) Test with a Concentration of 0.04 or Greater:** When an employee has tested for alcohol at a concentration of 0.04 or greater that employee will be immediately suspended or placed on leave. Such employee may conditionally return-to-duty after he/she has retested at an alcohol concentration of 0.00. Mandatory referral to the Authority' EAP, participation in and successful completion of rehabilitation is required as a condition of continued employment upon return-to-duty.

- g. **Repeat Usage:** In all cases where an employee tests a second time during their employment with the Authority at an alcohol concentration of 0.02 or greater, the employee shall be dismissed.
- h. **Re-employment:** Any covered employee, who violates the provisions of this Part of the Authority's Substance Abuse Policy, which results in a dismissal from Authority employment, shall be barred from re-employment in any position for a period of three (3) years from the date of dismissal. Any employee rehired and dismissed a second time for violation of the Substance Abuse Policy shall be ineligible for re-employment in any position with the Authority.

## 7. Alcohol Testing Requirements

The alcohol testing procedures contained herein and in Appendix B shall be complied with by the designated alcohol testing sites. These procedures mirror the requirements contained in 49 CFR, Parts 40 and 382.

The alcohol testing site shall have all necessary personnel, materials, equipment, facilities, and supervision to provide for the testing and processing of alcohol test results.

## 8. Disclosure of Alcohol Information and Records

The Authority will maintain all alcohol related testing information including all test results and other appropriate records in a secure manner to prevent the disclosure of such information to unauthorized personnel. The APM will maintain a locked file system which will contain the alcohol testing information and records. This file shall be maintained as confidential. Employee files will be handled on a strict "need to know" basis. Alcohol test results shall not be included in personnel files.

The Authority shall not release covered employee information that is contained in records except as required by law or when expressly authorized by the employee.

A covered employee is entitled, upon written request, to receive copies of any records pertaining to his/her use of alcohol, including any records pertaining to his/her alcohol tests. Access to an employee's records shall not be contingent upon payment for records other than those specifically requested.

The Authority shall make alcohol records available to a subsequent employer, upon receipt of the written request from the covered employee. Disclosure by the subsequent employer is permitted only as expressly authorized by the terms of the employee's written request.

The Authority may disclose information required to be maintained under this program pertaining to an employee, the decision maker in a lawsuit, grievance, or other proceeding initiated by or on behalf of the individual, and arising from the results of an alcohol and/or controlled substance test, or from the employer's determination that the employee engaged in conduct prohibited by this program (including, but not limited to worker's compensation, unemployment compensation, or other proceeding relating to a benefit sought by the employee.)



The Authority shall release information regarding a covered employee's records as directed by the specific, written consent of the employee authorizing release of the information to an identified person. Release of such information by the person receiving the information is permitted only in accordance with the terms of the employee's consent.

#### **9. Employee Assistance Program (EAP)**

The Authority contracts with an Employee Assistance Program (EAP). EAP services are available to all covered employees. The EAP staff shall be available to provide employees with the appropriate education regarding the use of alcohol. Alcohol information will be periodically distributed and/or displayed in Authority work areas. The telephone number of the EAP office is located in Appendix D and is displayed in the work areas.

Supervisory personnel responsible will receive training under the alcohol misuse prevention plan. This training shall include at least one sixty (60) minute period of training on the specific, contemporaneous, physical, behavior, speech and performance indications of probable alcohol misuse. This training shall be for any supervisor who may determine whether an employee must be alcohol tested for reasonable suspicion.

#### **10. Recordkeeping Procedures**

The Authority maintains testing records. All recordkeeping requirements and guidelines may be found in Appendix E

### Part B - Anti-Drug Plan (ADP)

The goal of the Authority is to establish and maintain a safe and healthy workplace that is free from drug abuse by all employees and to protect the safety of its customers by providing the highest quality of service. Therefore, the Authority maintains a zero-tolerance policy for any drug use that imperils the health and well-being of its employees or threatens the safety and reliability of service to its customers and the public.

This policy requires all employees be subject to the following testing for illegal drug use under the following conditions:

- Pre-Employment
- Post-Accident
- Random
- Reasonable Suspicion
- Return-to-Duty
- Follow-Up

The purpose of the Anti-Drug Plan (ADP) is to set consistent guidelines and procedures for the detection and deterrence of drug abuse within the Authority and identify management and employee responsibilities.

## 1. Responsibilities

- a. **Drug Program Designee (DPD):** Appendix A contains the name and phone number of the individual(s) who are responsible for the preparation of a drug testing and anti-drug plan. The DPD shall be responsible for providing oversight and evaluation of the plan; providing guidance and counseling in regards to the plan; ensuring that all discipline applied under this plan is consistent and conforms to human resources policies and procedures; scheduling for types of testing random and return-to-duty testing; overseeing the referral of employees for evaluation and treatment; and maintaining a locked file system on all drug testing results. The Authority shall ensure that all covered employees are aware of the provisions and coverage of the Authority's Anti-Drug Plan. All covered employees will have access to a copy of the current Substance Abuse Policy.
- b. **Supervisor(s):** Supervisors are responsible for observing the performance and behavior of employees; observation and documentation of events suggestive of reasonable cause; and making requests of second supervisor for substantiation and concurrence for reasonable cause testing, if applicable.
- c. **Employees:** Covered employees shall be knowledgeable of the requirements of the Authority's ADP and fully comply with the provisions of the plan.

## 2. Applicability

- a. **General:** All employees will be subject to random drug testing. Section 3, "Persons covered" include all employees other than those covered under Section 2, FHWA Covered Employee as stated earlier in the Authority's Substance Abuse Policy.
- b. **Notifying Covered Employees of Plan:** The goal of the Authority is to establish and maintain a workplace that is free from drug use. Therefore, as early as the interview process, all job applicants will be informed that all Authority employees are subject to these rules and procedures regarding drug testing. Each new employee will be informed of the Authority's testing policy and will be required to sign an Employee Notification Letter which tells them which drug testing pool they are in. In addition, all employees will be notified of any changes and/or revision through notices.

Following is a list of unauthorized substances that are subject to drug detection:

- c. Marijuana (THC)
- d. Cocaine
- e. Opiates (Morphine and Codeine)
- f. Phencyclidine (PCP)
- g. Amphetamines (Amphetamine, Methamphetamine)

## 3. Types of Testing

- a. Pre-Employment

- 1) The Authority will not hire any person, unless that person successfully passes a drug test.
- 2) All job applicants selected for employment under this Part shall undergo a drug test as part of a pre-employment physical at the Authority's expense. It is the Authority's policy, that any persons testing positive will be denied employment in any position with the Authority for a period of three (3) years from the date of the drug test results. Any applicant testing positive a second time shall be ineligible for employment.
- 3) A drug test will be conducted when a current employee moves from a Non-CDL position into a CDL-FHWA covered position.
- 4) All pre-employment job applicants who test positive shall have the right to have their original sample re-tested by a laboratory approved by the Medical Review Officer, at the applicant's own expense.
- 5) Employees moving into an FHWA covered position who test positive have the right to have their original sample re-tested at their own expense. Employees who fail the re-test will not be moved to an FHWA position and are subject to disciplinary action under the Substance Abuse Policy.

b. Post-Accident

As soon as possible following an accident involving a motor vehicle, the Authority shall test the employee driver for drugs when either:

- 1) The accident involved a fatality; or
- 2) The employee driver receives (or is expected to receive) a citation under state or local law for a moving violation arising from the accident which also includes at least one of the following:
  - a) bodily injury to any person who immediately receives medical treatment away from the scene, or
  - b) one or more motor vehicles incur damage requiring the vehicle(s) to be towed away from the scene.
- 3) It is the applicable employee's immediate supervisor's responsibility to ensure that the provisions of post-accident testing are followed.
- 4) Each employee shall be required to submit to a drug test within two (2) hours or soon as possible. If a test is not administered within 32 hours following the accident, the Authority shall cease all attempts to conduct a drug test and shall prepare and maintain on file written documentation indicating why the drug test was not conducted.
- 5) An employee who is subject to post-accident testing who fails to remain readily available for such testing, including notifying the supervisor or department representative of his/her location if he/she leaves the scene of the accident prior to submission to such test, shall be deemed by the Authority to have refused to submit to testing.

- 6) The employee must remain available for drug testing until the drug test has been conducted. Notwithstanding the previous statement, nothing in this Policy shall prevent employees from seeking and obtaining emergency medical care whenever necessary.
  - 7) If an employee is injured, unconscious, or otherwise unable to grant consent to the drug test, all reasonable steps must be taken to obtain a urine sample. The Authority or their agents may decide not to test under this paragraph; however, such a decision must be based on the best information available immediately after the accident that the employee's performance could not have contributed to the accident, or that because of the time between that performance and the accident, it is not likely that a drug test would reveal whether the performance was affected by drug use.
- c. Random
- 1) Once notified for random testing, the employee must report no later than the time it takes to travel from the work site to the testing site, plus 30 minutes. There are no exceptions and the employee will report to the designated facility.
  - 2) A covered employee who tests positive for drug use will be removed from performing job duties. Such employee shall be disciplined in accordance with the provisions of the Substance Abuse Policy.
- d. Reasonable Suspicion
- 3) The Authority will test a covered employee when there is reasonable cause to believe the employee is under the influence and/or using prohibited drugs.
  - 4) Reasonable suspicion is a belief based on objective and clearly stated facts sufficient to lead a supervisor, exercising sound judgment, to suspect that an employee is under the influence of drugs while just reporting for duty, while on duty or having immediately finished duty.
  - 5) Every supervisor covered by this Policy, who will determine whether or not an employee will be subject to a reasonable suspicion drug test, will receive at least a one-hour training on the specific physical, behavioral and performance indicators of probable drug use.
  - 6) In making a determination of reasonable suspicion, some factors to be considered include, but are not limited to the following:

- a) Adequately documented pattern of unsatisfactory work performance for which no apparent non-impairment related reason exists, or a change in an employee's prior pattern of work performance, especially where there is some evidence of alcohol related behavior on or off the work site.
  - b) Physical signs and symptoms consistent with alcohol abuse.
  - c) Evidence of prohibited alcohol use while on duty or on paid on-call for duty.
  - d) Occurrence of a serious or potentially serious accident that may have been caused by flagrant violation of established safety, security or other operational procedures.
- e. Return-to-Duty
  - 1) Before an employee may return-to-duty after engaging in prohibited conduct, the employee shall undergo a return-to-duty drug screening test with a negative result.
  - 2) The Authority or their designated supervisors, managers, or agents shall not permit an employee who refuses to submit to a drug screening test to return-to-duty.
- f. Follow-Up
  - 3) The Authority shall ensure that the employee is subject to unannounced random follow up drug screening tests as directed by a substance abuse professional (SAP).
  - 4) Follow up testing shall be conducted when the employee is performing job tasks; just before the employee is to perform job tasks; or just after the employee has ceased performing job tasks.
  - 5) A minimum of six (6) unannounced, follow up drug tests must be administered within the first twelve (12) months after the employee has returned to duty. The SAP can direct additional testing during this period or for an additional period up to a maximum of 60 months from the date that the employee returned to duty. The SAP can terminate the requirement for the follow up testing in excess of the minimum at any time, if the SAP determines that the testing is no longer necessary.

#### **4. Disciplinary Actions for Non-CDL Positions**

Once the Medical Review Officer (MRO) makes a determination that there is no legitimate medical explanation for a confirmed positive test result other than the unauthorized use of a prohibited drug, the Authority will not knowingly use such employee or person in any capacity. The employee shall be suspended or placed on unpaid leave immediately. The employee may return to work only after a Substance Abuse Professional has determined the employee is fit for duty and has successfully completed the prescribed drug rehabilitation program. The employee must also have a negative drug screening under return-to-duty testing.

An employee will be dismissed immediately:

- a. if an employee refuses to report to a substance abuse professional for assessment, evaluation, and/or referral for treatment with the Authority's abuse professional;

- b. if an employee is referred for rehabilitation and the employee refuses to enter or fails to successfully complete such a rehabilitation assessment program;
- c. if an employee refuses to provide an adequate urine sample for drug testing without a valid medical explanation after he has received notice of the requirement to be tested, or who engages in conduct that clearly obstructs the testing procedure;
- d. if an employee tests positive a second time during their employment with the Authority, the employee will be dismissed.

**If an employee uses or has in their possession illegal drugs on Authority property or in an Authority vehicle, the Authority may impose discipline on the employee up to and including dismissal, even for a first offense.**

Any covered employee, who violates the provisions of this Part of the Authority's Substance Abuse Policy, which results in a dismissal from Authority employment, that individual shall be barred from re-employment in any position for a period of three (3) years from the date of dismissal. Any employee rehired and dismissed a second time for violation of the Substance Abuse Policy shall be ineligible for re-employment in any position with the Authority.

## **5. Specimen Collection Requirements**

A complete copy of the specimen collection requirements may be found in Appendix F.

## **6. Drug Testing Laboratory**

The Authority use a laboratory certified by the DHHS to conduct the analysis of urine samples. These documents contain specific drug testing procedures and may be found in Appendix F. The testing laboratory will comply with all methods and procedures of 49 CFR and will provide annual reports. The designated collection agency and the testing laboratory information for the Authority ADP is listed in Appendix G.

## **7. Blind Sample Performance Test Procedures**

Regulations regarding the submission of blind samples may be found in Appendix F of this Policy. The Authority Medical Services Provider (MSP) shall be responsible for the submission of blind samples in compliance with Federal Regulations.

## **8. Review of Drug Testing Results**

The Authority contract for the services of a Medical Review Officer (MRO). The name, address and general responsibilities of the MRO for the Authority are listed in Appendix H.

## **9. Retention of Samples**

All applicants and employees who test positive may challenge the test results by notifying the DPD in writing within seventy-two (72) hours of receiving the test results. If a test result is challenged, the original sample will then be re-tested by a certified DHHS laboratory other than the Authority's medical provider primary laboratory. The selection of the certified laboratory must be made from a list of laboratories maintained by the MSP provider and approved by DPD.

Because some analytes deteriorate or are lost during freezing and/or storage, quantitation for a retest is not subject to a specific cutoff requirement but must provide data sufficient to confirm the presence or absence of the drug or metabolite.

All costs associated with a positive re-test will be borne by the applicant or employee raising the challenge and must be prepaid.

## **10. Disclosure of Drug Information and Records**

Except as provided in the following paragraphs, the MRO shall not disclose to any third-party medical information provided by the individual to the MRO as a part of the testing verification process.

The MRO may disclose such information to the DPD in Human Resources; or other Federal safety agency officials; or to a physician responsible for determining the medical qualification of the applicant or employee, as applicable, only if:

- a. In the MRO's reasonable medical judgment, the information could result in the employee being determined to be medically unqualified; or
- b. In the MRO's reasonable medical judgment, the information indicates that continued work performance by the employee could pose a significant safety risk.

Before obtaining medical information from an applicant or employee as part of the verification process, the MRO shall inform the applicant or employee that information may be disclosed to third parties as provided in this section and the identity of any parties to whom information may be disclosed.

## **11. Employee Assistance Program (EAP)**

The Authority contracts with an Employee Assistance Program (EAP). EAP services are available to all employees. The EAP staff shall be available to provide employees with the appropriate education regarding the use of prohibited drugs. Drug information will be periodically distributed and/or displayed in Authority work areas. The telephone number of the EAP office is located in Appendix D and is displayed in the work areas.

## **12. Recordkeeping Procedures**

All recordkeeping requirements and guidelines may be found in Appendix E.



## APPENDIX

The Appendixes of the Substance Abuse Policy may be changed without prior Board approval in response to changes in process and operational controls, medical providers, substance abuse professionals, and personnel turnover.

DRAFT - BOD Review

**A. Substance Abuse Policy Personnel**

The following individuals are responsible for the administration of the Authority's Substance Abuse Policy and each of its Sections and Sub-parts and may be contacted for information regarding the Policy.

<b>Executive Director</b> (434) 977-2970, ext. 103 (434) 293-8858, Fax (434) 906-2623, Cell	<b>Director of Finance/Administration</b> (434) 977-2970, ext. 198 (434) 293-8858, Fax (434) 906-0759, Cell	<b>Human Resources Manager</b> (434) 977-2970, ext. 111 (434) 977-9507, Fax (434) 981-9583, Cell
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## **B. Alcohol Testing Procedures, Evidential Breath Testing (EBT) Procedures**

### **1. Scope**

The evidential breath testing procedures set forth in this appendix address all the requirements as set forth in 49 CFR, Part 40, and specifies the required form and disposition of such testing forms.

### **2. Alcohol Testing Form and Log Book**

The BAT shall utilize the Breath Alcohol Testing form. The alcohol testing form must comply with the provisions as contained in 49 CFR, Part 40, with regard to the information that must be contained on the form. The form must address the specific requirements contained in §40.59.

The Authorities and their EMS contractors may utilize a form that is directly generated by an EBT and may omit the space for affixing a separate printed result to the testing form. The form shall provide triplicate or three consecutive identical copies with copy 1 being retained by the APM in the Authority's Human Resources Office, copy 2 shall be provided to the employee, and copy 3 shall be retained by the BAT.

The medical provider shall use a log book in conjunction with any EBT used for screening tests that does not meet the requirements listed in the AMPP.

The breath alcohol testing form may include such additional information as may be required for billing or other legitimate purposes necessary to the testing, provided that personal identifying information on the individual (other than the social security number or employee identification number) may not be provided.

### **3. Breath Testing Locations**

The Authorities shall ensure that there are sufficient breath testing sites or that the breath testing sites are located within a reasonable proximity to various work locations.

Testing shall be conducted in a location that affords visual and audio privacy to the employee being tested. The location shall prevent unauthorized personnel from seeing or hearing test results. All necessary equipment, personnel, and materials for conducting the alcohol testing shall be provided at the testing site.

No unauthorized persons shall be permitted access to the testing site when the EBT remains unsecured, or in order to prevent such individuals from seeing or hearing a test result.

The BAT shall supervise only employee's use of the EBT at a time. The BAT shall not leave the alcohol testing site while the testing process is in progress.

### **4. Breath Alcohol Testing Preparations**

When an employee arrives at the alcohol testing site, the BAT shall ensure that the individual is positively identified as the employee selected for alcohol testing (e.g. through presentation of photo identification or identification by the department's representative). If the employee's

identity cannot be established, the BAT shall not proceed with the alcohol test. If the employee requests, the BAT shall show proper identification to the employee.

The BAT shall explain the alcohol testing process to the employee.

## 5. Screening Test Procedures

The BAT shall begin the alcohol testing process by completing Step 1 on the Alcohol Breath Testing form. The employee shall then complete Step 2 by signing the certification. Refusal by the employee to sign the certification shall be regarded as a refusal to take the alcohol test.

The BAT shall select an individually sealed mouthpiece and it shall be opened in full view of the employee and attached to the EBT in accordance with the manufacturer's instructions.

The BAT shall instruct the employee to blow forcefully into the mouthpiece for at least 6 seconds or until the EBT instrument indicates that an adequate amount of breath has been obtained.

If the EBT does not meet the requirements of the AMPP, the BAT shall show the employee the result displayed on the EBT. The BAT shall record the displayed result, test number, testing device, serial number of the testing device, time and quantified result in Step 3 of the form. The BAT shall record in the log book the test number, date of the test, name of the BAT, location, and quantified test result. The employee shall then initial the log book entry.

If the EBT provides a printed result but does not print the results directly onto the form, the BAT shall show the employee the result displayed on the EBT. The BAT shall then affix the test result printout to the breath alcohol test form in the designated space. The result shall be secured in such a manner that will provide clear evidence of removal, such as the use of tamper-evident tape.

If the EBT prints the test result directly onto the alcohol form, then the BAT shall show the employee the result displayed on the EBT.

If the result of the screening alcohol test is a breath alcohol concentration of less than 0.02, the BAT shall date the form and sign the certification in Step 3 of the form. The employee shall then sign the certification and fill in the date in Step 4 of the form. If the employee does not sign the certification in Step 4 or does not initial the log book entry for a test, it shall not be considered a refusal to be tested. In this event, the BAT shall note the employee's failure to sign or initial in the "Remarks" section of the form.

If a test result printed by the EBT does not match the displayed result, the BAT shall note the disparity in the "Remarks" section. Both the BAT and the employee shall initial or sign the notation. The alcohol test is invalid and the APM and the employee shall be so advised.

At this point, no further testing is authorized. The BAT shall transmit the result of less than 0.02 to the APM or other designated representative in a confidential manner. The Authorities shall receive and store the information ensuring that confidentiality is maintained as required in the AMPP.

If the result of the screening test is an alcohol concentration of 0.02 or greater, then the BAT shall perform a confirmation test. If the confirmation test will be conducted by a different BAT, then the BAT who conducts the screening test shall complete and sign the form and log entry. The BAT

will upon completion of the alcohol test, provide the employee with Copy 2 of the breath alcohol testing form.

## 6. Confirmation Test Procedures

When a BAT other than the one who conducted the screening test is required to conduct the confirmation test, the new BAT will require the employee to provide positive identification such as photo ID card or identification by a representative. The BAT will, upon request of the employee being tested, provide such identification.

The BAT shall instruct the employee not to eat, drink, put any object or substance in his/her mouth and, to the extent possible, not belch during the waiting period just prior to the confirmation test being conducted. This waiting period shall begin with completion of the screening test and shall not be less than 15 minutes but must be within 20 minutes of the completion of the screening test. The BAT shall explain to the employee that the reason for this is to prevent any accumulation of mouth alcohol leading to an artificially high reading and that it is for the benefit of the employee to comply with these instructions. The BAT shall also explain that the test will be conducted at the end of the required waiting period, even if the employee has disregarded the instructions. Should the BAT become aware that the employee has not complied with the instructions as provided, the BAT shall note the observations in the "Remarks" section of the form.

When a BAT other than the one who conducted the screening test is required to conduct the confirmation test, the new BAT shall initiate a new Breath Alcohol Testing form. The BAT shall then complete Step 1 on the form and the employee shall then complete Step 2 by signing the certification. If the employee should choose not to sign the certification, the BAT shall then make an appropriate notation in the "Remarks" section indicating the employee's refusal to take the alcohol test. The BAT shall note in the "Remarks" section that a different BAT conducted the screening test.

The BAT shall open, in the presence of the employee, a new individually-sealed mouthpiece and attach the mouthpiece to the EBT in accordance with the manufacturer's instructions. The BAT will then instruct the employee to blow forcefully into the mouthpiece for at least 6 seconds or until the EBT indicates that an adequate amount of breath has been obtained.

The BAT shall ensure, prior to the confirmation test being administered to the employee, that the EBT shall register 0.00 on an air blank. If the reading is greater, the BAT shall conduct one more air blank. Should the EBT again register greater than 0.00, the testing shall not proceed using that EBT. An EBT taken out of service because of failure to perform an air blank accurately shall not be used for testing until a check of external calibration is conducted and the EBT is found to be within the accepted tolerance limits. Alcohol testing using another EBT may proceed.

In the event that the screening and confirmation test results are not identical, the confirmation test result shall be deemed to be the final result on which disciplinary action is taken in order to comply with the requirements of the AMPP and any applicable federal requirements.

If the EBT provides a printed result but does not print the results directly onto the form, the BAT shall show the employee the result displayed on the EBT. The BAT shall then affix the test result

printout to the breath alcohol test form in the designated space. The result shall be secured in such a manner that will provide clear evidence of removal, such as the use of tamper-evident tape.

If the EBT prints the test result directly onto the alcohol form, then the BAT shall show the employee the result displayed on the EBT.

After the confirmation test is completed, the BAT shall date the form and sign the certification in Step 3 of the form. The employee shall then be instructed to sign the certification and fill in the date in Step 4. If the employee should elect not to sign the certification or to provide his/her initials in the log book entry for the test conducted, it shall not be considered as a refusal to be tested. The BAT shall then note the employee's failure to sign or initial the log book entry in the "Remarks" section of the testing form.

If a test result printed by the EBT does not match the displayed result, the BAT shall note the disparity in the "Remarks" section. Both the BAT and employee shall initial or sign the notation on the testing form. The test shall be considered "invalid" and the APM and the employee shall be so advised.

The BAT shall transmit all alcohol testing results to the APM or other designated Authority representative in a confidential manner. All communications by BATs shall be to the APM or designee only and may be provided in writing, in person, or by telephone or electronic means. The BAT shall ensure that immediate transmission of test results to the Human Resources Manager in order to prevent the employee from performing any covered functions.

Should the initial transmission not be accomplished in writing, but via telephone notification, the APM or designee shall establish a mechanism to verify the identity of the BAT providing the information. The BAT shall follow the initial transmission by providing to the APM or designee the Authorities' copy of the breath alcohol testing form. The test results shall be stored in such a manner so as to protect the confidentiality of the results and to eliminate the disclosure of information to unauthorized persons.

## **7. Refusals to Test and Uncompleted Tests**

Refusal by an employee to complete and sign Step 2 of the breath alcohol testing form, to provide breath, to provide an adequate amount of breath, or to otherwise cooperate with the testing process in a way that prevents the completion of the test, shall be noted by the BAT in the "Remarks" section of the form. The testing process shall be dismissed and the BAT shall immediately notify the APM or designee without delay.

If a screening or confirmation test cannot be completed or if an event occurs to invalidate the test, the BAT shall, if practicable, begin a new screening or confirmation test using a new breath alcohol testing form with a new sequential test number.

## **8. Inadequate Amount of Breath**

If the employee is unable, or alleges that he is unable, to provide a sufficient amount of breath to permit a valid breath test because of a medical condition, the BAT shall again instruct the employee

to attempt to provide an adequate amount. If the employee refuses to make the attempt, the BAT shall immediately inform the APM.

If the employee attempts and fails to provide an adequate amount of breath, the BAT shall so note in the "Remarks" section of the testing form and shall immediately inform the APM. The APM shall direct the employee to obtain, as soon as practical after the attempt, an evaluation from a licensed physician who is acceptable to the Authorities concerning the employee's medical ability to provide an adequate amount of breath.

If the physician determines, in his/her reasonable medical judgment, that a medical condition has or could have precluded the employee from providing an adequate amount of breath, the employee's failure to provide an adequate amount of breath shall not be deemed as a refusal to take an alcohol test. The physician shall provide to the APM a written statement for the basis of his/her conclusion.

If the physician, in his/her reasonable medical judgment, is unable to make the determination that a medical condition has precluded the employee from providing an adequate amount of breath, the employee's failure to provide an adequate amount of breath shall be regarded as a refusal to take a test. The physician shall provide a written statement for the basis of his/her conclusion to the APM.

## **9. Invalid Tests**

A breath alcohol test shall be invalid under the following circumstances:

- a. The EBT does not pass its next external calibration check. This invalidates all test results of 0.02 or greater on tests conducted since the last valid external calibration test. This would not invalidate any negative tests conducted.
- b. The BAT does not observe the minimum 15-minute waiting period prior to conducting the confirmation test.
- c. The BAT does not perform an air blank of the EBT before a confirmation test, or an air blank does not result in a reading of 0.00 prior to the administration of an alcohol test.
- d. The BAT does not sign the breath alcohol testing form.
- e. The BAT fails to note in the "remarks" section of the form that the employee has failed or refused to sign the form following the recording or printing on or attachment to the form of the test results.
- f. An EBT fails to print a confirmation test result.
- g. The sequential test number or alcohol concentration displayed on the EBT is not the same as the sequential test number or alcohol concentration on the printed result.

## **10. Alcohol Testing Equipment**

The Authorities' Employee Medical Services (EMS) provider shall use only approved evidential breath testing (EBTs) devices for conducting the alcohol testing.

a. Screening Devices

The Authorities' EMS provider shall utilize a log book to record information relative to screening alcohol tests, if the EBT being utilized does not have:

- 1) capabilities to be attached independently or by direct link to a separate printer, print a result in triplicate (or three consecutive identical copies) of each breath test;
- 2) capabilities to assign a unique and sequential number to each completed test so that the number can be read by the breath alcohol technician (BAT) and the employee before each test and be printed out on each copy of the result;
- 3) capabilities of printing out the manufacturer's name of the device, serial number and time of the test.

A log book shall be used for each device that does not meet the above criteria and the log book shall include the following information: test number, date of test, name of BAT, location of test, test result and initials of the employee taking each test.

b. Confirmation Devices

The Authorities' Employee Medical Services provider shall utilize an EBT for confirmation testing that has the required capabilities. The EBT shall also be able to distinguish alcohol from acetone; be capable of testing an air blank prior to each collection of breath; and perform an external calibration.

c. NHTSA Conforming Products List

All devices that will be used by the Authorities' Employee Medical Services provider for alcohol testing shall be National Highway Transportation Safety Administration (NHTSA) approved evidential breath testing (EBT) devices. NHTSA has model specifications for evidential breath testing devices and periodically publishes an updated Conforming Products List, which states which devices have met NHTSA standards.

## 11. Breath Alcohol Technician (BAT) Guidance

The Authorities' Employee Medical Services provider breath alcohol technician (BAT) shall receive sufficient training and be certified to proficiency in the specific operation of the evidential breath testing (EBT) device he uses in the required alcohol testing procedures as outlined in the Substance Abuse Policy. These products include the following:

- a. Each BAT used by the EMS shall be able to demonstrate by successful completion of a course of instruction which, at a minimum, provides training in the principles of EBT methodology, operation, and calibration checks; the fundamentals of breath analysis for alcohol content; and the procedures required for obtaining a breath sample, and interpreting and recording EBT results.
- b. The EMS provider shall ensure that only courses of instruction that are equivalent to the National Highway Traffic Safety Administration (NHTSA), as amended, model course may



be used to train BATs to proficiency. Upon request to NHTSA, they will review a BAT instruction to determine equivalency.

- c. The EMS provider shall ensure that the course of instruction shall provide documentation that the BAT has demonstrated competence in the operation of the specific EBT(s) to be used.

The EMS provider shall ensure that any BAT who will perform an external calibration check of an EBT shall be trained to proficiency in conducting the check:

- a. on the particular model of the EBT to be used. The BAT training shall also include practical experience and demonstrated competence in preparing the breath alcohol simulator or alcohol standard, and in the maintenance and calibration of the particular EBT.
- b. The EMS provider shall ensure the BAT(s) receives sufficient additional training to ensure proficiency concerning any new or additional devices or changes in technology for equipment used.
- c. The EMS provider and/or its designated agent, who are involved in conducting alcohol testing, shall establish documentation regarding the training and proficiency testing of any BAT it uses to test employees. The documentation shall be maintained in accordance with the requirements of federal regulations.

### **C. Employee Assistance Program (EAP)**

The Authorities maintain a provider of employee assistance services. Services provided by this program include all employees of the Authorities.

The Authorities' Employee Assistance Program (EAP) provider is:

**OPTIMA HEALTH**  
**[www.OptimaEAP.com](http://www.OptimaEAP.com)**  
(800) 899-8174  
or  
(757) 363-6777

This program is available to both the employee and your immediate family. The program is easily accessible with convenient appointment scheduling and emergency access to counselors 24 hours, seven days a week, through the 800 Helpline (800-932-0034).

## **D. Recordkeeping Procedures**

### **Alcohol Records**

#### **1. General**

The APM shall maintain the alcohol testing records in accordance with the provisions set out in the Substance Abuse Policy. Records shall be maintained for the specified periods of time as required in 49 CR, 382 and 40. In addition, the Authorities' Employee Medical Services (EMS) provider will maintain the alcohol testing records as specified in the Federal Regulations and the Authority Records Retention Guidelines.

#### **2. Record Retention Provisions**

- a. The following types of records shall be maintained for a minimum period of five years.
  - 1) Records of employee alcohol test results with results indicating an alcohol concentration of 0.02 or greater.
  - 2) Documentation of refusals to take required alcohol tests.
  - 3) Calibration documentation of each EBT used in alcohol testing, including records of the results of external calibration checks.
  - 4) Employee referrals and evaluations.
  - 5) Annual alcohol misuse report data.
- b. The following types of records shall be maintained for a minimum period of two years.
  - 1) Records related to the collection process (except calibration of EBT devices).
  - 2) Records related to training.
  - 3) Records of the inspection and maintenance of each EBT used in employee testing.
  - 4) Documentation of the Authorities' EMS provider compliance with the Quality Assurance Plan (QAP) for each EBT it uses for alcohol testing under the AMPP.
  - 5) Records of the training and proficiency testing of each BAT used in employee testing.
  - 6) Log books used in conjunction with EBTs.
- c. The following types of records shall be maintained for a minimum period of one year.
  - 1) Records of all test results below 0.02.

#### **3. Maintenance of Specific Types of Records**

- a. The following types of records related to the collection process shall be maintained:
  - 1) Collection log books, if used.
  - 2) Calibration documentation of EBT devices.
  - 3) Documentation of BAT training.

- 4) Documents generated in connection with decisions to administer reasonable suspicion alcohol tests.
  - 5) Documents generated in connection with decisions to administer post-accident alcohol test.
  - 6) Documents verifying existence of a medical explanation of the inability of a covered employee to provide adequate breath for alcohol testing.
- b. The following types of records related to test results:
- 1) EMS copy of the alcohol test form, including the results of the test.
  - 2) Documents related to the refusal of any covered employee to submit to a required alcohol test.
  - 3) Documents presented by a covered employee to dispute the result of an alcohol test administered under the AMPP.
- Records related to other violations outlined in the AMPP.
- c. The following types of records related to referrals and evaluations:
- 1) Records pertaining to a determination by an SAP concerning a covered employee's need for assistance.
  - 2) Records concerning a covered employee's compliance with the recommendations of the SAP.
  - 3) Records related to the annual alcohol misuse testing data. The Authorities shall submit the required alcohol misuse MIS testing data and FHWA as prescribed by the regulations.
- d. The following types of records related to education and training of employees and supervisors:
- 1) Materials on alcohol misuse awareness, including a copy of the Authorities' policy on alcohol misuse.
  - 2) Documentation of compliance with the requirements of Part 382.
  - 3) Documentation of training provided to supervisors for the purpose of qualifying the supervisors to make a determination concerning the need for alcohol testing based on reasonable suspicion.
  - 4) Certification that any training conducted under the AMPP be in compliance with the requirements of 49 CFR, Parts 199, 382 and 40.

## Drug Records

### 1. General

The DPD shall maintain the drug testing records in accordance with the provisions set out in the Substance Abuse Policy. Records shall be maintained for the specified periods of time as required

in 49 CFR, Parts 382 and 40. In addition, the Authorities' Employee Medical Services (EMS) provider will maintain drug testing records as specified in the Federal Regulations.

## 2. Record Retention Provisions

Records that demonstrate the collection process conforming to 49 CFR, Part 382, will be kept for a minimum of three (3) years by the program contractor.

Records of employee drug test results that show employees who had a positive test, and the type of test (e.g., post-accident), and records that demonstrate rehabilitation, if any, must be kept for at least five (5) years, and include the following information:

- a. The function performed by each employee who had a positive drug test.
- b. The prohibited drugs that were used by an employee who had a positive drug test.
- c. The disposition of each employee who had a positive drug test or refused a drug test (e.g. dismissal, rehabilitation, removed from covered function, other).

Records of employee drug test results that show employees passed a drug test must be kept for at least one (1) year.

A record of the number of employee tests, by type of test (e.g., post-accident), must be kept for at least five (5) years

Records confirming that supervisors and employees have been trained as required by federal regulations must be kept for at least three (3) years.

Information regarding an employee's drug test results or rehabilitation may be released only upon the written consent of the employee, except that such information must be released regardless of consent to the federal agency or the representative of a state agency upon request as part of an accident investigation. Statistical data related to drug testing and rehabilitation that is not name-specific and training records must be made available to FHWA or the representative of a state agency upon request.

## E. Specimen Collection Procedures

### Policy

The Authorities' Employee Medical Services provider will provide collection of urine drug screens based on guidelines by the Department of Transportation Procedures for Transportation Workplace Drug Testing Programs. The EMS will send all Drug Screens to an NIDA certified laboratory for testing based on DOT guidelines.

### References

- a. Federal Register, Volume 53, Number 224
- b. Federal Register, Volume 59, Number 110
- c. U.S. Department of Transportation's Specimen Collection Workbook, May, 1992.

### Procedure

#### 1. Collection Site Security

The following conditions will be maintained to ensure that the collection site is secured for the purpose of drug testing:

- a. Doors to the collection rooms (bathrooms) will remain locked at all times. Access codes will be limited to department staff responsible for urine sample collections.
- b. All collection rooms will be inspected for paraphernalia which could be used to tamper with or adulterate the urine sample at the beginning of each workday and randomly throughout the day.
- c. Bluing agent will be added to the toilet water.
- d. During the collection process, all water faucets will be secured by the collector.

#### 2. Employee and Collector Identification

- a. The collector of the urine specimen will be a licensed medical professional or technician who has been instructed in the collection process.
- b. All employees/donors will present valid photo identification at the time they are scheduled for the drug screening procedure. (Driver's license, employee ID, or identification by the employer's representative.)
- c. If the employee's/donor's identity cannot be established, the collection site person shall not proceed with the collection.

#### 3. Collection Procedure

- a. Complete Step 1 (A, B, C, D and E) on Chain of Custody form.
- b. The employee/donor is directed to remove any unnecessary outer garments, such as a coat or jacket, that might conceal items or substances that could be used to tamper with

or adulterate the urine specimen. The employee/donor is directed to leave all personal belongings, such as a purse or briefcase, with the outer garments. The employee/donor may retain his/her wallet.

- c. The donor is instructed to wash his/her hands using soap from a dispenser outside the bathroom.
- d. The water is then turned off from a remote-control switch outside the bathroom.
- e. A sealed split specimen sample COC box is handed to the donor for sample collection.
  - 1) Collect an adequate amount of urine (45 ml minimum).
  - 2) If the amount of urine is less than 45 ml, the collection is void and the urine sample is discarded.
  - 3) The donor is provided not more than 24 ounces of fluid, and after a period of up to two hours, is instructed to provide a complete sample using a fresh collection kit.
  - 4) If, after another attempt to collect, the specimen is less than 45 ml of urine, notify the employer and discard the urine.
- f. Both the donor and the collector shall keep the specimen in full view at all times prior to its being sealed and labeled.
- g. Check temperature. This must be done within four minutes after collection. The collector shall also inspect the specimen to determine its color and look for any signs of contamination.
  - 1) If temperature sensor is not within 90-100 degrees, record actual temperature with thermometer in aliquot. Fill out Step 2 on COC Form.
  - 2) A donor may volunteer to have his/her temperature taken to provide evidence to counter the reason to believe the donor may have altered or substituted the specimen caused by the specimen's temperature falling outside the prescribed range.
- h. Open sealed bottle in kit and pour off 15 ml into it from the first bottle. This is now sample bottle B (split). Cap both bottles firmly.
- i. Seal containers with numbered bottle seals provided with the form. Specimen A should contain at least 30 ml. Collector dates both bottle seals. Donor initials both bottle seals. Place in COC bags and seal.
- j. Have donor complete Step 4 and Copy 4 (pink page) of COC form. Instruct donor to read certification statement before printing and signing name.
- k. Collector fills out Step 5 on Copy 1. Remarks section can be used for comments, type of ID, suspicious behavior or witness's signature if indicated.
- l. Collector prints and signs name on RECEIVED BY line on the first line of Step 6, signs and prints name again under RELEASED BY line. Under RECEIVED BY, line 2, write COC box/AML Courier (or other delivery service used). Under PURPOSE OF CHANGE write "ship specimen to lab."

- m. Give DOT copy 5 (green) to donor. Place sealed specimens and top 3 copies of form in COC box. Place red security seal over opening and initial and date. Place box in secure area.

#### 4. Direct Observation Collection

- a. Direct observation collection may be conducted in the following circumstances:
  - 1) The donor has provided a specimen that falls outside the acceptable temperature range (90-100 degrees).
  - 2) The collector observes conduct clearly indicating an attempt to substitute or adulterate the sample (i.e. substitute urine in plain view, blue dye in specimen presented, adulterated substance in view).

NOTE: In both of the above described circumstances the collector must obtain, in advance of the direct observation collection, the review and concurrence of the collection site supervisor or the designated employer representative. The person directly observing the specimen collection shall be of the same gender.
- b. The DOT regulations permit a subsequent collection to be collected under direct observation if:
  - 1) The last specimen provided by the donor (i.e. on a previous occasion) was determined by the laboratory to have a specific gravity of less than 1.003 and Creatinine concentration below 2.g/l.
  - 2) The donor has had a verified positive result on a previous drug test and is subject to return-to-duty or follow-up testing under DOT regulations.
- c. The decision to conduct a direct observation collection in the two circumstances described above is made by the employer, not the collection site personnel. In these cases, it is the responsibility of the employer to notify the collection site personnel when a direct observation collection is warranted.

#### 5. Reporting and Reviewing of Results

- a. The Medical Review Officer (MRO) shall be a licensed physician with knowledge of substance abuse disorders.
- b. The MRO will review and interpret confirmed positive test results. If the test of the first specimen bottle (bottle A) is verified positive by the MRO, the MRO shall report the result to Human Resources Manager.
  - 1) Prior to making a final decision to verify a positive test result of an individual, the MRO shall give the individual an opportunity to discuss the test results with him.
  - 2) The MRO shall contact the individual directly, on a confidential basis, to determine whether the employee wishes to discuss the test results with him.
  - 3) If, after making all reasonable efforts and documenting them, the MRO is unable to reach the individual directly, the MRO shall contact a designated management official who shall direct the individual to contact the MRO as soon as possible.



- 4) If, after making all reasonable efforts, the designated management official is unable to contact the employee, the employer may place the employee on temporary medically unqualified status or medical leave.
- c. The MRO may verify a test as positive without having communicated directly with the employee about the test in two circumstances.
  - 1) The employee expressly declines the opportunity to discuss the test.
  - 2) The designated employer representative has successfully made and documented a contact with the employee and instructed the employee to contact the MRO, and more than five days have passed since the date the employee was contacted by the designated employer representative.
    - a) If a test is verified positive under the circumstances specified in subparagraph (C-2) of this paragraph, the employee may present to the MRO information documenting the serious illness, injury or other circumstances which unavoidably prevented the employee from timely contacting the MRO. The MRO, on the basis of such information, may reopen the verification, allowing the employee to present information concerning a legitimate explanation for the confirmed positive test. If the MRO concludes that there is a legitimate explanation, the MRO declares the test to be negative.
- d. Following verification of a positive test result, the MRO shall, as provided in the employer's policy, refer the case to the employer's employee assistance or rehabilitation program and, if applicable, to the management official empowered to recommend or take administrative action (or the official's designated agent), or both.

## 6. Verification for Opiates

Review for prescription medication. Before the MRO verifies a confirmed positive result for opiates, he or she shall determine that there is clinical evidence, in addition to the urine test, of unauthorized use of any opium, opiate or opium derivative (e.g., Morphine, Codeine): (This requirement does not apply if the employer's GC/MS confirmation testing of opiates confirms the presence of 6-Monoacetylmorphine.)

## 7. Reanalyzes Authorized

- a. Should any questions arise as to the accuracy or validity of a positive test result, only the MRO is authorized to reanalyze the original sample and such retests are authorized only at laboratories certified by DHHS. The MRO shall authorize a reanalysis of the original sample if requested to do so by the employee within 72 hours of the employee's having received actual notice of the positive test. If the retest is negative, the MRO shall cancel the test.
- b. Only the donor may request, through the MRO, that the second specimen bottle (Bottle B) be tested in a DHHS certified lab for presence of the drug for which a positive result was obtained in the test of the first specimen bottle (Bottle A). The MRO shall honor such a request if it is made within 72 hours of the donor having received notice that he/she tested positive.

- c. The result of this test is transmitted to the MRO without regard to the cutoff levels used to test the first specimen bottle (Bottle A).

## **8. Result Consistent with Legal Drug Use**

If the MRO determines there is a legitimate medical explanation for the positive test results, the MRO shall report the test to the employer as negative.

## **9. Result Scientifically Insufficient**

Additionally, the MRO based on review of inspection reports, quality control data, multiple samples, and other pertinent results, may determine the result as scientifically insufficient for further action and declare the test specimen negative. In this situation the MRO may request reanalysis of the original sample before making this decision. (The MRO may request that reanalysis as provided in S40.22 (e) be performed by the same laboratory or, that an aliquot of the original specimen be sent for reanalysis to an alternate laboratory which is certified in accordance with the DHHS Guidelines.) The laboratory shall assist in this review process as requested by the MRO by making available the individual responsible for day-to-day management of the urine drug testing laboratory or other employee who is a forensic toxicologist or who has equivalent forensic experience in urine drug testing, to provide specific consultation as required by the employer. The employer shall include, in any required annual report to a DOT agency, a summary or any negative findings based on scientific insufficiency but shall not include any personal identifying information in such reports.

## **10. Disclosure of Information**

- a. Except as provided in this paragraph, the MRO shall not disclose to any third-party medical information provided by the individual to the MRO as part of the testing verification process.
- b. The MRO may disclose such information to the employer, a DOT agency or other Federal Safety Agency, or physician responsible for determining the medical qualification of the employee under an applicable DOT agency regulation, as applicable, only if:
  - 1) An applicable DOT regulation permits or requires such disclosure.
  - 2) In the MRO's reasonable medical judgment, the information could result in the employee being determined to be medically unqualified under an applicable DOT agency rule.
  - 3) In the MRO's medical judgment, in a situation in which there is no DOT agency rule establishing physical qualification standards applicable to the employee, the information by the employee of his or her safety sensitive function could pose a significant safety risk.
- c. Before obtaining medical information from the employee as part of the verification process, the MRO shall inform the employee that information may be disclosed to third parties as provided in this paragraph and the identity of any parties to whom information may be disclosed.

- d. Protection of Employee Records - The EMS provider contract with laboratories shall require that the laboratory maintain employee test records in confidence as provided in DOT agency regulations. The contracts shall provide that the laboratory shall disclose information related to a positive drug test of an individual to the individual, the employer, or the decision maker in a lawsuit, grievance, or other proceeding initiated by or on behalf of the individual and arising from a certified positive drug test.
- e. Individual Access to Test and Laboratory Certification Results - Any employee who is the subject of a drug test conducted under this part shall, upon written request, have access to any records relating to his or her drug test and any records relating to the revocation of certification proceedings.

## **F. Designated Collection Agency/Medical Services Provider and Testing Laboratories**

### **Collection Agency and Medical Services Provider**

MedExpress Urgent Care Pantops  
260 Pantops Center  
Charlottesville, VA 22901  
Monday - Friday, 9:00 AM - 5:00 PM

### **All Other Times**

University of Virginia Emergency Room  
1215 Lee Street  
Charlottesville, VA 22902  
(434) 924-0000 (ask Operator to page #1616)\*

- Supervisor must call ahead
- Stay on line while #1616 is paged
- Tell answering Respiratory Therapy Supervisor that answers page that an after-hours substance testing is coming to them
- Employee reports directly to the ER at UVA Medical Center and tell desk they are there for after-hours substance screening provided through UVA Work Med
- Tell ER registration to page #1616 and tell them of their arrival
- Employee Must show picture ID

### **Name and Address of Testing Laboratory:**

Quest Diagnostics-Philadelphia  
400 Egypt Road  
Norristown, PA 19403

## G. Medical Review Officer

MedExpress Urgent Care Pantops  
260 Pantops Center  
Charlottesville, VA 22901

### MEDICAL REVIEW OFFICER GENERAL RESPONSIBILITIES:

The Medical Review Officer is generally responsible for the following:

- a. Although the laboratory analysis will determine whether the specimen is positive, any confirmed positive test results from the laboratory must be reviewed and interpreted by a Medical Review Officer (MRO) prior to transmission of the results to the Authority's DPD. The MRO's review must include a review of the chain of custody to ensure that it is complete and sufficient on its face.
- b. Prior to confirming a positive result for opiates, the MRO must determine that there is clinical evidence (in addition to the urine test) of unauthorized use of any opium, opiate or opium derivative (e.g., morphine/codeine).
- c. The MRO must be a licensed physician with knowledge of both substance abuse disorders and possible alternate medical explanations for a positive test result. The MRO may not be an employee of the laboratory conducting the controlled substances test(s).
- d. As part of his/her responsibilities, the MRO must examine alternate medical explanations for any positive test results and review all medical records made available by the tested individual when a confirmed positive test could have resulted from legally prescribed medication. The MRO may not consider results of urine samples that were not obtained or processed in accordance with the DOT controlled substances testing program requirements.

Additional detailed rules governing the responsibilities of the MRO may be found in 49 CRF, 40.33.

### H. Alcohol & Drug Testing Percentages

In accordance with federal and Authority mandates, the Authority shall test the following percentages of employees for calendar year 2005:

#### ALCOHOL TESTING

Testing Type	Percentage, FHWA - CDL	Percentage, All Non-CDL Employees
Pre-employment	0%	0%
Post-Accident	100% of who met requirements	100% of who met requirements
Random	10%	10%
Movement/Transfer	100% of those who move into a CDL position from a Non-CDL position	0% of those who move into a Non-CDL position from a CDL position
Return-To-Duty	100%	100%
Follow-Up	100%	100%
Reasonable Suspicion	100% based on specific, contemporaneous, and articulated observations	100% based on specific, contemporaneous, and articulated observations

#### DRUG TESTING

Testing Type	Percentage, FHWA - CDL	Percentage, All Non-CDL Employees
Pre-employment	100%	100%
Post-Accident	100% of who met requirements	100% who met requirements
Random	50%	10%
Movement/Transfer	100% of those who move into a CDL position from a Non-CDL position	0% of those who move into a Non-CDL position from a CDL position
Return-To-Duty	100%	100%
Follow-Up	100%	100%
Reasonable Suspicion	100% based on specific, contemporaneous, and articulated observations	100% based on specific, contemporaneous, and articulated observations

## I. Quality Assurance Plan for Intoximeters, Inc - RBT IV/Alco-Sensor IV

### 1. Designated Methods for External Calibration ("Accuracy") Checks

Assuming that they are approved for use by NHTSA, Intoximeters, Inc. recommends that external accuracy checks be performed using either an approved compressed dry gas standard made up of  $105 \pm 2$  ppm ethanol in nitrogen or any NHTSA-approved wet bath simulator in conjunction with a properly certified and maintained ethanol solution that has been manufactured to produce an apparent breath alcohol concentration of  $0.040 \pm .002$  grams per 210 liters of breath.

In all cases the compressed gas tanks, simulators and simulator solutions should be used and maintained only in accordance with the quality assurance plans provided by their respective manufacturers in order to ensure that they produce consistent and reliable samples.

Instruction for use of these accuracy check standards with the instrument can be found in the documentation provided with the instrument.

### 2. Minimum Intervals for Accuracy Checks

In order to maintain the highest level of integrity for all alcohol breath tests performed, an accuracy check would have to be performed before and after every breath test. For most employers this will be a cumbersome requirement that will not offer much benefit.

When a test is run, an accuracy check must be run prior to that test if an accuracy check has not occurred within the past 31 days.

Intoximeters, Inc. also highly recommends that an accuracy check be run on the instrument as soon after a positive confirmation test as is practical.

Because an accuracy check that produces a result outside of the expected tolerances outlined below throws into doubt the validity of all previous breath tests since the last successful accuracy check, this procedure ensures that only one positive test (the last one) will be comprised. Also, if the accuracy check is run immediately, it gives the BAT an opportunity to test the subject again.

Intoximeters, Inc. suggests, if practical, that an accuracy check be run before the first test on each day that the instrument is used. This procedure offers additional assurances that the instrument is functioning properly especially when there is a long period during which there are no positive tests and an accuracy check would not otherwise be run according to the procedures outlined above.

### 3. Acceptance Tolerances on an External Accuracy Check

The result of an accuracy check must be within  $\pm 0.005$  grams per 210 liters of breath inclusive of the expected value.

For wet bath simulators, the requirement is measured by using simulator solution manufactured to produce an apparent breath alcohol concentration of  $0.040 \pm .002$  grams per 210 liters of breath. The value of a sample from the wet breath simulator, as read by the Alco-Sensor IV, should be  $0.040 \pm 0.005$  grams per 210 liters of breath inclusive.

For compressed dry gas standards, the requirement is met by using compressed dry gas tanks containing 105 + 2ppm of ethanol in nitrogen. The value of a sample of this gas delivered at 760mm of Hg. absolute barometric pressure as read by the Alco-Sensor IV should be 0.038 + 0.005 grams per 210 liters of breath inclusive. However, both weather conditions and higher elevations for operation will change the barometric pressure and cause the expected value of the dry gas standard to change. For instance, in Santa Fe at 7000 ft. the compressed dry gas tank will have a value of approximately 0.025. To accommodate these variations, the TRUE-CAL device is supplied with compressed dry gas tanks for manual accuracy checks and calibrations.

The TRUE-CAL device contains a precision pressure sensor which monitors the barometric pressure and automatically corrects the expected value of the dry gas standard at that moment. The information is available by pushing a button on the TRUE-CAL device.

Altitude tables may be used for this correction, but weather extremes may cause variations of up to + .002 grams per 210 liters in the expected value.

This value must be entered into the memory of the RBT IV/Alco-Sensor IV by the BAT before the standard is run and is recorded on the test record, along with the result obtained from running the standard.

If the instrument does fail an accuracy check, the employer shall take the instrument out of service as per 49 CFR, Part 40.55(b)(2) and re-calibrate it.

#### **4. Inspection, Maintenance and Calibration Requirements**

The instrument should be calibrated when the result of an accuracy check is + 0.005 grams per 210 liters of breath or more from the expected value as outlined above.

The instrument should be taken out of service if:

- a. The instrument repeatedly fails to maintain its calibration (i.e., if after two successful attempts to calibrate the device a successful accuracy check was not obtained);
- b. the instrument fails to maintain its calibration on three consecutive monthly accuracy checks;
- c. the instrument consistently takes more than two minutes to perform a breath analysis on a sample with a concentration less than 0.100 grams per 210 liters of breath.

The instrument should be inspected by a certified technician at least once every two years in service.

Routine maintenance procedures are specified in the manuals of each instrument and must be followed in order to ensure accurate test results.



## **J. The Effects of Alcohol, Controlled Substances, Prescription Drugs and Over the Counter Medications**

Testing for controlled substances is done for the following five drugs and their metabolites: Amphetamines, Cocaine, Marijuana, Opiates and Phencyclidines (PCP). Alcohol testing is also required. Each of these substances, as well as prescription and over the counter medications are discussed in detail in this section.

### **Alcohol**

#### **1. Description**

Alcohol is a drug. It is a depressant, not a stimulant as is commonly believed, which slows down physical responses and progressively impairs mental functions. Ethyl alcohol is the alcohol which is contained in beer, wine and liquor. Medically, alcohol is found in elixirs, cough syrups, cold medicines, and in such items as breath spray, mouthwash, etc. Alcohol is alcohol whether it is found in an over the counter medication or a beer and has the same effect at the same level. It is immaterial how it got in the individual's system it has the same effect. Although alcohol is legally and socially acceptable in our society, it is not legally acceptable to consume alcohol prior to or while on duty or subject to a call to report to duty. Commonly you hear that a cutoff defined as a decimal such as 0.02 breath alcohol concentration, which means 2 drops of pure alcohol to 10,000 drops of blood.

#### **2. Health Effects**

The effects are dependent on many factors – the amount consumed, a person's body weight, whether the person is rested or tired, sick or healthy, stomach content, age, altitude, gender, and metabolism. Malnutrition, lower resistance to infections, irreversible damage to brain, liver, pancreas, kidneys, pancreas, and nutritional deficiencies occur with long term use; as do birth defects, increased cancers of the mouth, malignant melanoma of the tongue, etc. Alcohol also carries a high risk of psychological and physical dependence.

It is necessary to have an understanding of what “a drink” is since the regulation prohibits consuming alcohol within four hours of reporting to work. A drink is defined as 1/2 oz. of pure alcohol. A five-ounce glass of 12% wine, a 12 oz. can of beer and a 1 oz. (a shot glass) of 100 proof liquor, all contain 1/2 oz. of pure alcohol. The body takes about two hours to eliminate the alcohol that has been consumed in a 1/2 oz. of alcohol.

A 150 lb. man could drink two 1 oz. shots of 100 proof liquor OR two beers OR two glasses of wine and measure and register a 0.05% on the breathalyzer. Two hours later, he may still register at the 0.02% breath alcohol content.

#### **3. Symptoms of Use**

Glazed eyes, flushing, slurred speech, emotional instability, decreased inhibitions, stupor, impaired coordination, slowed reflexes, odor of alcohol, hangover, sweating, blackouts, impaired thinking, aggressiveness, tunnel vision, slowed reaction times, nausea, memory loss, unsteadiness, short attention span, blurred vision, hostility, drowsiness, distorted sense of time and distance. Except for the odor, these are the signs and symptoms of any depressant substance.

#### 4. Performance Effects

The first part of the brain to be affected is the part which controls judgment and self-control. Once judgment and self-control have been disrupted, the impaired individual is unable to recognize that he/she is impaired and is unable to make rational decisions. This is what ultimately leads to the decision to get behind the wheel when impaired. Reaction time decreases as much as 60% after just two drinks. Some performance problems would include faulty judgment, reasoning and lack of coordination, inability to watch other vehicles as they approach or pass, excessive braking, inability to make rapid decisions, loss of peripheral vision, takes more risks, swerving, emotional instability and increased aggressiveness, distorted sense of time and distance and blurred vision. It is important to know that the number of drinks consumed compared to body weight is only a small portion of the equation used when determining the impairment level in an individual.

#### 5. Other Issues

Two to three percent of the driving population is legally drunk at any one time this rate is doubled at night and on weekends. More than 60% of burns, 40% of falls, 69% of boating accidents, and 76% of private aircraft accidents are alcohol related. Each year 24,000 people will die on the highway due to the legally impaired driver (0.08 blood alcohol content) and 12,000 more will die on the highway due to the alcohol affected driver (less than 0.08 blood alcohol content). The rate of separation and divorce in families with alcohol dependency problems is seven times the average. Coffee and exercise do not help a drinker sober up only time. Food slows the absorption of alcohol.

### Amphetamines

#### 1. Description

Amphetamines ("speed," "white cross," "black beauties") may be taken orally in the form of pills or capsules. Methamphetamines ("meth," "crank," or "crystal") is usually a granular powder or lumps, and may be taken orally, injected or snorted into the nose. The physical sense of energy at lower doses and the mental exhilaration of higher doses are the reasons for their abuse. Although widely prescribed at one time for weight reduction and mood elevation, the legal use of amphetamines is not limited to a very narrow range of medical conditions.

#### 2. Health Effects

Amphetamines are stimulants, which speed up breathing and heart rate and raise blood pressure. Low doses produce increased alertness and talkativeness, feelings of power and energy, and decreased appetite and desire for sleep. Larger doses are associated with impaired judgment, insomnia, irritability, anxiety, tremors and, with long term or high dose usage, transient psychotic episodes, and paranoia. Chronic use may cause heart, brain, dental, bones, lungs, liver, and kidney damage, and seriously deplete the body of vitamins and nutrients. The legal use is limited to a very narrow range of medical conditions. Detection time in urine is 1 2 days for light use to 2 4 days for chronic use.

### 3. Symptoms of Use

Dilated pupils, rapid breathing, jerky eye movements, impaired coordination, decrease in appetite, weight loss, excessive talking, insomnia, hyperactivity, sweating, confusion, panic, inability to concentrate, mood elevations.

### 4. Performance Effects

Amphetamines will cause a short-term improvement in fatigue or alertness. However, with greater usage the effect reverses and has an impairing effect physical fatigue and depression. Work performance would be affected by impaired judgment, delayed reaction time, greater tendency to take risks, and impaired muscle coordination.

## Cocaine

### 1. Description

Cocaine is a stimulant. It is also called crack, rock, coke, toot, blow, nose or freebase. Cocaine Hydrochloride is a white to creamy granular or lumpy powder that is chopped into a fine powder before use. It is snorted into the nose, rubbed on the gums, or injected in veins. The effect is felt within minutes and lasts 10 to 60 minutes per 1 inch line. Cocaine Base ("crack") is a small crystalline rock about the size of a small pebble or in tablet form for smoking. Crack is smoked in a pipe, mixed with marijuana or tobacco or doused with PCP. Crack is beige or slightly brownish; white or yellowish white. It boils at low temperature and is heated in a glass pipe and the vapor is inhaled. The effect is felt within several seconds. Medically, cocaine is used as a local anesthetic.

### 2. Health Effects

Cocaine causes the strongest mental dependency of any known drug. It is a stimulant which causes the heart to beat faster and harder, increases blood pressure, causes muscles to become more tense, etc. "Crack" cocaine is a more potent form of the drug and is especially addicting and dangerous. It produces an intense high almost instantly. The high is always followed by a low so unpleasant that the user will do almost anything to get more crack. Larger doses are associated with restlessness, headache, rapid pulse, irregular respiration, chills, rise in body temperature and nausea. Chronic uses or overdoses include delirium, convulsions, unconsciousness, and death from stroke or heart attack. Because crack dulls pain, users may ignore conditions that require medical attention. Detection time in urine is 1 2 days for light use and 4 6 days for chronic use.

### 3. Symptoms of Use

Nasal redness, increased physical activity and fatigue, extreme mood swings, violent, depression, short attention span, sensitive to noises, irritable, forgetfulness, weight loss, running nose, nose bleeds, sniffing, hyperactivity, bad breath, dilated pupils and visual impairment, anxiety.

### 4. Performance Effects

Absenteeism, tardiness, missed assignments or forgetfulness; difficulty in concentration, impairment of performance and judgment. Because the addiction is costly and the "high" so important, it's hard for the person to think about anything but how to get the next "high" financial

problems and theft or dealing may occur. Slower reaction time and ability to make decisions, distorted vision and depth perceptions, unable to judge time and distance.

## **Marijuana**

### **1. Description**

Marijuana comes from the hemp plant, cannabis sativa. It is a depressant which primarily affects the brain. Leaf marijuana ranges in color from green to light tan and the leaves are usually dry and broken into small pieces. Hashish is a compressed tar-like substance ranging in color from pale yellow to black and is sold in small chunks. Marijuana has a distinct pungent smell. Marijuana, hashish, hash, oil are forms of cannabis which are smoked. Nicknames include pot, dope, grass, joint or reefer. Marijuana is usually smoked in a cigarette or pipe and can also be eaten. Marijuana contains hundreds of different chemicals, which produce many different effects on the mind and body.

### **2. Health Effects**

Increases heart rate, lowers blood pressure and causes reddening of the eyes. One marijuana cigarette (joint) contains cancer causing substances equal to one half pack of cigarettes. Low to moderate dose effects range from relaxation and euphoria, talkativeness, and gaiety to mild fatigue, perceptual changes, and feelings of heightened sensitivity. High or repeated doses can produce panic reactions, reduced motivation, and distortions of body image. Medically, marijuana has been used in glaucoma treatment, epileptic spasms and seizures treatment, and relief of nausea associated with cancer chemotherapy. Marijuana poses a moderate potential for psychological dependence and some tolerance may develop with long term usage. Long term effects include lung cancer, immune system problems impaired memory, concentration and motivation, reduction in hormonal levels which regulate growth, reproduction and sexual development, and pregnancy problems. Because of the effect on the immune system, there is research on the possible connection between marijuana smoking and the activation of AIDS in positive HIV carriers. The potency of the active chemical, THC, in marijuana makes smoking 3 5 joints a week today equivalent to 15 40 joints a week in 1978. Detection time in urine is 2 7 days for light use and more than 30 days for chronic use.

### **3. Symptoms of Use**

Bloodshot eyes, persistent cough, sore throat, or respiratory infection, increased appetite, memory lapses, reduced attention span, fatigue, slowed speech, odor on clothing, lack of motivation, paranoia, confusion and aggression.

### **4. Performance Effects**

Produces a number of changes in perceptions, memory and thought processes including reduced concentration, impairment of judgment and coordination, reaction time, tracking ability, distorted vision and depth perception, inability to correctly measure time and distance all of which can linger up to 24 hours after use. Marijuana poses serious risks on the road or in jobs involving heavy or complicated equipment.

## Opiates

### 1. Description

Opiates are classified as a narcotic analgesic that alleviate pain and depress body functions and reactions. Opium derivatives are more commonly known as morphine, codeine, and heroin. Nicknames are junk, smack, horse and brown sugar. Synthetic narcotics are methadone, meperidine (Demerol), hydromorphone (Dilaudid), oxycodone (Percodan), pentazocine (Talwin), propoxyphene (Darvon). Opiates have a sedating, calming effect, and act as a depressant to the central nervous system. They are taken either orally, by injection or smoked.

### 2. Health Effects

Narcotics slow down body systems, reduce sensitivity to pain and induce sleep. Low dose or infrequent use produces euphoria, fatigue, lower sensitivity to pain, and impaired concentration, while wiping out desire for food, sex and most physical activity. Higher dose or regular use promotes sleep and triggers a sense of detachment and reduced motivation. Medically, opiates are prescribed to relieve pain, cough and diarrhea and reduce pain in the terminally ill. Unwanted side effects include itchiness, constipation, nausea and vomiting, restlessness, abdominal pain and visual problems and if taken in excess, can cause coma or death. Users quickly build tolerance and risks of overdose are particularly high. Narcotics effects are multiplied when used in combination with other depressant drugs and alcohol, causing increased risk for an overdose. Detection time in urine is 2-4 days for light use and more than one week for chronic use.

### 3. Symptoms of Use

Pinpoint pupils, mood changes, confusion, shallow and slow breathing, sleepiness, unresponsiveness to pain, nausea and vomiting, memory loss, dry mouth, raspy speech, depressed reflexes, excess talking, cold, moist or bluish skin, slurred speech, hostility, euphoria, short attention span, unsteadiness, depression. High doses impair judgment and coordination.

### 4. Performance Effects

Work performance problems would include daydreaming or lack of concentration, drowsiness, distorted vision, distorted sense of time and distance, depressed reflexes, potential visual problems.

## Phencyclidine (PCP)

### 1. Description

Phencyclidine is known as a dissociative anesthetic. Street names include hog, crystal, angel dust, embalming fluid, tic and THC. It is sold as pills, powder, and liquid, or sprinkled on marijuana or tobacco cigarettes. PCP may be smoked, snorted or injected. PCP is easily the most unpredictable of all psychoactive drugs and effects vary widely depending on the user and the dose.

### 2. Health Effects

PCP users may experience hallucinations and signs of intoxication. They will be unable to focus their attention or will experience confusion and lack of coordination. Although it has short term effects, it is known for its long-term effect of causing psychotic behavior often associated with violent acts.

Low doses produce stimulation, numbness, and reduced inhibitions along with flushing, sweating, impaired coordination and judgment and slurred speech. Moderate doses of PCP act as a depressant, with a sense of detachment and being excited and confused. High doses of PCP effects resemble powerful hallucinogens, including agitation, increased aggression, paranoia, and near complete insensitivity to pain. Originally developed as an anesthetic, the side effects limited its use to a large animal tranquilizer but have no current medical use. Detection time in urine is 2-7 days.

### **3. Symptoms of Use**

Lack of coordination, panic, loss of sensitivity to pain, imprecise eye movements, delusions, severe confusion, agitation, increased blood pressure, anxiety, flashbacks, muscle rigidity, blank stare, cyclic behavior, disorientation, perspiring, extreme mood shifts, dilated pupils, sweating, dizziness, depression, paranoia, inability to carry on a conversation, bizarre behavior.

### **4. Performance Effects**

Work performance problems would include increased likelihood to take risks, powerfully impaired judgment and coordination, aggressive actions with vehicle, severe disorientation, hallucinations, distortion of size, shape and distance.

#### **Over the Counter and Prescription Drugs**

While it is legal to purchase nonprescription medicines over the counter, such medicines are not necessarily safe to use while driving or performing other duties. The Department of Transportation regulations do not permit drivers to take anything that can affect their ability to drive. For example, certain cold remedies contain antihistamines. Antihistamines may make the driver drowsy. If the warning on the box or label clearly states: "product may cause drowsiness. Do not operate heavy equipment or machinery while taking", it is a violation of the Department of Transportation regulations to take it and drive a commercial motor vehicle. Carefully examine the ingredients in any over-the-counter medication---alcohol, for instance, may be an ingredient.

Over the counter stimulants such as "No Doz" or "Stay Awake", are all considered legal and are used by drivers to stay awake. These products only keep the driver's eyes open, however. They cannot overcome the effects of fatigue on the body. Thought processes and reaction speed are still those of a person who is fatigued and tired. In an emergency, this driver may not be able to perform as well as if he or she were well rested.

Is it OK to take prescription medicine as long as it has been prescribed by the doctor? Maybe... but not if the prescription medication contains ingredients which may make you drowsy or affect your performance. While talking to the doctor, it is YOUR RESPONSIBILITY to make sure the doctor knows what kind of work you do so a medicine can be prescribed that won't affect your ability to safely perform your work tasks. The Authority has the right to require that you inform us of any medications you are taking that may affect on-the-job-performance.

## M. Attachments and Forms

- a. Rivanna Water & Sewer Authority Organizational Chart (*Section A*)
- b. Rivanna Solid Waste Authority Organizational Chart (*Section A*)
- c. Authority Pay Grade and Scale, Table 1 (*Section D*)
- d. Authority Pay Grade and Scale with Title, Table 2 (*Section D*)
- e. Sick Leave Bank Enrollment Form (*Section F*)
- f. Grievance Procedure Form Part A & Part B (*Section H*)
- g. Technology System Acceptable Use Policy (*Section I*)
- h. Employee Expense Reimbursement Form (*Section J*)
- i. Employee Training and Development Form (*Section J*)
- j. Employee Mileage Reimbursement Form (*Section K*)
- k. Employee Travel Request Form (*Section K*)
- l. Employee Drug and Alcohol Testing Pool Designation Letter (*Section L*)
- m. Employee Handbook



TABLE 1  
**PAY GRADE & RANGE**  
Effective July 1, 2018

Pay Grade	Minimum	Midpoint	Maximum
10	\$25,490	\$33,902	\$42,314
20	\$26,765	\$35,597	\$44,429
30	\$28,103	\$37,377	\$46,651
40	\$29,508	\$39,246	\$48,983
50	\$30,983	\$41,208	\$51,433
60	\$32,533	\$43,268	\$54,004
70	\$34,159	\$45,432	\$56,704
80	\$35,867	\$47,703	\$59,540
90	\$37,661	\$50,089	\$62,517
100	\$39,544	\$52,593	\$65,642
110	\$41,521	\$55,223	\$68,925
120	\$43,597	\$57,984	\$72,371
130	\$45,777	\$60,883	\$75,989
140	\$48,066	\$63,927	\$79,789
150	\$50,469	\$67,123	\$83,778
160	\$52,992	\$70,480	\$87,967
170	\$55,642	\$74,004	\$92,365
180	\$58,424	\$77,704	\$96,984
190	\$61,345	\$81,589	\$101,833
200	\$64,240	\$85,439	\$106,638
210	\$67,633	\$89,952	\$112,271
220	\$70,825	\$94,197	\$117,569
230	\$74,366	\$98,907	\$123,447
240	\$78,084	\$103,852	\$129,620
250	\$82,208	\$109,337	\$136,466





RIVANNA SOLID WASTE AUTHORITY  
RIVANNA WATER & SEWER AUTHORITY



695 Moores Creek Lane  
Charlottesville, Virginia 22902-9016

434.977.2970

434.293.8858

www.rivanna.org

**TABLE 2**  
**POSITION TITLE, PAY GRADE & RANGE**  
Effective July 1, 2018

Position Title	Pay Grade	Minimum	Midpoint	Maximum	FLSA Status
Maintenance Worker	10	\$25,490	\$33,902	\$42,314	Non-Exempt
Operator Attendant -Ivy / Recycling	20	\$26,765	\$35,597	\$44,429	Non-Exempt
Scale Clerk	30	\$28,103	\$37,377	\$46,651	Non-Exempt
Administrative Assistant	30	\$28,103	\$37,377	\$46,651	Non-Exempt
Mechanic Helper	40	\$29,508	\$39,246	\$48,983	Non-Exempt
Plant Operator 4	50	\$30,983	\$41,208	\$51,433	Non-Exempt
Plant Operator Trainee	50	\$30,983	\$41,208	\$51,433	Non-Exempt
Mechanic 4	60	\$32,533	\$43,268	\$54,004	Non-Exempt
Mechanic 3	70	\$34,159	\$45,432	\$56,704	Non-Exempt
Plant Operator 3	70	\$34,159	\$45,432	\$56,704	Non-Exempt
Heavy Equipment Operator/Attendant	80	\$35,867	\$47,703	\$59,540	Non-Exempt
Acct Tech / AP	80	\$35,867	\$47,703	\$59,540	Non-Exempt
Acct Tech / AR	80	\$35,867	\$47,703	\$59,540	Non-Exempt
Administrative Office Technician	80	\$35,867	\$47,703	\$59,540	Non-Exempt
Payroll & Benefits Coordinator	80	\$35,867	\$47,703	\$59,540	Non-Exempt
Vehicle Equipment Mechanic	80	\$35,867	\$47,703	\$59,540	Non-Exempt
Driver/Equipment Operator	80	\$35,867	\$47,703	\$59,540	Non-Exempt
Lab Tech	90	\$37,661	\$50,089	\$62,517	Non-Exempt
Water Quality Specialist	90	\$37,661	\$50,089	\$62,517	Non-Exempt
Mechanic 2	90	\$37,661	\$50,089	\$62,517	Non-Exempt
Plant Operator 2	90	\$37,661	\$50,089	\$62,517	Non-Exempt
Executive Assistant	100	\$39,544	\$52,593	\$65,642	Non-Exempt
Plant Operator 1	110	\$41,521	\$55,223	\$68,925	Non-Exempt
Communication Manager/Executive Coord.	110	\$41,521	\$55,223	\$68,925	Exempt
SCADA Technician	110	\$41,521	\$55,223	\$68,925	Non-Exempt
Engineering Technician/Inspector	120	\$43,597	\$57,984	\$72,371	Non-Exempt
Instrumentation Specialist	120	\$43,597	\$57,984	\$72,371	Non-Exempt
Mechanic 1	120	\$43,597	\$57,984	\$72,371	Non-Exempt
Chemist	120	\$43,597	\$57,984	\$72,371	Non-Exempt
Software Analyst	120	\$43,597	\$57,984	\$72,371	Exempt
Wastewater Treatment Plant Supervisor	130	\$45,777	\$60,883	\$75,989	Non-Exempt
Water Treatment Plant Supervisor	130	\$45,777	\$60,883	\$75,989	Non-Exempt
Information Systems Assistant Administrator	140	\$48,066	\$63,927	\$79,789	Exempt
GIS Coordinator	140	\$48,066	\$63,927	\$79,789	Exempt
SCADA Systems Administrator	140	\$48,066	\$63,927	\$79,789	Exempt

Position Title	Pay Grade	Minimum	Midpoint	Maximum	FLSA Status
Senior Accountant	150	\$50,469	\$67,123	\$83,778	Exempt
Maintenance Assistant Manager	160	\$52,992	\$70,480	\$87,967	Exempt
Ivy MUC Assistant Manager	160	\$52,992	\$70,480	\$87,967	Exempt
Wastewater Department Assistant Manager	160	\$52,992	\$70,480	\$87,967	Exempt
Water Department Assistant Manager	160	\$52,992	\$70,480	\$87,967	Exempt
Civil Engineer	170	\$55,642	\$74,004	\$92,365	Exempt
Lab Manager	170	\$55,642	\$74,004	\$92,365	Exempt
Water Resources Manager	170	\$55,642	\$74,004	\$92,365	Exempt
Safety Manager	180	\$58,424	\$77,704	\$96,984	Exempt
Human Resources Manager	190	\$61,345	\$81,589	\$101,833	Exempt
Ivy MUC Manager	190	\$61,345	\$81,589	\$101,833	Exempt
Information Systems Administrator	190	\$61,345	\$81,589	\$101,833	Exempt
Maintenance Manager	190	\$61,345	\$81,589	\$101,833	Exempt
Senior Civil Engineer	190	\$61,345	\$81,589	\$101,833	Exempt
Wastewater Department Manager	190	\$61,345	\$81,589	\$101,833	Exempt
Water Department Manager	190	\$61,345	\$81,589	\$101,833	Exempt
Engineering Manager	210	\$67,633	\$89,952	\$112,271	Exempt
Director of Solid Waste	230	\$74,366	\$98,907	\$123,447	Exempt
Director of Engineering & Maintenance	250	\$82,208	\$109,337	\$136,466	Exempt
Director of Finance & Administration	250	\$82,208	\$109,337	\$136,466	Exempt
Director of Operations	250	\$82,208	\$109,337	\$136,466	Exempt

Adopted February 2018

# BENEFITS & WELLNESS

## SICK LEAVE BANK ENROLLMENT



### REQUIREMENTS

The Authority will maintain a Sick Leave Bank to be used when a member of the Bank becomes incapacitated by long-term and/or chronic illness or injury as long as one-third of the eligible employees agree to participate in accordance with the terms contained in the Personnel Manual. The Sick Leave Bank is not for use for any other type of illness or injury leave, such as that of a family member.

### ELIGIBILITY

Membership in the Sick Leave Bank shall be voluntary and open to all eligible personnel who accrue sick leave. Each employee of the Authority who accumulates sick leave is eligible for membership and agrees to donate eight (8) hours of their sick leave to join the Bank.

### ENROLLMENT

1. An eligible employee may enroll within the first thirty days of employment.
2. An employee who does not enroll when first eligible may do so between any subsequent January 1 to January 31 period by making application and providing satisfactory evidence of good health from a doctor to the Human Resources Manager.
3. Membership in the Bank may be earned by contributing eight (8) hours of sick leave upon joining and eight (8) hours thereafter whenever an assessment is required. The donated leave will be deducted from the donor's accumulated days of sick leave.

### RULES OF USE

1. The first twenty (20) working days of illness or disability will not be covered by the Bank and must be covered by the member's own accumulated leave or leave without pay.
2. Requests for use of the Sick Leave Bank must be made in writing by the employee (or representative if the employee is unable to submit the request) prior to the absence for which the leave days are to be used. In extenuating circumstances, retroactive request may be considered. Requests must be supported by a medical doctor's certification.
3. A maximum of 180 hours each rolling 12-month period can be drawn by any one member.
4. Days drawn from the Bank for any one period of eligibility do not need to be consecutive but must be for the same illness.
5. A member of the Bank will not be able to use the Sick Leave Bank benefit until all of the employee's leave balances decline to zero.
6. Members of the Bank will be assessed an additional eight (8) hours of sick leave when the Bank is depleted to 40 hours, unless they choose not to participate further in the Bank. Members who have no sick leave to contribute at the time of assessment will be assessed eight (8) hours and allowed to temporarily maintain a negative balance. Should an employee drop membership at the time of an assessment, the member will not be eligible to rejoin the Bank until open enrollment in January of each year and only after providing satisfactory evidence of good health.
7. Members utilizing sick leave from the Bank will not have to replace these days except as a regular contributing member of the Bank.
8. Members may not be compensated through both the Worker's Compensation and the Sick Leave Bank.

### TERMINATION

Upon termination of employment or membership in the Sick Leave Bank, a participating employee may not withdraw the days he/she has contributed to the Bank.

**IF YOU WISH TO PARTICIPATE IN THE SICK LEAVE BANK, COMPLETE THE ENROLLMENT FORM ON THE REVERSE.**

# BENEFITS & WELLNESS

## SICK LEAVE BANK ENROLLMENT



### EMPLOYEE NAME

Please Print

\_\_\_\_\_  
LAST NAME

\_\_\_\_\_  
FIRST NAME

\_\_\_\_\_  
MI

### SOCIAL SECURITY No.

### WORK PHONE No.

### EMPLOYEE DEPARTMENT

☐ Administration ☐ Engineering ☐ Laboratory ☐ Maintenance ☐ Solid Waste ☐ Wastewater ☐ Water

## I WISH TO DONATE 8 HOURS OF SICK LEAVE TO THE SICK LEAVE BANK

**DONOR'S CERTIFICATION:** I understand and agree to the following provisions:

- Donations shall be made in eight (8) hour increments;
- I can reclaim my donation only if my donation form has not yet been processed; and
- I have read and understand the Sick Leave Bank Policy rules and regulations found in the Authority Personnel Manual.

\_\_\_\_\_  
SIGNATURE

\_\_\_\_\_  
DATE

**Submit completed form to the office of the Human Resources Manager or mail to:**

Rivanna Authorities  
Attention: Human Resources Manager  
695 Moores Creek Lane  
Charlottesville, VA 22902-9016

### OFFICE USE ONLY

DONATION FORM RECEIVED

SICK LEAVE TRANSFERRED

DATE	TIME

\_\_\_\_\_  
HUMAN RESOURCES MANAGER SIGNATURE

\_\_\_\_\_  
DATE

# GRIEVANCE PROCEDURE FORM PART A & PART B

## PART A

### EMPLOYEE INFORMATION

FIRST NAME		MIDDLE NAME		LAST NAME	
HOME ADDRESS			CITY	STATE	ZIP CODE
AUTHORITY <input type="checkbox"/> Rivanna Solid Waste Authority <input type="checkbox"/> Rivanna Water & Sewer Authority		DEPARTMENT <input type="checkbox"/> Administration <input type="checkbox"/> Engineering <input type="checkbox"/> Laboratory <input type="checkbox"/> Maintenance <input type="checkbox"/> Solid Waste <input type="checkbox"/> Wastewater <input type="checkbox"/> Water			
JOB TITLE			PRIMARY WORK LOCATION		
WORK PHONE No.		HOME OR CELL PHONE No.		EMAIL	

**For guidance refer to Section H., "Grievance Procedure" in the Personnel Manual.**

### INSTRUCTIONS:

1. If a satisfactory resolution is not reached during the informal (verbal) process, the employee shall notify the Human Resources Manager of the intent to file a grievance.
2. Below, identify specifically and in detail the nature of the grievance and the requested remedy. Should you prevail in the grievance, you are entitled only to the relief/resolution specifically requested below.
3. Written grievance shall be presented to the Immediate Department Manager (IDM) within five (5) days of the IDM's verbal replay to the oral grievance with two exceptions:
  - a. If the grievance alleges discrimination or retaliation by the IDM; or
  - b. If the grievance involves termination, demotion, suspension without pay or lost wages, the grievance may be submitted to the Human Resources Manager.

### GRIEVANCE DETAILS

DATE OF OCCURRENCE OR CONDITION	DATE VERBALLY NOTIFIED IDM	DATE RECEIVED VERBAL RESPONSE FROM IDM
THE ISSUES ARE (USE ATTACHMENTS IF NECESSARY)		
THE FACTS SUPPORTING THIS ARE (USE ATTACHMENTS IF NECESSARY)		
THE RESOLUTION I WANT IS (USE ATTACHMENTS IF NECESSARY)		

### GRIEVANCE ROUTING

Check appropriate box:

- ☐ I have forwarded this completed Grievance Form to my Immediate Department Manager, Step 1  
☐ I have forwarded this completed Grievance Form to the Human Resources Manager

DATE WRITTEN GRIEVANCE FILED	EMPLOYEE/GRIEVANT SIGNATURE
------------------------------	-----------------------------

**The employee is responsible for routing and delivering grievance form to the proper person or office within five (5) work days.**

# GRIEVANCE PROCEDURE FORM PART A & PART B

## PART A

Was written grievance received within five (5) days of verbal response? ☐ YES ☐ NO

### STEP 1 PROCEDURE – IMMEDIATE DEPARTMENT MANAGER

DATE WRITTEN GRIEVANCE RECEIVED	MEETING DATE & TIME	IMMEDIATE DEPARTMENT MANAGER NAME (PRINT)
WRITTEN RESPONSE TO GRIEVANCE (USE ATTACHMENTS IF NECESSARY)		
DATE RESPONSE FORWARDED TO GRIEVANT	IMMEDIATE DEPARTMENT MANAGER SIGNATURE	PHONE NUMBER

DATE GRIEVANT RECEIVED RESPONSE FROM IDM

Was response to written grievance received within five (5) days? ☐ YES ☐ NO

EMPLOYEE'S STATEMENT REGARDING IMMEDIATE DEPARTMENT MANAGER'S RESPONSE/RESOLUTION TO GRIEVANCE (USE ATTACHMENTS IF NECESSARY)

Grievant statement: *I have reviewed the response received from my IDM and I have determined that I will be:*

- ☐ concluding my grievance and I am returning this form to the Human Resources Manager.  
☐ advancing my grievance.

### IF ADVANCING GRIEVANCE, CHECK THE APPROPRIATE BOX BELOW

- ☐ I have forwarded this completed Grievance Form to the Department Manager, Step 2.  
☐ My Immediate Department Manager is the Department Manager – skip Step 2. Forwarded to the Divisional Director, Step 3.  
☐ My Immediate Department Manager is the Divisional Director – skip Steps 2 and 3. Forwarded to the Executive Director, Step 4.  
☐ My Immediate Department Manager is the Executive Director – skip Steps 2, 3 and 4. Forward to Grievance Panel, Step 5.

DATE GRIEVANCE ADVANCED

EMPLOYEE/GRIEVANT SIGNATURE

The employee is responsible for routing and delivering grievance form to the proper person or office within five (5) work days.

# GRIEVANCE PROCEDURE FORM PART A & PART B

## PART A

Was grievance document received within five (5) days of last action? ☐ YES ☐ NO

## STEP 2 PROCEDURE – DEPARTMENT MANAGER

DATE GRIEVANCE RECEIVED

MEETING DATE & TIME

DEPARTMENT MANAGER NAME (PRINT)

WRITTEN RESPONSE TO GRIEVANCE (USE ATTACHMENTS IF NECESSARY)

DATE RESPONSE FORWARDED TO GRIEVANT

DEPARTMENT MANAGER SIGNATURE

PHONE NUMBER

DATE GRIEVANT RECEIVED RESPONSE FROM DEPARTMENT MANAGER

Was response received within five (5) days? ☐ YES ☐ NO

EMPLOYEE'S STATEMENT REGARDING DEPARTMENT MANAGER'S RESPONSE/RESOLUTION TO GRIEVANCE (USE ATTACHMENTS IF NECESSARY)

Grievant statement: I have reviewed the response received from my Department Manager and I have determined that I will be:

☐ concluding my grievance and I am returning this form to the Human Resources Manager.

☐ advancing my grievance to the Divisional Director, Step 3.

DATE GRIEVANCE ADVANCED

EMPLOYEE/GRIEVANT SIGNATURE

The employee is responsible for routing and delivering grievance form to the proper person or office within five (5) work days.

# GRIEVANCE PROCEDURE FORM PART A & PART B

## PART A

Was grievance document received within five (5) days of last action? ☐ YES ☐ NO

### STEP 3 PROCEDURE – DIVISIONAL DIRECTOR

DATE GRIEVANCE RECEIVED

MEETING DATE & TIME

DIVISIONAL DIRECTOR NAME (PRINT)

WRITTEN RESPONSE TO GRIEVANCE (USE ATTACHMENTS IF NECESSARY)

DATE RESPONSE FORWARDED TO GRIEVANT

DIVISIONAL DIRECTOR SIGNATURE

PHONE NUMBER

DATE GRIEVANT RECEIVED RESPONSE FROM DIVISIONAL DIRECTOR

Was response received within five (5) days? ☐ YES ☐ NO

EMPLOYEE'S STATEMENT REGARDING DIVISIONAL DIRECTOR'S RESPONSE/RESOLUTION TO GRIEVANCE (USE ATTACHMENTS IF NECESSARY)

Grievant statement: I have reviewed the response received from my Divisional Director and I have determined that I will be:

- ☐ concluding my grievance and I am returning this form to the Human Resources Manager.  
☐ advancing my grievance to the Executive Director, Step 4.

DATE GRIEVANCE ADVANCED

EMPLOYEE/GRIEVANT SIGNATURE

The employee is responsible for routing and delivering grievance form to the proper person or office within five (5) work days.



# GRIEVANCE PROCEDURE FORM PART A & PART B

## PART A

Was grievance document received within five (5) days of last action? ☐ YES ☐ NO

### STEP 4 PROCEDURE – EXECUTIVE DIRECTOR

DATE GRIEVANCE RECEIVED

MEETING DATE & TIME

EXECUTIVE DIRECTOR NAME (PRINT)

WRITTEN RESPONSE TO GRIEVANCE (USE ATTACHMENTS IF NECESSARY)

DATE RESPONSE FORWARDED TO GRIEVANT

EXECUTIVE DIRECTOR SIGNATURE

PHONE NUMBER

DATE GRIEVANT RECEIVED RESPONSE FROM EXECUTIVE DIRECTOR

Was response received within five (5) days? ☐ YES ☐ NO

EMPLOYEE'S STATEMENT REGARDING EXECUTIVE DIRECTOR'S RESPONSE/RESOLUTION TO GRIEVANCE (USE ATTACHMENTS IF NECESSARY)

Grievant statement: I have reviewed the response received from the Executive Director and I have determined that I will be:

- ☐ concluding my grievance and I am returning this form to the Human Resources Manager.  
☐ advancing my grievance and hereby request a hearing before a Grievance Panel, Step 5.

DATE GRIEVANCE ADVANCED

EMPLOYEE/GRIEVANT SIGNATURE

The employee is responsible for routing and delivering grievance form to the proper person or office within five (5) work days.

# GRIEVANCE PROCEDURE FORM PART A & PART B

## PART A

Was grievance document received within five (5) days of last action? ☐ YES ☐ NO

### STEP 5 PROCEDURE – GRIEVANCE PANEL

DATE GRIEVANCE RECEIVED BY HUMAN RESOURCES MANAGER

HUMAN RESOURCES MANAGER NAME (PRINT)

The Employee (Grievant) has indicated that a satisfactory resolution was not reached during the grievance procedure (Steps 1-4) and has requested their grievance be heard by an impartial Grievance Panel.

YES

☐

NO

☐

### GRIEVANCE PANEL APPOINTMENT

1. The Grievant has ten (10) days to appoint a Grievance Panel member of their choosing. Grievant has been provided Part B and is aware of selection deadline.

SELECTION DEADLINE

☐
☐

2. The Executive Director has ten (10) days to appoint a Grievance Panel member of their choosing. The Executive Director has been provided Part B and is aware of selection deadline.

SELECTION DEADLINE

☐
☐

3. The appointed Panel members have (10) days to appoint a third Grievance Panel member of their choosing. The appointed Panel members have been provided Part B and are aware of selection deadline.

SELECTION DEADLINE

☐
☐

4. The appointed Panel members have selected the third Grievance Panel member who will also serve as the Chairperson.

DATE NOTIFIED

☐
☐

5. If the third Panel member was not selected by the Panel members appointed by the Grievant and Executive Director, was the third Panel member appointed by the Chief Judge of the Circuit Court of Albemarle County?

☐
☐

ATTACH COMPLETED GRIEVANCE PROCEDURE FORM PART B WHEN RECEIVED

### GRIEVANCE PANEL HEARING

1. The Grievance Panel Chairperson has set the time for the hearing and the Human Resources Manager has notified the Grievant and Executive Director.

HEARING DATE & TIME

☐
☐

2. The Grievance Panel has been provided copies of the grievance record and the Grievant has been provided a list of the documents furnished to the Panel.

DATE DOCUMENTS PROVIDED

☐
☐

3. The Grievant and his/her attorney or other representatives have been granted access (at least ten days prior to hearing date) to all relevant documents intended to be used by the Authority in the hearing.

DATE ACCESS GRANTED

☐
☐

4. The Authority and the Grievant have exchanged a list of witnesses and exhibits to be used during the hearing (at least five days before hearing date).

DATE

☐
☐

### GRIEVANCE PANEL DECISION & IMPLEMENTATION

The Panel has filed their decision in writing with the Executive Director and the Grievant (this is to occur no later than thirty days after the completion of the Hearing).

DATE DECISION RECEIVED

☐
☐

ATTACH DECISION TO GRIEVANCE PROCEDURE FORM PART A & B

The Executive Director shall implement any remedy that may be ordered by the Panel, provided such remedy is consistent with applicable law and Authority personnel policies.

☐ The Executive Director accepts and shall implement the remedy ordered by the Panel.

☐ The Executive Director rejects the decision of the Panel and shall not implement.

DATE DECISION RENDERED

EXECUTIVE DIRECTOR SIGNATURE

Either party may petition the Albemarle County Circuit Court for an order requiring implementation of the Panel decision. The review of the Circuit Court shall be limited to the question of whether the panel's decision is consistent with provisions of law and written policy.

# GRIEVANCE PROCEDURE FORM PART A & PART B

## PART B

COMPLETE YOUR RESPECTIVE SECTION AND RETURN TO THE HUMAN RESOURCES MANAGER

### GRIEVANCE PANEL MEMBER APPOINTMENTS

#### PANEL MEMBER No. 1 - Employee/Grievant Appointment

FIRST & LAST NAME

ADDRESS

CITY, STATE & ZIP

WORK PHONE No.

HOME OR CELL PHONE No.

EMAIL ADDRESS

To ensure an objective, impartial Panel, no persons having direct involvement with the grievance being heard by the Panel, or with the complaint or dispute giving rise to the grievance, shall serve on the Panel. Managers who are in a direct line of supervision of a grievant, persons residing in the same household as the grievant and the following relatives of a participant in the grievance process or a participant's spouse are prohibited from serving as panel members: spouse, parent, child, descendants of a child, sibling, niece, nephew and first cousin.

***I have read and confirm that my Panel selection has been made in accordance with the above statement.***

\_\_\_\_\_  
GRIEVANT/EMPLOYEE SIGNATURE

\_\_\_\_\_  
DATE

#### PANEL MEMBER No. 2 - Executive Director Appointment

FIRST & LAST NAME

ADDRESS

CITY, STATE & ZIP

WORK PHONE No.

HOME OR CELL PHONE No.

EMAIL ADDRESS

To ensure an objective, impartial Panel, no persons having direct involvement with the grievance being heard by the Panel, or with the complaint or dispute giving rise to the grievance, shall serve on the Panel. Managers who are in a direct line of supervision of a grievant, persons residing in the same household as the grievant and the following relatives of a participant in the grievance process or a participant's spouse are prohibited from serving as panel members: spouse, parent, child, descendants of a child, sibling, niece, nephew and first cousin.

***I have read and confirm that my Panel selection has been made in accordance with the above statement.***

\_\_\_\_\_  
EXECUTIVE DIRECTOR SIGNATURE

\_\_\_\_\_  
DATE

#### PANEL MEMBER No. 3 – Selected by Panel Member No. 1 and No. 2

FIRST & LAST NAME

ADDRESS

CITY, STATE & ZIP

WORK PHONE No.

HOME OR CELL PHONE No.

EMAIL ADDRESS

Was Panel Member No. 3 appointed by the Chief Judge of the Circuit Court of Albemarle County? ☐ YES ☐ NO

Panel Member No. 3 will serve as the Chairperson on the Panel.

The Chairperson shall set the time for the hearing and notify the Human Resources Manager, who shall notify the Grievant and the Executive Director.

# AUTHORITY TECHNOLOGY SYSTEM

## ACCEPTABLE USE POLICY



### EMPLOYEE ACKNOWLEDGEMENT

EMPLOYEE INFORMATION			
FIRST NAME	MI	LAST NAME	SUFFIX
AUTHORITY		EMPLOYEE DEPARTMENT	
<input type="checkbox"/> Rivanna Solid Waste Authority	<input type="checkbox"/> Administration	<input type="checkbox"/> Laboratory	<input type="checkbox"/> Solid Waste <input type="checkbox"/> Water
<input type="checkbox"/> Rivanna Water & Sewer Authority	<input type="checkbox"/> Engineering	<input type="checkbox"/> Maintenance	<input type="checkbox"/> Wastewater

### AUTHORITY TECHNOLOGY SYSTEM | ACCEPTABLE USE POLICY

Please read the following statement. When finished, please sign along with today's date at the bottom of form.

*I acknowledge receiving, reading and having an opportunity to ask any questions regarding the Authority Technology System Acceptable Use Policy adopted by the Authority Board of Directors on April 2019. I understand and agree to abide by the Policy.*

\_\_\_\_\_  
EMPLOYEE SIGNATURE

\_\_\_\_\_  
TODAY'S DATE

# TECHNOLOGY ACCEPTABLE USE POLICY

## A. POLICY

This document serves as the Authority's "Technology Acceptable Use Policy" (Policy) for the Rivanna Water & Sewer Authority and the Rivanna Solid Waste Authority (the Authority). This Policy applies to all employees, contract personnel, and volunteers who have access to or use of technology equipment that is owned by the Authority. An employee's right to access and use Authority technology equipment immediately ceases upon termination of employment.

## B. DEFINITIONS

Confidential Information: Information that is protected or prohibited by law from public disclosure under the Virginia Freedom of Information Act.

Electronic Communications: Any message or other information sent, received, posted, accessed or stored on any Technology System, including e-mail, instant messaging, internet, social networking sites, web logs ("blogs") and printed copies of electronic information.

Technology Equipment: Any equipment that facilitates the transmission, receipt or storage of information electronically. This is to include but not limited to: computers, printers, networks, software, internet, e-mail, voicemail, telephones, cellular telephones, two-way radios, instant messaging, and Supervisory Control and Advanced Data Acquisition (SCADA).

Technology System: The system consisting of Authority owned technology equipment used to conduct business by users authorized by the Authority to perform on business tools owned by the Authority and provided as business tools

User: Any person, employee, contract personnel and volunteer who has access to and uses Authority technology equipment.

## C. OWNERSHIP, PRIVACY AND USE

The Technology System consists of all technology equipment funded, owned and provided by the Authority to be used as business tools. All components of the Technology System are property of the Authority and are not to be considered private property by the employee or user.

Users must have no expectation of privacy with respect to usage of the Technology System. Electronic communications generated through the Technology System is considered Authority property regardless of nature. The Authority has a legitimate interest in protecting confidential information, preventing abuse of the Technology System, and maintaining employee productivity.

By using the Authority Technology System, the user implicitly consents to the Authority's right to monitor, review and audit all usage at any time. The Authority may also disclose the contents of electronic communications for any purpose consistent with the business interest of the Authority without the permission of the user.

## D. ACCEPTABLE USE

Acceptable uses of the Technology System include but is not limited to the following:

1. Communicating with federal, state, and local government personnel or agencies, and private businesses on behalf of the Authority;
2. Communicating for professional development;
3. Communicating for administrative purposes;
4. Communicating for personal purposes in an occasional and incidental manner which does not infringe or intrude upon the employee's or the department's productivity, incur additional cost to the Authority and/or is not otherwise unacceptable.

## E. UNACCEPTABLE USE

Unacceptable uses of the Technology System include but is not limited to the following:

1. Any use that conflicts with the Authority's purpose, goal, or mission;
2. Any use that conflicts with the user's job duties or responsibilities.

Examples of unacceptable uses and/or Technology System abuse include but is not limited to the following:

1. Downloading, installing or allowing installation of software without prior authorization from the Information Systems Administrator or SCADA System Administrator;
2. Unnecessary or intrusive personal use of the Technology System;
3. Communicating to promote personal business ventures (e.g. consulting for pay, or sale of goods) or to advertise or solicit funds for political, religious, or other personal causes, or to solicit funds for charitable/non-profit causes except when such cause has been specifically approved as business of the Authority through the Executive Director;
4. The use of the Authority Technology System to generate, send or receive any electronic communication for illegal, inappropriate or obscene purposes including but not limited to:
  - a. violating copyright laws;
  - b. using or copying unauthorized software; or
  - c. accessing restricted systems
5. Interfering with or disrupting network users, services, or equipment including but is not limited to:
  - a. damaging or destroying technology equipment;
  - b. knowingly spreading viruses;
  - c. impersonating another user;
  - d. accessing a system without authorization;
  - e. altering or removing security software of technology equipment to include networks, workstations or electronic files.
6. Access to or distribution of any communication which may constitute or contain harassing, intimidating, hostile, pornographic, offensive or discriminatory material.
7. Communications by two-way radio that are not in compliance with the rules and regulations of the Federal Communications Commission.

8. Personal use of the Authority's telephone, fax or cell phone equipment in a manner that incurs additional costs to the Authority, such as long-distance telephone charges or excessive personal use of an Authority provided cell phone.
9. Use of encryption. Users are not permitted to use encryption devices without the Authority's express written authorization.
10. Unauthorized sharing of passwords. Users are responsible for protecting their own passwords. Users may be held responsible for misuse that occurs because they did not keep their passwords confidential.
11. Unauthorized communication attributed to the Authority.
12. Disclosure of confidential information except as required in performance of work for the Authority.

## F. RESPONSIBILITIES

Any user who utilizes the Technology System to perform tasks, to include but not limited to industrial control processes, transmission of communications, is a representative of the Authority and is aware of and understands that:

1. No electronic communication is assured to be confidential.
2. Electronic communications are public records and may be the object of discovery requests in litigation matters. Employees should exercise awareness when creating Authority documents. E-mail communications are also subject to the Freedom of Information Act and may be required to be produced for inspection the same as written correspondence.
3. Electronic media and electronic communications are subject to copyright and trademark laws. Employees should ensure that they are entitled to any file or software they download, message they circulate, or product they use prior to appropriating or distributing the item in question.
4. All electronic communication records, including e-mail, must be retained as required to comply with Library of Virginia Records Retention and Disposition Guidelines. Electronic communication records must be retained in accordance with the Library of Virginia guidelines for e-mail under General Schedule No. 19.
5. All passwords shall be protected to prevent unauthorized use and access to the Technology System. Disclosure of passwords is strictly prohibited. Authorized passwords will routinely be created and made available to employees. The use of a password does not create any right of privacy nor guarantee an employee's privacy. All passwords must be disclosed to department managers or divisional directors upon request.
6. Confidential information should only be shared via encrypted email when necessary.
7. All use of the Technology System shall be in compliance with this policy. The user must be familiar with such policies prior to utilizing the Technology System.
8. Any violation of this Policy shall be subject to disciplinary action up to and including termination of employment.

The Authority expressly reserves the right to access, retrieve, read and delete any electronic communication created, received or sent using the Technology System at any time without notice.

The Authority will cooperate fully in any investigation which deems appropriate in connection with any user's conduct or use of the Technology System and further reserves the right to turn over any evidence of illegal or improper activity to the appropriate authorities.

# EMPLOYEE TRAINING & DEVELOPMENT REQUEST FORM



## SECTION 1

### EMPLOYEE INFORMATION (Please print)

FIRST NAME	MI	LAST NAME	JOB TITLE
AUTHORITY <input type="checkbox"/> RSWA <input type="checkbox"/> RWSA		DEPARTMENT <input type="checkbox"/> Administration <input type="checkbox"/> Engineering <input type="checkbox"/> Laboratory <input type="checkbox"/> Maintenance <input type="checkbox"/> Solid Waste <input type="checkbox"/> Wastewater <input type="checkbox"/> Water	

## SECTION 2

### TRAINING PROGRAM (Please print)

PROGRAM TYPE <input type="checkbox"/> ESSENTIAL TRAINING <input type="checkbox"/> ADVANCED DEVELOPMENT TRAINING <input type="checkbox"/> DEGREE PROGRAM	TRAINING/PROGRAM TITLE	START DATE
	TRAINING/PROGRAM LOCATION	END DATE
IS TRAINING OUTSIDE OF SERVICE AREA? <input type="checkbox"/> YES <input type="checkbox"/> NO		
IS TRANSPORTATION, LODGING AND MEALS REQUIRED? <input type="checkbox"/> YES <input type="checkbox"/> NO If yes, complete a Travel Request Form and attach.		

## SECTION 3

### TRAINING PROGRAM FEES (Please print)

	ESSENTIAL TRAINING	ADVANCED DEVELOPMENT TRAINING	DEGREE PROGRAM
Registration/Enrollment Fees	\$ _____	\$ _____	Please refer to "Section J. Employee Training, Development and Educational Assistance Program" in the Personnel Manual for more information.
Books, Study Materials, etc.	\$ _____	\$ _____	
Other (explain below)	\$ _____	\$ _____	
TOTAL \$	\$ _____	\$ _____	
<input type="checkbox"/> I would like the Authority to register and prepay for the training program fees on my behalf ( <i>preferred</i> ).			
<input type="checkbox"/> I have/will register myself and pay for the training program fees and request reimbursement.			

## SECTION 4

### ADJUSTED WORK SCHEDULE (Please print)

#### NOTE: DEGREE PROGRAMS ARE NOT ELIGIBLE FOR AN ADJUSTED WORK SCHEDULE

Is there a need for an adjusted work schedule to accommodate the requested training? ☐ YES ☐ NO If yes, use space below to explain.

See reverse for responsibilities and additional information regarding the Authority's education policy.

EMPLOYEE SIGNATURE

DATE

#### REQUEST

☐ APPROVED  
☐ DENIED

DEPARTMENT MANAGER SIGNATURE

DATE

### FOR OFFICE USE ONLY

DATE REQUEST RECEIVED	TRAVEL REQUIRED? <input type="checkbox"/> YES <input type="checkbox"/> NO	REGISTRATION COMPLETED BY: <input type="checkbox"/> AUTHORITY <input type="checkbox"/> EMPLOYEE	TRAINING PAID FOR BY: <input type="checkbox"/> AUTHORITY <input type="checkbox"/> EMPLOYEE	TRAINING REQUEST PROCESSED BY:
-----------------------	------------------------------------------------------------------------------	----------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------------------------	--------------------------------



## **EMPLOYEE ELIGIBILITY**

Employees who have been employed for six months or less, are eligible to apply for Essential Training but are not eligible to participate in Advanced Development Training or Degree Programs. Employees who have been employed for more than six months are eligible to apply for Essential Training, Advanced Development Training and Degree Programs.

## **DEFINITIONS**

Advanced Development Training: Voluntary training and education that will assist the employee in their pursuit towards an advanced skill or licensing level

Degree Program: Training and education that will result in credit or credit hours towards a college degree.

Essential Training: All training that is determined by the employee's supervisor or department head to be necessary to perform duties of the employee's current position.

Financial Assistance: Financial assistance offered and paid for by the Authority, available to an employee participating in approved Advanced Development Training and Degree Programs.

Work Schedule: An employee's assigned hours to work as required by their position.

## **AUTHORITY RESPONSIBILITIES**

- a. Provide for the training and education necessary for employees to obtain or renew required certificates and licenses necessary for the position.
- b. Provide for the training and education necessary to keep up with changing work requirements.
- c. Provide for the training and education which is mandated by law.
- d. Provide timely payment and/or reimbursement upon receipt of all required expense reimbursement requests and transcripts if applicable.
- e. Register employees for training and education provided employee gives ample time to process. See employee's responsibilities below.

## **EMPLOYEE RESPONSIBILITIES**

- a. Must submit a completed training request form to the department manager in enough time to process request.
- b. Complete all registration forms and if necessary, register in person at the training site.
- c. Complete all the required applications related to examinations.
- d. Employees seeking assistance from the Administration Office with registration, fees, travel and/or lodging arrangements must be made 30 days prior to travel and/or registration date.
- e. Must provide proof of successful completion.
- f. Expense Reimbursement Requests for reimbursement must be submitted to the Authority within 60 days after the expenses were incurred. Reimbursement requests must be clear, concise, itemized and include original receipts.

## **HUMAN RESOURCES RESPONSIBILITIES**

The Human Resources Manager or designee will maintain records of training, education and related requirements.

## **DEPARTMENT MANAGER RESPONSIBILITIES**

- a. The department manager will promptly review all employee requests for training and consistently apply the rules relating to this policy.
- b. The department manager will monitor the employee's progress.
- c. The department manager will develop an annual training and education needs assessment and request funds need in the department budget.

## **DIVISIONAL DIRECTOR RESPONSIBILITIES**

The divisional director will ensure the rules of this policy are consistently applied.

*See Section J., Employee Training, Development and Educational Assistance Program, of the Authority Personnel Manual for more information.*

# EXPENSE REIMBURSEMENT REQUEST FOR FUNDS



## EMPLOYEE INFORMATION

FIRST NAME	MI	LAST NAME	SUFFIX
AUTHORITY		EMPLOYEE DEPARTMENT	
<input type="checkbox"/> Rivanna Solid Waste Authority	<input type="checkbox"/> Administration	<input type="checkbox"/> Laboratory	<input type="checkbox"/> Solid Waste <input type="checkbox"/> Water
<input type="checkbox"/> Rivanna Water & Sewer Authority	<input type="checkbox"/> Engineering	<input type="checkbox"/> Maintenance	<input type="checkbox"/> Wastewater

## REASON FOR EXPENDITURE

--

## ITEMIZED EXPENDITURES

Expense Date	Item	Code	(if applicable) Estimated Cost	Actual Cost
TOTAL				\$

EMPLOYEE SIGNATURE	DATE	DEPARTMENT MANAGER SIGNATURE	DATE

**SUBMIT COMPLETED FORM AND DOCUMENTATION TO:**

***Bridgit Gianakos, Accounts Payable Technician***

[bgianakos@rivanna.org](mailto:bgianakos@rivanna.org) • (434) 977-2970, ext. 126

*Reimbursement checks will be issued on or about the 10<sup>th</sup> and 25<sup>th</sup> of each month*

# EMPLOYEE TRAVEL REQUEST FORM



For all travel outside of the Authority's service area (Charlottesville or Albemarle County) requiring reimbursable travel expenses, employee must complete an Employee Travel Request Form to be approved in advance by the employee's department manager or divisional director.

## SECTION 1

### EMPLOYEE INFORMATION (Please print)

FIRST NAME	MI	LAST NAME	JOB TITLE
AUTHORITY <input type="checkbox"/> RSWA <input type="checkbox"/> RWSA		DEPARTMENT <input type="checkbox"/> Administration <input type="checkbox"/> Engineering <input type="checkbox"/> Laboratory <input type="checkbox"/> Maintenance <input type="checkbox"/> Solid Waste <input type="checkbox"/> Wastewater <input type="checkbox"/> Water	

## SECTION 2

### TRAVEL INFORMATION (Please print)

TRAVEL START DATE	TRAVEL RETURN DATE	TRAVEL DESTINATION
PURPOSE FOR TRAVEL REQUEST		

## SECTION 3

### EXPENSE DETAIL (Please print)

Employees can estimate travel costs by visiting the U.S. General Services Administration (USGSA) website at [www.gsa.gov/travel-resources](http://www.gsa.gov/travel-resources) or downloading the Per Diem Mobile App on the AppStore or Google Play.

Whenever possible, travel reservations should be made in advance through the Administration department. This includes airline tickets, hotel reservations, conference fees and any other travel cost that can be paid in advance.

Attached all necessary documentation with request for travel and expense approval.

ESTIMATED EXPENSES	COST
Airline Tickets:	\$
Hotel Reservations:	\$
Registration Fees:	\$
Meals and Incidentals: <input type="checkbox"/> I request a cash advance <input type="checkbox"/> I will request a reimbursement after travel	\$
<b>TOTAL</b>	\$

***I acknowledge that the information provided is accurate and abides by the guidelines on the reverse.***

EMPLOYEE SIGNATURE
MANAGER SIGNATURE

DATE
DATE

TRAVEL REQUEST:	<input type="checkbox"/> APPROVED
	<input type="checkbox"/> DENIED

### ADMIN OFFICE USE ONLY

DATE REQUEST RECEIVED	RESERVATIONS MADE BY AUTHORITY <input type="checkbox"/> Airline <input type="checkbox"/> Hotel <input type="checkbox"/> Event	RESERVATIONS MADE BY EMPLOYEE <input type="checkbox"/> Airline <input type="checkbox"/> Hotel <input type="checkbox"/> Event	RESERVATIONS PAID FOR BY <input type="checkbox"/> AUTHORITY <input type="checkbox"/> EMPLOYEE	CASH ADVANCE GRANTED <input type="checkbox"/> YES \$ .00 <input type="checkbox"/> NO	REQUEST COMPLETED BY
-----------------------	-------------------------------------------------------------------------------------------------------------------------------------	------------------------------------------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------	----------------------

## **RESPONSIBILITIES:**

### **Employee**

1. Complete this form and any third-party registration. Submit with all necessary documentation to your Manager. Submit within a time frame that allows for Manager approval.
2. Discuss requests for and obtain approval for any schedule changes with your Manager.
3. All requests for Administration assistance with registration, travel or lodging arrangements must be received at a minimum of 30 days in advance to travel.
4. Please attach any cost estimates or brochures.
5. Please refer to the U.S. General Services Administration website when determining meal and/or lodging costs. Use the GSA per diem rates for the area of travel.  
[www.gsa.gov/travel/plan-book/per-diem-rates](http://www.gsa.gov/travel/plan-book/per-diem-rates)
6. When requesting the Authority to pre-pay travel expenses:
  - a. Complete this form and return a legible third-party registration (if applicable) that includes all necessary information. Incomplete registrations will be returned to your Manager and will prevent timely enrollment.
  - b. Booking air or rail travel is best handled through the Authority and should be coordinated with Administration at least 30 days prior to travel.
7. When requesting the Authority to provide a cash advance:
  - a. Submit requests no earlier than 30 days prior to the anticipated expense being incurred.
  - b. Provide accounting of cash advance within 120 days after expense(s) were incurred during the trip:
    - i. Include original receipts for purchases/expenses
    - ii. Return any unused funds
    - iii. Reimburse the Authority for any expenses deemed to be in excess
    - iv. Request reimbursement from the Authority if cash advance did not cover all expenses
8. When requesting reimbursement for expenses you paid out-of-pocket during travel:
  - a. Submit an Expense Reimbursement Form within 14 days after the completion of the trip.
  - b. The Expense Reimbursement Form must be clear, concise and itemized, including the original receipts.
  - c. Reimbursement for expenses deemed excessive will be denied.

### **Manager**

1. Review request and substantiating documentation; including registration.
2. Review and make any pre-determination with the employee regarding requests for schedule accommodations which are approved on a case-by-case basis provided it is in the best interest of the Authority.

*See Section K., Travel Policy, of the Authority Personnel Manual for more information.*

# MILEAGE REIMBURSEMENT REQUEST FOR FUNDS



## EMPLOYEE INFORMATION

FIRST NAME	MI	LAST NAME		SUFFIX
AUTHORITY		EMPLOYEE DEPARTMENT		
<input type="checkbox"/> Rivanna Solid Waste Authority <input type="checkbox"/> Rivanna Water & Sewer Authority		<input type="checkbox"/> Administration <input type="checkbox"/> Laboratory <input type="checkbox"/> Solid Waste <input type="checkbox"/> Water <input type="checkbox"/> Engineering <input type="checkbox"/> Maintenance <input type="checkbox"/> Wastewater		

## MILEAGE RECORD

Date	Location Traveled To	Total Miles (round trip)
TOTAL MILES		
<i>IRS Standard Mileage Rate \$0.580</i> <i>IRS Standard Mileage Rate valid 1/01/19-12/31/19</i>		<b>X \$0.58</b> <b>\$</b>

EMPLOYEE SIGNATURE	DATE	DEPARTMENT MANAGER SIGNATURE	DATE

**SUBMIT COMPLETED FORM AND DOCUMENTATION TO:**

***Bridgit Gianakos, Accounts Payable Technician***

[bgianakos@rivanna.org](mailto:bgianakos@rivanna.org) • (434) 977-2970, ext. 126

*Reimbursement checks will be issued on or about the 10<sup>th</sup> and 25<sup>th</sup> of each month*

## DRUG & ALCOHOL TESTING EMPLOYEE POOL DESIGNATION



### EMPLOYEE NOTIFICATION LETTER

EMPLOYEE NAME	JOB TITLE
AUTHORITY	EMPLOYEE DEPARTMENT
<input type="checkbox"/> Rivanna Solid Waste Authority <input type="checkbox"/> Rivanna Water & Sewer Authority	<input type="checkbox"/> Administration <input type="checkbox"/> Laboratory <input type="checkbox"/> Solid Waste <input type="checkbox"/> Wastewater <input type="checkbox"/> Engineering <input type="checkbox"/> Maintenance <input type="checkbox"/> Water

#### EMPLOYEE POOL DESIGNATION

**In accordance with the Authority's Substance Abuse Policy, please be advised that you have been placed in the following pool of employees for random drug/alcohol testing:**

☐ CDL Pool   ☐ Non-CDL Pool

Attached is a complete copy of the Authority's Substance Abuse Policy, which is also available in the Personnel Manual, Section L.

Please contact the Human Resources Manager at (434) 977-2970, ext. 111 if you have any questions.

#### EMPLOYEE ACKNOWLEDGEMENT

*My signature below certifies that I have received, read, and understand the current Authority Substance Abuse Policy.*

\_\_\_\_\_  
EMPLOYEE SIGNATURE

\_\_\_\_\_  
DATE

**RIVANNA WATER & SEWER AUTHORITY**

**RIVANNA SOLID WASTE AUTHORITY**

# **EMPLOYEE HANDBOOK**



May 2019

WELCOME! As an employee of the Rivanna Water and Sewer Authority or the Rivanna Solid Waste Authority (Authority), we hope that you will find your association with this organization to be both pleasant and rewarding. This handbook is intended to give you basic information about personnel policies, operating rules, and benefits. Nothing in this handbook is to be construed as a contract of employment. Please talk to your immediate department manager or the Human Resources Manager if you have any questions not fully answered by this handbook or the Personnel Manual. Copies of the Personnel Manual are maintained by the department managers and divisional directors, a current copy can be found on our network in Admin X: Personnel\Personnel Manuals.

## AUTHORITY

The Rivanna Water and Sewer Authority (RWSA) and Rivanna Solid Waste Authority (RSWA) are independent public agencies that serve the citizens of Charlottesville and Albemarle County.

The Rivanna Water & Sewer Authority is a wholesale agency with two customers, the City of Charlottesville and the Albemarle County Service Authority, which in turn provide service to individual retail customers. We provide clean drinking water to the community and treat wastewater and return it to the environment. We operate several water treatment plants and wastewater treatment plants throughout the Charlottesville and Albemarle County area.

The Rivanna Solid Waste Authority is an independent public agency formed to develop and operate regional garbage and refuse disposal services, including systems and facilities for transferring, recycling, waste reduction and other disposal alternatives, for the Charlottesville and Albemarle County area as well as to acquire and operate current facilities. The RSWA provides disposal services and does not collect solid waste.

The Authority has an Executive Director who is appointed and supervised by a Board of Directors. Under the supervision of the Executive Director are the Director of Operations, who supervises the Water, Wastewater, and Laboratory Departments; the Director of Engineering and Maintenance, who supervises the Maintenance and Engineering Departments; the Director of Finance and Administration, who handles administrative functions, including finance, data processing, accounting, budget, personnel, and purchasing; and the Director of Solid Waste who manages all solid waste services. All employees are expected to carry out the practices and policies established by the Board of Directors and administered by the Executive Director.

## EMPLOYMENT

The Authority seeks to employ people who seek the challenge and rewards of meeting our critical public service needs. In return, the Authority offers on-the-job training, opportunity for advancement in most positions, good benefits and working conditions, and a fair wage.

Job applicants are evaluated for the ability, training, and experience necessary to perform the tasks for the position applied for. Race, color, sex, religion, national origin, age, marital status or non-job related disabilities are not considered in the selection or promotion of employees.

Employees are hired as either: 1) Full-time for a position of at least 2,080 hours annually and are eligible to receive benefits; 2) Part-time for positions either working less than 32 hours a week. Part-time employees do not receive benefits. Work hours are specified at the time of employment. They may vary for each employee depending upon the position, the shift schedule, or the work site.

The Main Office maintains a Personnel File for each employee dating from time of employment. It contains copies



of all promotions, merit reviews, pay changes, commendations, reprimands, tax withholding forms, retirement and life insurance forms, and other materials. It is available for your inspection, by appointment. Any and all changes to your vital information, such as address, home phone number, marital status, emergency contact and the like must be reported immediately to the Human Resources Manager.

## COMPENSATION PLAN

The Authority uses a pay scale and each position has a range from entry level to maximum as defined in the Personnel Manual (*Section D. Compensation Plan and Administration*). Positions are classified to a pay range according to job requirements and responsibilities. All employees are paid biweekly on Fridays. Paychecks may be automatically deposited. All new employees are requested to have their paychecks automatically deposited into a checking or savings account.

Work schedules vary by department and position. Non-exempt employees are paid overtime for hours worked in excess of forty in a workweek. Overtime pay at blended rate based on hours actually worked and compensation on those hours actually worked. Overtime does not include time for sick, vacation, or other leave. Additionally, employees will be paid a premium rate of 50% their hourly base pay rate regardless of the number of hours worked in the workweek for unscheduled hours worked due to emergency call-in or covering another employee's work schedule. Part-time employees receive overtime pay for work hours exceeding 40 in a workweek. Any other overtime which is not specified above, must be preauthorized by your immediate department manager on a daily basis. In all instances of overtime, the employee may request in lieu of overtime pay an annual leave credit at a rate of 1.5 times the overtime hours worked for up to 20 overtime hours per calendar year.

Certain positions are required to participate in an on-call rotating schedule. Currently, only one mechanic and one engineering staff member is on-call during the normal off-duty hours. In the event of an emergency, this on-call employee is expected to respond promptly and be fit for duty. Non-exempt employees that are placed on-call will receive a wage rate of 10% of their normal hourly rate for every hour waiting to be called outside of their normal work schedule. Lunchtime during the normal workweek is not considered on-call time. Should the employee be required to come into work during their on-call schedule, he/she will receive overtime pay for two hours or the actual hours worked, whichever is greater. In the case of emergency operation status, as determined by the Executive Director, other positions may temporarily be included in the on-call schedule.

Your performance is evaluated annually by your immediate department manager. Evaluations determine annual merit increases and also give you a concrete idea of job performance standards. The evaluation gives you an opportunity to discuss strengths and weaknesses in job performance and to express to the immediate department manager any problems found in performing the job. Further details of the performance evaluation/merit increase plan are available from your department manager or the Personnel Manual (*Section D. Compensation Plan and Administration*). Please remember that you do not have to wait for an evaluation to discuss how you are doing with your immediate department supervisor. The job descriptions used in performance evaluation have been worked out with contributions from all levels of employees. If you have suggestions for improving them let your department manager or the Human Resources Manager know.

## PROBATION PERIOD

New employees must successfully complete a six-month probation period. During probation your immediate department supervisor has the opportunity to observe you on the job and determine your suitability for the job. Your performance will be evaluated in writing after 3 months and after 6 months, with minimum scores of 1.5

points after 3 months and 1.75 points after 6 months required for success during probation. Lower scores are grounds for termination. Accrued annual balances will not be paid should you terminate during initial probation. Dismissals during probation cannot be appealed under the Authority's grievance procedure. Employees who score below 1.60 on any subsequent evaluation after the initial probation period will reenter the probation period.

## **BENEFITS**

The following benefits are provided or are available to all full-time employees. Further, medical insurance and prorated annual leave are offered to part-time employees working at least 30 hours per week. Nothing in this manual shall prevent the Authority from changing, altering or discontinuing Authority provided benefits.

## **HOLIDAYS**

The following 12 and a half days are paid holidays:

- New Year's Day
- Martin Luther King Jr. Day (3rd Monday in January)
- Washington's Birthday/Presidents' Day (3rd Monday in February)
- Thomas Jefferson's Birthday (April 13, Floating Holiday)
- Memorial Day (Last Monday in May)
- Independence Day (July 4)
- Labor Day (1st Monday in September)
- Veterans Day (November 11)
- Thanksgiving (half day on the 4<sup>th</sup> Wednesday, 4<sup>th</sup> Thursday and Friday in November)
- Christmas Eve and Christmas Day (December 24 and 25)

In the case of Monday-Friday work schedules, if a holiday falls on a Sunday, it is observed the following Monday. If it falls on a Saturday, it is observed the preceding Friday. An employee scheduled to work on the actual day on which a holiday falls, will receive holiday premium pay for each hour worked. All employees will receive 8 hours of regular holiday pay. Thomas Jefferson's Birthday is a floating holiday and can be taken any time during the year. Holiday premium pay is not paid for work on this day.

## **ANNUAL LEAVE**

Full-time employees accumulate annual leave at the following rates:

<b>Years of Service</b>	<b>&lt;5 Years</b>	<b>5 to &lt;10 Years</b>	<b>10 to &lt;15 Years</b>	<b>15 to &lt;20 Years</b>	<b>20 to &lt;25 Years</b>	<b>25 + Years</b>
<b>Annual Accrual Rate</b>	96 hours	120 hours	144 hours	168 hours	192 hours	216 hours

Annual leave hours may be accumulated until they equal twice the annual accrual rate. Annual leave accumulations over the allowed amount will be lost as of January 1 of each year. Unused annual leave hours are paid upon separation provided that at least two-weeks' notice is given if the separation is voluntary.

**SICK LEAVE**

Full-time employees who participate in Plan 1 or Plan 2 of the Virginia Retirement System accrue 96 hours of sick leave per year. Sick leave is accrued at a rate of 3.69 hours per pay period. Full-time employees who participate on the Virginia Retirement System Hybrid Plan earn sick time every January 1<sup>st</sup> based on their service (see the chart below).

Sick leave is for personal illness, medical and dental appointments, or after exposure to a contagious disease. Sick leave used to attend members of your immediate family for the reasons above is limited to 40 hours per year (January 1 – December 31). Immediate family includes spouse, parents, parents-in-law, children, step-children, foster children, or other relatives or individuals residing in the same household. A supervisor may require a medical certificate for sick leave when leave is taken before or after a holiday or other scheduled day off, or when leave taken is in excess of three working days. A supervisor may also require a medical certificate when a sick leave occurrence exceeds one sick leave occurrence per three months.

Sick leave may also be used as bereavement leave in the event of a death in the immediate family, for up to 24 hours per occurrence. Your immediate family in this case includes spouse, children, parents, foster children, siblings, grandparents, grandchildren, step-children, step-parents, guardian or same relative of spouse and any other relatives or individuals residing with the employee.

**SICKNESS DISABILITY AND PERSONAL TIME OFF POLICY (SDPTO)**

This policy applies to all employees that are enrolled in the VRS Hybrid Plan. Full-time employees earn SDPTO hours as follows:

Months of Service	Sick Leave Accruals (hours)
Less than 60	96 (8 hours per month)
60 to 119	104
120 or more	120

SDPTO can be used for personal illness, medical and dental appointments, or after exposure to contagious diseases. SDPTO can be used for family illness or injury, or bereavement. The first year of employment, a new hire will be credited for the accruals based on their anticipated months of service; thereafter, the employee will receive their annual accrual on January 1. SDPTO cannot be carried forward year-to-year.

**SHORT-TERM LONG-TERM DISABILITY INSURANCE**

Disability insurance is provided to employees enrolled in the VRS Hybrid Plan. After meeting specific eligibility requirements, an employee receives partial salary for a maximum of 26-weeks each year beginning the 8<sup>th</sup> calendar day after illness/disability. A disability lasting longer than 26-weeks requires coverage to transition to a Long-Term Disability Plan.

**FAMILY AND MEDICAL LEAVE**

All employees are eligible for up to 12 weeks per year of Family and Medical Leave in the circumstances of birth, adoption or foster placement of child, and of serious medical condition of a family member or the employee. In many cases, use of annual and sick leave will count toward the twelve weeks. Any Family and Medical Leave not covered by current paid leave benefits will be Leave Without Pay. Please see the Personnel Manual, (*Section F,*

*Leave Policy and Rules*) your immediate department manager, or the Human Resources Manager if you have questions.

### **WORKER'S COMPENSATION**

If you are hurt on the job and the injury is considered compensable under the Worker's Compensation Act, the costs of your treatment, medicines, supplies, therapy, hospital, and other items will be paid through our Worker's Compensation insurance. This insurance also provides for 66<sup>2/3</sup> pay during time lost from the job should the lost time exceed seven calendar days. It is important that employee:

- Report every injury immediately to your immediate department manager and go to a doctor if necessary. Get help, don't tough it out. The Authority has a panel of physicians that handle all employee injuries or illnesses. Going to a physician other than a panel physician may result in you being personally responsible for these bills.
- Tell the doctor and others you were injured on the job and make sure the Authority receives the bill, not you. Do not provide your personal insurance information. If you do get a bill, give it to the Human Resources Manager as soon as possible for payment or reimbursement; and
- Cooperate with your immediate department manager, the insurance company and the Safety Committee in investigating the accident.

You are also required to review the Safety Manual and sign an acknowledgement.

### **MEDICAL INSURANCE**

You as an employee may participate in the Authority group health, dental and vision insurance plans. Please see the plan handbook for more details. You will be provided a copy of the summary plans on your first day of employment. The Authority contributes toward whichever option and plan you choose. The Authority will not contribute to any other insurance plan you may wish to substitute for this group plan.

### **RETIREMENT**

Full-time employees must participate in the Virginia Retirement System (VRS). On a biannual basis, the VRS actuarially determines the Authority's contribution rate. This contribution is a percentage of the employee's monthly credible compensation and is paid by the Authority into the VRS retirement funds for each employee. In addition, depending on an employee's enrollment in VRS Plan 1, VRS Plan 2 or VRS Hybrid the employee is required to make a minimum payment of 5% of their compensation into the VRS retirement fund. This member contribution is deducted on a pre-tax basis from the employee's biweekly pay. Please see the current VRS handbook for information on retirement, disability, and death benefits and options. There is no mandatory retirement age. A copy of the handbook can be found at [www.varetire.org](http://www.varetire.org).

### **SOCIAL SECURITY (FICA)**

Social Security is another part of our retirement benefit. A payment is withheld from your gross pay and this payment is matched by the Authority.

### **LIFE INSURANCE**

Participation in VRS includes a group life insurance plan, paid for by the Authority. The amount of insurance provided is your annual wage rounded to the next higher thousand and then multiplied by two. See the VRS

booklet for details. Employees may also elect to purchase additional life insurance for family members through optional insurance.

### **OPTIONAL BENEFITS**

The Authority supplements its core benefits package with various voluntary or optional benefits. The optional benefits currently offered include a 457 Deferred Compensation plan, Flexible Dependent and Medical Spending Accounts, Health Savings Accounts, health club membership at reduced rates, Legal Resources and Liberty Mutual group auto and homeowners group discounted rates. These benefits are subject to review and may be altered, changed or discontinued.

### **OTHER BENEFITS**

Military leave, court leave (jury or witness duty), supplemental leave, leave without pay, and educational assistance are described in the Personnel Manual, available from your immediate department manager, or can be viewed on our network in Admin X: Personnel\Personnel Manual.

Further information is available from your immediate department manager or the Human Resources Manager.

### **DEDUCTIONS**

The following deductions must be taken from your pay: Federal and State tax withholding, Social Security taxes, VRS member contributions, garnishments, and mandated child support payments. Voluntary deductions may be taken for the following: optional medical and dental insurance, AFLAC insurance, Credit Union, Deferred Compensation, Flexibility Spending Accounts, Health Club memberships, Health Savings Accounts, or others as the need arises.

### **DEPARTMENT MANAGERS**

Every employee has an immediate department manager (IDM) to whom he or she is responsible for the effective job performance. Your IDM's main responsibility is to see that the job gets done and that you are treated fairly. Together you and your IDM can work out most problems. You are expected to carry out your duties thoughtfully and thoroughly in accordance with the performance standards for your position. Disciplinary problems are handled through the Disciplinary Policy in the Personnel Manual (*Section G., Disciplinary Policy*).

Disciplinary action options include reprimands, suspension, demotion, reduction in pay, or dismissal for such offenses as (examples only and not limited to):

- Tardiness
- Absenteeism
- Neglect of duty
- Sleeping on the job
- Dishonesty
- Insubordination
- Fighting
- Incompetence
- Criminal convictions
- Harassment
- Work rules violations
- Unauthorized use of Authority Property

### **UNIFORMS**

Uniforms are provided to all operators, maintenance and certain engineering employees. You are expected to report to work in uniform and to remain in uniform until relieved of duty. You are required to wear your complete uniform while on the job and to wear appropriate shoes at all times. Failure to wear the complete uniform may result in disciplinary action. Uniforms may be worn home, but it is your responsibility to turn in uniforms for cleaning on the scheduled days so that clean uniforms will be available. Employees who prefer to launder their

uniforms may do so. If you leave the Authority, all uniforms and other equipment must be returned. You will be expected to reimburse the Authority for the cost of items not returned.

Operators, maintenance employees and certain other employees are required to wear approved steel-toe safety shoes on the job. The Authority gives an allowance credited July 1<sup>st</sup> of each year as set out in the Personnel Manual (*Section I., Administrative Policies*).

## **SAFETY**

Safety is important to everyone at the Authority. Your immediate department manager is expected to train you in the safety rules for your position and make sure that you have the proper equipment, use it properly, and follow the safety rules. Department managers are expected to provide continuing safety education. On-the-job accidents must be reported promptly to your department manager to ensure treatment and proper reporting. Employees must promptly report all accidents and injuries, no matter how slight. You are expected and encouraged to report to your department manager any unsafe conditions immediately and to bear safety in mind both on the job and at home. You may take safety concerns directly to the Safety Manager and/or the Safety Committee if you are not satisfied with your immediate department manager's response.

Our safety program is administered and advised by the Employee Safety Committee. Members serve two-year terms. This committee is charged with maintaining and improving our safety consciousness as well as improving the safety rules and safety education. Each accident is investigated to determine unsafe acts or unsafe conditions. The Authority has a safety incentive program. Please refer to the Safety Manual to which you will be provided access on your first day of employment.

## **SPECIAL INFORMATION FOR TREATMENT PLANT OPERATORS**

Most operators are expected to remain at the plant while on duty and are not to leave the plant site during their shift without the plant supervisor's or department manager's permission. The operator on duty is expected to remain on duty and in uniform until he/she has been relieved. Every effort will be made to minimize overtime and shift schedule changes, but the plant has to be staffed at all scheduled times. Acceptance of overtime to fill in for sickness, vacation, and emergencies is expected.

A good work habit is to report to work sufficiently early to receive any special instructions from the operator on duty or to learn of any equipment problems so that the operator being relieved can leave on time. Repeated tardiness will result in disciplinary action. The fact that treatment plants operate around the clock puts special requirements on the operators to ensure good control of the process. It is your responsibility to notify your plant supervisor or department manager with as much advance notice as possible (a minimum of four hours) when you will be absent or late to work. Having some other person call the operator on duty is not acceptable and may result in disciplinary action. Only rare exceptions will be made to this policy.

Operators who pass a licensing exam for a higher class license than the one currently held will be reclassified and be paid either the minimum for the new class or a rate in the new range 5% above the current salary, whichever is greater, provided the experience requirements have been met.

These provisions are intended to help insure proper training and qualification of water and wastewater treatment plant operators. Each operator is required to earn a Class 1 license level. Failure to obtain the required license will be grounds for termination or other disciplinary action.

## GRIEVANCES

The Authority hopes that all complaints and grievances can be resolved between you and your immediate department manager. If not, you deserve and have the right to submit grievances resulting from work situations and have them resolved speedily. The Personnel Manual contains a grievance procedure (*Section H., Grievance Procedure*) to be used when a grievable instance, situation or condition arises. Grievances cannot be used to change policy, but in general may be used to resolve interpretation/application of rules and policies, acts of reprisal for filing a grievance, certain disciplinary matters, or complaints of discrimination.

## INCLEMENT WEATHER POLICY

The objective of this policy is to establish procedures and guidelines for all Authority employees concerning the potential closings or delays in opening Authority facilities. For more information, refer to the Personnel Manual (*Section I., Administrative Policies*).

### ROLES AND RESPONSIBILITIES

The Executive Director will be responsible for determining whether a delayed opening or closing of some or all Authority facilities is necessary due to inclement weather.

Essential employees will be expected to report to work regardless of the weather. It is immediate department manager's responsibility to ensure their employees know whether they are considered essential or non-essential employees.

Notice of delayed opening or closing may be announced via local radio and local television announcements. These announcements are opening and closing notices to the general public that use these facilities and not Authority employee work schedule announcements. Non-essential employees should call (434) 977-2970 extension 333 for weather-related delays or closings that effect their work schedules.

### SNOW/ICE REMOVAL

Snow and ice removal will be based on the following priorities:

- Public parking and travel ways into and around all Authority facilities;
- Employee parking areas and travel ways;
- Main pedestrian walkways and ramps; and
- Other Authority driveways and facilities that are not maintained by other outside agencies.

These priorities may be altered as deemed necessary by the Department Manager when considering special events or circumstances.

### USE OF LEAVE DURING INCLEMENT WEATHER INCIDENTS

In order to address the questions regarding time that has to be made up or leave debited, the following shall apply:

- **Delayed Opening and/or Early Closing**  
Non-essential employees will not be required to make up time missed due to weather-related delayed opening or early closing. However, if the employee leaves work prior to an early closing, the time between the departure and the early closing time must be made up in the same payroll week or annual leave or comp time debited. Should the employee report to work after the delayed opening time, the time between

the delayed opening time and the actual time the employee reported to work must be made up in the same payroll week or annual leave debited.

- **Closed for the Entire Day**

Non-essential employees will not be required to make up lost time if offices are closed for the entire day.

- **Open or Close on Regular Scheduled Time**

Non-essential employees who are delayed due to weather conditions on days when the offices are opened at its regular time or who need to leave early due to weather-related concerns when the facility remains open until its normal closing time will be expected to account for time missed. Any time missed can be accounted for through either making up time or using annual leave. All time made up must be within the same payroll week.

- **Employee on Leave**

When an individual is on leave during a day that there is a delayed opening, early closing, or a complete closing, the time assessed for such leave is not adjusted for the changed schedule. An individual will be charged the full time that they are not at work.

## GENERAL INFORMATION AND BEHAVIOR GUIDELINES

The following information summarizes miscellaneous Authority policies from the Personnel Manual, previously written directives, and policy interpretations. It is not all-inclusive, and some information applies only to certain groups of employees, but the intent is to answer some of the more common questions as to what is expected with respect to attendance, work habits, and the like. All employees are expected to abide by these rules and guidelines and violation may result in disciplinary action.

Every effort will be made to minimize overtime and schedule changes, but certain staffing requirements must be met regardless of circumstances. Acceptance of overtime when necessary for operations is expected but immediate department managers are expected to be reasonable and fair in scheduling overtime and in making schedule changes.

Employees are expected to report to work on time. Repeated tardiness will result in disciplinary action. It is your responsibility to notify your immediate department manager with as much advance notice as possible, but a minimum of 4 hours before your shift starts, when you will be absent or late to work.

It is understood that treatment plant operators are to take time to eat between duties during their shifts. All other departments have a scheduled non-paid meal break. Limited kitchen facilities are available, but extensive meals should be prepared at home, not on the job. Normal work schedules vary from 8-hour, 9-hour, 10-hour to a 12-hour work day. The workweek may also vary among position and department.

Outside interests that conflict with your ability to be alert and attentive to your job are discouraged. Any employee that has another job outside of the Authority must advise their immediate department manager of this. It may be necessary that your extra employment be reviewed by the Executive Director for any conflicts of interests with your Authority position. Working a second job may not allow you sufficient rest to do a satisfactory job here and may result in poor performance evaluations. Should your outside interests or other job have an adverse impact on the Authority, you may be asked to terminate your outside job or activity if you wish to remain with the Authority.



Telephones are for Authority business and personal calls should be minimized. No personal long-distance calls may be charged to the Authority. You are expected to handle incoming calls politely and efficiently. Entertaining visitors while on duty is not permitted. If you want to show friends or relatives where you work, schedule visits on daylight hours during weekdays. You are not permitted to carry firearms while on duty or on Authority premises without prior permission from the Executive Director.

Employees who use, are under the influence of, or have possession of intoxicants or controlled substances (as defined by the Code of Virginia) while on duty either on or off Authority premises or in an Authority vehicle are subject to immediate dismissal. See Section L., Substance Abuse Policy of the Personnel Manual for further information.

You are responsible for the proper use and maintenance of equipment and vehicles used in your work. You are expected to report any defect you cannot fix to your immediate department manager as soon as possible. Do not operate any equipment or vehicle if its safety is questionable.

The personal use of Authority equipment or facilities is permitted to a reasonable extent; however, permission must be obtained from a department manager each time something is borrowed or used. The personal use of Authority vehicles is not permitted. Abuse of this privilege or of the equipment may result in the loss of this privilege for everyone. Use of Authority equipment or facilities, including personal car washing, is limited to off-duty hours or scheduled breaks.

Computers, internet, e-mail and voicemail are tools available to employees to perform the duties of their position. No user should presume that any file or message generated, received, transmitted or stored on any Authority system is private. This includes, but is not limited to, e-mail, voicemail, text documents, graphics files, executable files, audio files and printouts. No web page viewed using the Authority equipment or accounts are private. The Authority reserves the right to inspect any hardware, software or file at any time for any reason. The Authority reserves the right to monitor internet usage, including the logging of sites visited. If password protection is used on any file, directory, software package or machine, a copy of the password used must be forwarded to the appropriate department manager and the Human Resources Manager. Before any software or hardware is purchased or installed, you must check with the Information Systems Administrator first. Personal use of computers, printers, e-mail and the internet must be kept to a minimum. In addition, personal use should be confined to personal time. Excessive personal use may, at your immediate department manager's discretion, result in loss of the privilege of personal use. E-mail attachments should only be opened if they are from a trusted source. Users will be held responsible for damage done by computer viruses that come in attached to personal e-mail. The use of any of the Authority's equipment, e-mail or internet connections for any illegal, discriminatory, offensive, obscene, threatening, harassing, intimidating, or disruptive purpose is strictly prohibited and will result in disciplinary action. See Personnel Manual for more information (*Section I-9, Administrative Policies, Technology System Acceptable Use Policy*).

As a vital part of the Authority's security system, an identification badge with the employee's name, photo and department will be issued to employees on their first day of employment. All employees are required to carry an ID badge during their shift or while conducting any Authority business on or off premises. All employees are required to produce their ID badge when requested.

If an identification badge is lost or stolen, the employee must obtain a replacement. A fee of \$5.00 will be assessed for all replacement badges. Lost or stolen cards should be reported to your immediate department manager, as soon as possible. Failure to be able to display or produce your ID badge when requested or excessive loss or damage to cards can lead to disciplinary action.

Upon termination, employees will be required to return ID badges to Human Resources.

## STANDARDS OF CONDUCT

The Authority is a public corporation and thus special demands and responsibilities must be met by its employees. We are always in the public eye, with our work subject to critical review by the people who pay our wages through their water and wastewater rates. Also, our facilities by their nature lie across the property of many landowners who have their own expectations of our conduct. We are required by these facts to conduct ourselves with courtesy, fairness, honesty, and efficiency while maintaining our own dignity.

Our function in the community is a critical one. This great responsibility requires conduct that not only meets the demands and responsibilities above but also helps ensure safe, effective, and efficient operations. The standards of conduct below define general and specific behavioral guides to which all employees are expected to conform. You are hired with this expectation and breaches of these standards will be met by a range of disciplinary actions. It is the intent of this policy to establish fair and objective process means for correcting and treating unacceptable conduct and to distinguish between less serious and more serious misconduct and provide for timely correct action. While the standards cannot cover all circumstances, you should remember that your actions with the public and your co-workers are expected to be and to appear to be courteous, fair, honest, non-discriminatory and efficient.

All employees are expected to have timely and regular attendance, their time at work applied to the duties of their position, satisfactory work performance, and appropriate work attire. See the Personnel Manual (*Section I., Administrative Policies*).

## CONFLICT OF INTEREST

Employees must not have a material financial interest in or engage in any business or profession that conflicts or appears to conflict with job responsibilities or that tends to impair independence of judgment or action on the job. Likewise, employees must not use their positions for personal gain beyond wages and benefits and must keep confidential all information acquired through employment when that information is not available to the public. See the Personnel Manual (*Section I., Administrative Policies*).

- **Gifts**

Employees must not accept gifts of goods, favors, services, or money from any person or firm which would influence or could be inferred to influence the impartial discharge of duties. Employees also must not accept such gifts for services the Authority pays them to provide. If such gifts cannot be gracefully declined, the employee should either donate them to charity or in some cases make them available department-wide or Authority-wide. Promotional items such as individual caps, pens, pencils and the like can usually be accepted without fear of violating this standard. Likewise, acceptance of occasional meals or attendance at social activities provided by business contacts or vendors can usually be accepted. Favoritism will not be tolerated. Employees should remember that donors of gifts will probably expect or seek preferential treatment. If you have **any** doubts as to what to do, ask your department manager or the Executive Director before accepting any gift.

- **Nepotism**

No employee in a supervisory position shall have under his or her direct supervision any employee whose relationship is of the first or second degree either by blood or marriage. In the event of a promotion which brings about the conditions thus described, the employee of lower rank shall be transferred to another position for which he or she is qualified when a vacancy occurs.

Relationship of the first or second degree shall mean: father, mother, brother, sister, spouse, son, daughter, aunts, uncles, son-in-law or daughter-in-law, brother-in-law, step-family members and any other relatives or individuals residing with the employee.

- **Discrimination**

Employees must not discriminate on the basis of race, color, religion, age, sex, disability, political affiliation, or national ancestry. Equal employment opportunity is not just a set of words but a commitment by the Authority to make affirmative action to provide a work place in which employee qualifications, merit, and fairness are the governing rules regarding hiring, assigning work schedules, promotion, compensation, benefits, educational opportunities, and disciplinary actions. If you see an apparent act of discrimination or feel you have been discriminated against, speak up or use the Grievance Procedure. The Human Resources Manager is available as a sounding board and any charges brought forth will be held in confidence as much as is legally allowable.

- **Harassment**

The Authority is committed to provide a work environment that is free from all forms of conduct that can be considered harassing, coercive, or disruptive, including sexual harassment. Actions, words, jokes, or comments based on an individual's sex, race, color, national origin, age, religion, disability, or any other legally protected characteristic will not be tolerated. Specifically related to sexual harassment, it is illegal for any employee, male or female, to harass another employee by (1) making unwelcome sexual advances or requests for sexual favors, or engaging in other verbal or physical conduct of a sexual nature; (2) making submission to or rejection of such conduct a basis for employment decisions affecting the employee; or, (3) creating an intimidating, hostile, or offensive working environment by such conduct. See the Personnel Manual for more information (*Section E., Harassment Policy*).

If you see an apparent act of harassment of any nature or feel you have been harassed, speak up and/or use the Grievance Procedure. The Human Resources Manager is available as a sounding board and any charges brought forth will be held in confidence as much as is legally allowable.

- **Outside Activities**

Employees are encouraged to be active in professional, civic, and charitable organizations. With department manager approval, employees may occasionally work for such organizations (other than religious or partisan political organizations) during working hours, provided there is a reasonable relationship to work duties.

- **Ethics in Purchasing**

Those employees responsible for purchasing, that is, divisional directors, department managers, and the Accounting/Purchasing Technician are expected to be familiar with the code of ethics incorporated into the Authority's Purchasing Manual.

- **Other Standards of Conduct**

See the Personnel Manual for additional expectations for standards of conduct.

- **Violations**

Any employee, who is found in violation of the Standards of Conduct after the appropriate investigation, will be subject to disciplinary action depending upon the circumstances, from a warning in his or her personnel file up to and including immediate dismissal from employment.

## **FURTHER INFORMATION**

The Human Resources Manager, the Director of Finance and Administration, and your department manager are the people to contact for general information about topics in this Handbook. They can also give you copies of such material as the Grievance Procedure if you need them. Don't hesitate to call, because there are no "silly" questions if you are concerned about work matters.



## MEMORANDUM

**TO: RIVANNA SOLID WASTE BOARD OF DIRECTORS  
RIVANNA WATER & SEWER AUTHORITY BOARD OF DIRECTORS**

**FROM: LONNIE WOOD, DIRECTOR OF FINANCE & ADMINISTRATION  
BETSY NEMETH, HUMAN RESOURCES MANAGER**

**REVIEWED BY: BILL MAWYER, EXECUTIVE DIRECTOR**

**SUBJECT: FY 2020 PAY SCALE ADJUSTMENT**

**DATE: MAY 28, 2019**

Last year, staff successfully completed and presented a compensation plan study to the Boards of both Authorities that ultimately lead to approval of a new salary/wage pay scale for both Authorities.

The study was initiated in the second half of 2017, which means the data to support our current pay scale is roughly 2-3 years old. We have included in the new Personnel Management Plan the opportunity for the Executive Director to recommend adjustments to the pay scale in those years when we do not conduct a salary study. There are several factors we considered in developing a recommendation to increase our current pay scale by an overall 5%:

- The first factor was the increase in the CPI-U from the Bureau of Labor Statistics. The chart below shows that the changes in the index over the last 3 years would support a 5.0 - 7.0% increase in the pay scale solely based on inflation.

CPI - U

January Index published by Bureau of Labor Statistics

	<u>Index</u>	<u>Yearly Change</u>	<u>3-Year Cumulative Change</u>	<u>2-Year Cumulative Change</u>
Jan-16	236.916	-		
Jan-17	242.839	2.50%		
Jan-18	247.867	2.07%		
Mar-19	254.202	2.56%	7.30%	4.68%

- The second factor was the unemployment rate in the Charlottesville area of 2.9% in March of this year, which was lower than the national average (3.6%) and one of the lowest in the State. This factor indicates both recruiting new employees and retaining current employees may be more difficult because the employment market is tight in terms of the supply of job seekers and the demand from other employers also competing to hire and retain quality employees.

Attached is a comparison of the current pay scale compared to the recommended scale. This adjustment has no budget impact for FY 2020.

**Board Action Requested:**

It is requested that the Board of Directors of Both Authorities adopt the recommended 5% increase in the pay scale effective July 1, 2019.

Current Pay Grade Scale FY 2018-2019				Proposed Pay Grade Scale FY 2019 - 2020 (+5%)			
Grade	Min	Mid	Max	Grade	Min	Mid	Max
10	\$25,490	\$33,902	\$42,314	10	\$26,765	\$35,597	\$44,429
20	\$26,765	\$35,597	\$44,429	20	\$28,103	\$37,377	\$46,651
30	\$28,103	\$37,377	\$46,651	30	\$29,508	\$39,246	\$48,983
40	\$29,508	\$39,246	\$48,983	40	\$30,983	\$41,208	\$51,433
50	\$30,983	\$41,208	\$51,433	50	\$32,533	\$43,268	\$54,004
60	\$32,533	\$43,268	\$54,004	60	\$34,159	\$45,432	\$56,704
70	\$34,159	\$45,432	\$56,704	70	\$35,867	\$47,703	\$59,540
80	\$35,867	\$47,703	\$59,540	80	\$37,661	\$50,089	\$62,517
90	\$37,661	\$50,089	\$62,517	90	\$39,544	\$52,593	\$65,642
100	\$39,544	\$52,593	\$65,642	100	\$41,521	\$55,223	\$68,925
110	\$41,521	\$55,223	\$68,925	110	\$43,597	\$57,984	\$72,371
120	\$43,597	\$57,984	\$72,371	120	\$45,777	\$60,883	\$75,989
130	\$45,777	\$60,883	\$75,989	130	\$48,066	\$63,927	\$79,789
140	\$48,066	\$63,927	\$79,789	140	\$50,469	\$67,123	\$83,778
150	\$50,469	\$67,123	\$83,778	150	\$52,992	\$70,480	\$87,967
160	\$52,992	\$70,480	\$87,967	160	\$55,642	\$74,004	\$92,365
170	\$55,642	\$74,004	\$92,365	170	\$58,424	\$77,704	\$96,984
180	\$58,424	\$77,704	\$96,984	180	\$61,345	\$81,589	\$101,833
190	\$61,345	\$81,589	\$101,833	190	\$64,412	\$85,668	\$106,925
200	\$64,412	\$85,668	\$106,925	200	\$67,633	\$89,952	\$112,271
210	\$67,633	\$89,952	\$112,271	210	\$71,015	\$94,449	\$117,884
220	\$71,015	\$94,449	\$117,884	220	\$74,565	\$99,172	\$123,779
230	\$74,565	\$99,172	\$123,779	230	\$78,294	\$104,131	\$129,967
240	\$78,294	\$104,131	\$129,967	240	\$82,208	\$109,337	\$136,466
250	\$82,208	\$109,337	\$136,466	250	\$86,319	\$114,804	\$143,289



RIVANNA SOLID WASTE AUTHORITY  
RIVANNA WATER & SEWER AUTHORITY

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## MEMORANDUM

**TO: RSWA BOARD OF DIRECTORS  
RSWA BOARD OF DIRECTORS**

**FROM: LONNIE WOOD, DIRECTOR OF FINANCE AND  
ADMINISTRATION**

**REVIEWED BY: BILL MAWYER, EXECUTIVE DIRECTOR**

**SUBJECT: VIRGINIA RETIREMENT SYSTEM LONG TERM CARE  
INSURANCE PROGRAM**

**DATE: MAY 28, 2019**

The Commonwealth of Virginia, through the Virginia Retirement System, offers a Voluntary Group Long Term Care Insurance Program. This program, which is underwritten by Genworth Life Insurance Company, provides a monthly benefit for covered long term care expenses to participating employees. Participation in the program is voluntary, and all premiums are directly paid by the employee with no cost to the Authority.

Political sub-division employers who did not adopt this program in 2010 or 2011 can now adopt the program. If adopted, beginning on September 16, 2019, employees and their eligible family members would be eligible to apply for the Voluntary Group Long Term Care Insurance Program. The open enrollment for this program would begin on September 16, 2019 and last through October 11, 2019.

The Voluntary Group Long Term Care Insurance Program helps employees cover the cost of long-term care services, such as nursing home care or at-home care to assist with the activities of daily living. Employees would have several different coverage options to choose from at different costs.

### **Board Action Requested:**

Staff recommends that the Board approve the Authority's participation in the Commonwealth of Virginia's Voluntary Group Long Term Care Insurance Program.



# **Commonwealth of Virginia Voluntary Group Long Term Care Insurance Program**

## **Adoption Agreement Process Instructions**

If you wish to offer the Commonwealth of Virginia Voluntary Group Long Term Care program to your eligible employees, please follow the instructions below.

1. Two original, signed adoption agreements must be submitted to VRS in order to elect the program.
2. Once your governing body adopts the program using the provided VRS agreement, your Primary Administrative Authority or your governing body chairperson should sign both copies and send them to ZaeAnne Allen, VRS employer coverage coordinator, P.O. Box 2500, Richmond, VA 23218-2500.
3. VRS Director Patricia Bishop will sign both agreements. VRS will keep one of the originals for its records and the second fully signed original will be returned to you for your records.
4. All adoption agreements must be postmarked no later than June 14.

If you have questions about the adoption process, contact ZaeAnne Allen, VRS employer coverage coordinator, at [zallen@varetire.org](mailto:zallen@varetire.org) or 804-775-3514.



VIRGINIA RETIREMENT SYSTEM  
P.O. Box 2500  
Richmond, VA 23218-2500

## Commonwealth of Virginia Voluntary Group Long Term Care Insurance Program Employer Adoption Agreement

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THIS AGREEMENT (the “Agreement”), executed this [insert date] \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, is by and between [insert Locality, School Division, or Other Political Subdivision] \_\_\_\_\_ (the “Employer”) and the Virginia Retirement System (the “Plan Sponsor”) (hereinafter collectively referred to as the “Parties”).

### WITNESSETH

WHEREAS, the Commonwealth of Virginia has established, and the Plan Sponsor is responsible for, the Commonwealth of Virginia Voluntary Group Long Term Care Insurance Program (the “Plan”) in which employees of local governments, local officers, and teachers, as defined in § 51.1-513.3 of the *Code of Virginia* (the “Code”), as amended, may participate; and

WHEREAS, pursuant to the same section of the *Code*, the Employer desires to enter into this Agreement with the Plan Sponsor to permit participation in the Plan by its eligible employees; and

WHEREAS, the official entering into this Agreement is duly authorized on behalf of the Employer’s governing body.

NOW, THEREFORE, in consideration of the premises herein, the Parties agree as follows:

- 1) The Plan Sponsor represents and warrants to the Employer that it will comply with all applicable laws affecting the Plan.
- 2) The Plan Sponsor represents to the Employer that it will provide sufficient services to administer the Plan and to appropriately respond to inquiries by employees and participants.
- 3) The Employer acknowledges and agrees to the terms and conditions established in the Plan.
- 4) The Employer agrees to provide the Plan Sponsor’s selected long term care insurance carrier with a mail file of all active employees, in the format provided by the insurance carrier.

- 5) When requested by the Plan Sponsor or the insurance carrier, the Employer agrees to permit the Plan Sponsor's selected long term care insurance carrier to conduct group and individual meetings for the purpose of explaining the Plan or enrolling employees on the Employer's premises during normal working hours subject to such reasonable restrictions that the Employer communicates in writing to the Plan Sponsor and that are accepted by the Plan Sponsor.
- 6) This Agreement may be amended from time to time by written agreement between the Plan Sponsor and the Employer.
- 7) The term of this Agreement shall be for three years beginning on the date of its execution, and thereafter may be terminated by either party upon 60 days written notice to the other party.

IN WITNESS WHEREOF, the Parties have caused this Agreement to be duly executed, intending to be bound thereby.

**Employer****Virginia Retirement System**

By: \_\_\_\_\_

By: \_\_\_\_\_

Title: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_, 20\_\_

Date: \_\_\_\_\_, 20\_\_