

MINUTES OF AN ANNUAL AND REGULAR MEETING OF THE COMMISSIONERS  
OF THE

CITY OF ROANOKE REDEVELOPMENT AND HOUSING AUTHORITY

The Commissioners of the City of Roanoke Redevelopment and Housing Authority met for an annual and regular session on Monday, August 26, 2013, in the offices of the City of Roanoke Redevelopment and Housing Authority, 2624 Salem Turnpike, NW, in the City of Roanoke, Virginia.

I. CALL TO ORDER – ROLL CALL

Vice-Chair Smith called the meeting to order at 3:00 p.m. and declared that a quorum was present.

PRESENT: Commissioners Burruss, Butler, Garner, Karnes, Smith, Witten

ABSENT: Chair Boitnott, Glenda Edwards, Secretary-Treasurer

OFFICER PRESENT: Catherine Wells, VP of Administration representing Glenda Edwards in her absence

ALSO PRESENT: Jackie Austin, VP of Finance/CFO; Joel Shank, VP of Operations; David Bustamante, VP of Housing; Helen Shampine, HCV Director; Desi Wynter, Director of Redevelopment and Modernization; Crystal Hall, Resident Services Manager; Crystal Colston, Site Manager; Lisa Reynolds, Site Manager; Tina Megginson, Site Manager; Angie Lamprinakos, Site Manager; Deborah Jones, Service Coordinator; Janice Cusano, Temporary Executive Assistant; Nick Conte, Legal Counsel

Vice-Chair Smith welcomed everyone to today's meeting. Catherine Wells noted that she will be sitting in for Executive Director Glenda Edwards during her absence and

introduced Christina Back, Human Resources Coordinator, who will be performing the administrative duties for this meeting.

## PUBLIC HEARING

To receive comments on the proposed Fiscal Year 2014 Operating Budget.

Jackie Austin provided an overview of the proposed Fiscal Year 2014 Budget.

Vice-Chair Smith called for questions or comments.

Commissioner Witten asked what “Hackley” is and Ms. Austin explained it is an apartment complex with 24 units. There were no other questions.

Vice-Chair Smith declared the public hearing closed.

## II. REPORTS

### 1. Financial Report

Vice-Chair Smith stated that Ms. Austin provided a Financial Narrative along with the Financial Report and asked if there were any comments or questions. There were none.

### 2. Executive Director’s Report

Vice-Chair Smith asked for the Executive Director’s Report.

Ms. Wells referenced the Executive Director’s Report that Ms. Edwards prepared before her absence. Ms. Wells also reported that Ms. Edwards had reached out to Senator Warner on August 17, 2013 about the financial issues relating to the Section 8 program. Ms. Wells stated that a letter informing Roanoke’s City Council of these same issues and asking its advocacy in this matter is being circulated among the Board members for signature. The letter will be mailed when all signatures have been collected.

Commissioner Burruss commented that the letter to the City Council is excellent.

Ms. Wells replied that she would pass her feedback along to Ms. Edwards.

Ms. Wells also announced that Jerryl Bennett, Director of Public and Indian Housing in the HUD Richmond Field Office, will visit the RRHA on September 3, 2013 primarily to meet with Joel Shank and Desi Wynter about Replacement Housing Funds.

Ms. Wells also reported that Glenda Edwards is doing quite well, is in good spirits, and expects to be back mid-September.

3. Staff Reports

Vice-Chair Smith asked for staff reports. There were none.

4. Committee Reports

Vice-Chair Smith asked for committee reports. There were none.

5. Commissioner Comments

Vice-Chair Smith asked if there were any Commissioner comments. There were none.

6. Residents or other community members to address the Board

Vice-Chair Smith asked if there were any residents or other community members who would like to address the Board. There were none.

Vice-Chair Smith asked Ms. Wells if she had a comment for the Board before moving on to the Consent Agenda.

Ms. Wells referenced Resolution No.3753 introduced in the July Board Meeting. Ms. Wells stated that one of the grant numbers was inadvertently typed twice. The resolution has been changed to correctly reflect two grant numbers. The corrected resolution has been included in the minutes.

III. CONSENT AGENDA

- C-1 Minutes of the Regular Meeting of the Board of Commissioners held Monday, July 22, 2013.

RECOMMENDED ACTION: Dispense with the reading thereof and approve as recorded.

- C-2 Monthly Operations Report for the month of July 2013.

RECOMMENDED ACTION: File as submitted

Commissioner Smith introduced a motion to approve the Consent Agenda. The motion was seconded by Commissioner Butler.

AYES: Commissioners Burruss, Butler, Garner, Karnes, Witten, Smith

NAYS: None

Vice-Chair Smith thereupon declared said motion carried as introduced.

#### IV. **REGULAR AGENDA**

##### 1. **Annual Election of Officers for 2013-2014**

###### A. Nominations for Office of Chair

Commissioner Karnes introduced a motion to nominate Duane Smith for the Office of Chair. The motion was seconded by Commissioner Butler and upon roll call the following vote was recorded:

AYES: Commissioners Burruss, Butler, Garner, Karnes, Witten

NAYS: None

ABSTAIN: Smith

###### B. Nominations for Office of Vice-Chair

Commissioner Burruss introduced a motion to nominate Timothy Witten for the Office of Vice-Chair. The motion was seconded by Commissioner Butler and upon roll

call the following vote was recorded:

AYES: Commissioners Burruss, Butler, Garner, Karnes, Smith

NAYS: None

ABSTAIN: Witten

## 2. Resolution No. 3754

Joel Shank asked for approval of Resolution No. 3754 to convey eighteen vacant properties being held for the City of Roanoke back to the City. Mr. Shank stated that the some of the properties had been held for a long period of time and that currently the City had no plans for disposition; therefore, RRHA wished to convey them back to the City. Mr. Shank asked for questions.

Commissioner Burruss stated she was glad to see these properties being looked at and asked what the City plans to do with them. Mr. Shank stated that the City had not communicated any plans for these properties to the RRHA and confirmed this with Desi Wynter. Mr. Shank stated that there are three properties the City uses for parking, and he believes this usage will continue.

Commissioner Burruss asked if this completed all of the nonperforming properties held by RRHA. Mr. Shank responded that the City does not have plans for quite a few other properties held by RRHA, including Cherry Hill parcels for example. Mr. Shank concluded that there is quite a bit more to do, but this this is the first step.

Vice-Chair Smith asked if there were any more questions. There were none.

Commissioner Butler introduced Resolution No. 3754 and moved its adoption as introduced:

RESOLUTION OF THE CITY OF ROANOKE REDEVELOPMENT AND  
HOUSING AUTHORITY AUTHORIZING THE CONVEYANCE OF 18

## PROPERTIES TO THE CITY OF ROANOKE

WHEREAS, the City of Roanoke Redevelopment and Housing Authority (RRHA) serves to promote affordable housing and redevelopment of property for the benefit of the citizens of Roanoke; and

WHEREAS, RRHA works with the City of Roanoke (the City) to acquire property through funding provided by the City from the General Fund and Community Development Block Grant (CDBG) funding and other City funds; and

WHEREAS, RRHA has engaged with the City in a review of all such properties to which RRHA currently holds title, with the intention of developing plans for the best use of these properties; and

WHEREAS, the City and RRHA have determined that a number of these properties, purchased over a twenty-year period, have no immediate plans for development; and

WHEREAS, the City and RRHA, after extensive study, have determined that the best disposition of 18 of these properties would be conveyance of the properties from RRHA to the City.

NOW, THEREFORE, BE IT RESOLVED by the Commissioners of the City of Roanoke Redevelopment and Housing Authority that:

- 1) The Executive Director be and hereby is authorized to proceed with execution of documents necessary to accomplish conveyance of the following properties to the City of Roanoke:

<u>Tax Map Number</u>	<u>Address</u>
4013321	197 Bullitt Avenue, SE
4011413	120 Church Avenue, SE
1212006	1302 Salem Avenue, SW
4013322	502 Williamson Road, SE
2010916	0 Patton Avenue, NW
2010917	0 Patton Avenue, NW
2010918	0 Gainsboro Road, NW
2010922	0 Gainsboro Road, NW
2013514	115 Centre Avenue, NW
2012921	221 Gainsboro Road, NW
2012949	213 Gainsboro Road, NW
2012922	224 Henry Street, NW
2012923	220 Henry Street, NW
2012940	216 Henry Street, NW
2012941	212 Henry Street, NW
2012942	206 Henry Street, NW
2012947	202 Henry Street, NW
2012920	0 Wells Avenue, NW

The motion was seconded by Commissioner Burruss and upon roll call the following vote was recorded:

AYES: Commissioners Burruss, Butler, Garner, Karnes, Witten, Smith

NAYS: None

Vice-Chair Smith thereupon declared said motion carried and Resolution No. 3754 adopted as introduced.

3. Resolution No. 3755

Catherine Wells asked for approval of Resolution No. 3755 to revise RRHA Personnel Policy No. 405, Drug and Alcohol Abuse. The policy was last reviewed in 1996, with the exception of a slight revision in July of 2011, changing the wording “annual leave” and “vacation” to “PTO”. The revised policy represents an edit from twenty two pages to ten pages, mostly condensing procedural information. One significant change in the revised policy is that post accident testing may now be held onsite by a third party vendor. Supervisors can choose whether to test onsite or escort the affected direct report to a testing facility. Ms. Wells noted a second significant change is the introduction of mandatory random drug and alcohol testing. Ms. Wells stated that a third party vendor will facilitate the process. Ms. Wells asked if there were comments or questions.

Commissioner Witten asked if there was a percentage goal for random testing. Ms. Wells stated there was not at this time. Commissioner Burruss stated that thirty five to fifty percent is standard, and Ms. Wells concurred.

Vice-Chair Smith asked if there were any other questions. There were none.

Commissioner Garner introduced Resolution No. 3755 and moved its adoption

as introduced:

RESOLUTION OF THE CITY OF ROANOKE REDEVELOPMENT AND  
HOUSING AUTHORITY APPROVING A REVISED PERSONNEL POLICY  
REGARDING DRUG AND ALCOHOL ABUSE

WHEREAS, the Roanoke Redevelopment and Housing Authority (RRHA) has a Drug and Alcohol Abuse Policy, was last revised July 1, 2011; and

WHEREAS, RRHA has undertaken a review of its personnel policies to ensure they are relevant, meet the needs of the agency and are legally compliant; and

WHEREAS, RRHA has determined that it is prudent and in the best interest of RRHA to revise Personnel Policy No. 405, Drug and Alcohol, in order to better address the agency's current needs; and

WHEREAS, the proposed revised policy has been reviewed by RRHA's legal counsel and determined to be in compliance with legal requirements applicable to RRHA; and

WHEREAS, the Personnel Committee of the RRHA Board of Commissioners supports and recommends approval of this revised policy;

NOW, THEREFORE, BE IT RESOLVED by the Commissioners of the City of Roanoke Redevelopment and Housing Authority that the attached revised Personnel Policy No. 405, Drug and Alcohol Abuse, is approved effective September 1, 2013.

The motion was seconded by Commissioner Burruss and upon roll call the following vote was recorded:

AYES: Commissioners Burruss, Butler, Garner, Karnes, Witten, Smith

NAYS: None

Vice-Chair Smith thereupon declared said motion carried and Resolution No. 3755 adopted as introduced.

4. Resolution No. 3756

Catherine Wells asked for approval of Resolution No. 3756 to revise RRHA Personnel Policy No. 811, Reduction-in-Force. The policy was last revised in 1996, with the exception of a slight revision in July of 2011, changing the wording "annual leave"



and “vacation” to “PTO”. The recent termination of RRHA’s management agreement for Eight Jefferson Place necessitated the elimination of a position, bringing to light the need to review and revise the policy. The policy was made current by revising language, clarifying roles, and updating criteria regarding reduction-in-force.

Ms. Wells asked if there were comments or questions. There were none.

Commissioner Butler introduced Resolution No. 3756 and moved its adoption as introduced:

**RESOLUTION OF THE CITY OF ROANOKE REDEVELOPMENT AND  
HOUSING AUTHORITY APPROVING A REVISED PERSONNEL POLICY  
REGARDING REDUCTION-IN-FORCE**

WHEREAS, the Roanoke Redevelopment and Housing Authority (RRHA) has a Reduction-in-Force and Recall Policy, was last revised July 1, 2011; and

WHEREAS, RRHA has undertaken a review of its personnel policies to ensure they are relevant, meet the needs of the agency and are legally compliant; and

WHEREAS, RRHA has determined that it is prudent and in the best interest of RRHA to revise Personnel Policy No. 811, Reduction-in-Force, to eliminate recall and better address priorities for making decisions when a reduction of the agency’s work force becomes necessary; and

WHEREAS, the proposed revised policy has been reviewed by RRHA’s legal counsel and determined to be in compliance with legal requirements applicable to RRHA; and

WHEREAS, the Personnel Committee of the RRHA Board of Commissioners supports and recommends approval of this revised policy;

NOW, THEREFORE, BE IT RESOLVED by the Commissioners of the City of Roanoke Redevelopment and Housing Authority that the attached revised Personnel Policy No. 811, Reduction-in-Force, is approved effective September 1, 2013.

The motion was seconded by Commissioner Karnes and upon roll call the following vote was recorded:

AYES: Commissioners Burruss, Butler, Garner, Karnes, Witten, Smith

NAYS:       None

Vice-Chair Smith thereupon declared said motion carried and Resolution No. 3756 adopted as introduced.

5. Resolution No. 3757

Jackie Austin asked the board to authorize the write off of certain amounts shown as other assets of RRHA. Ms. Austin stated that the Day Avenue, L.P. completed the rehabilitation and sale of the 17 houses located in the 400 block of Day Avenue, SW, on February 21, 2013 and that RRHA has no reasonable prospect of recouping the \$344,400 investment in the 17 houses; therefore, it would be in the best interest of RRHA to write-off the \$344,400 which is currently showing as Other Assets in RRHA's financial records.

Vice-Chair Smith asked if there were any questions.

Commissioner Butler asked why this action requires Board approval. Ms. Austin stated that Board approval is typically requested when the write-off is for large dollar amounts.

Commissioner Burruss asked whether it was RRHA or the City that lost the \$344,400. Ms. Austin replied that it was RRHA and explained that RRHA invested funds provided by the City in acquiring the houses on Day Avenue which were transferred to Day Avenue, LP. Since the houses have been sold, there is no investment to keep on the books. Commissioner Burruss commented that this was a good conclusion for both the Day Avenue neighborhood and the City and Ms. Austin agreed.

Commissioner Karnes stated that his question of whether further involvement

from the Board would be necessary had been answered by the previous discussion.

Commissioner Burruss introduced Resolution No. 3757 and moved its adoption as introduced:

**RESOLUTION OF THE CITY OF ROANOKE REDEVELOPMENT AND HOUSING AUTHORITY AUTHORIZING THE WRITE-OFF OF CERTAIN AMOUNTS SHOWN AS OTHER ASSETS OF THE CITY OF ROANOKE REDEVELOPMENT AND HOUSING AUTHORITY**

WHEREAS, Day Avenue, L.P. (DALP) was formed for the purpose of undertaking the acquisition, rehabilitation and sale of 17 historic houses located in the 400 block of Day Avenue, SW in Roanoke, Virginia; and

WHEREAS, acquisition of 17 houses located in the 400 block of Day Avenue, SW, from Christian Housing Fellowship, LLC, for the purchase price of \$344,400 was authorized by the City of Roanoke Redevelopment and Housing Authority (RRHA) Board of Commissioners by Resolution No. 3335 on August 8, 2005; and

WHEREAS, RRHA entered into a Cooperation Agreement with the City of Roanoke, which was approved by the RRHA Board of Commissioners by Resolution No. 3343 on September 12, 2005 and by the Roanoke City Council on September 19, 2005, under which the City of Roanoke provided funding to RRHA for acquisition of said houses on Day Avenue, SW; and

WHEREAS, the RRHA Board of Commissioners approved Resolution No. 3397 on December 18, 2005, ratifying, confirming, and approving a Limited Partnership and Development Agreement for Day Avenue, L.P.; and

WHEREAS, the RRHA Board of Commissioners approved Resolution No. 3404 on February 20, 2007, ratifying, confirming, approving, and authorizing execution of deeds for transfer of the 17 houses located in the 400 block of Day Avenue, SW, Tax Map Nos. 1020111, 1020110, 1020109, 1012822, 1012821, 1020108, 1020107, 1012820, 1020106, 1012819, 1012818, 1012817, 1012816, 1020103, 1012815, 1020102, and 1012814, to Day Avenue, L.P.; and

WHEREAS, Day Avenue, L.P. completed the rehabilitation and sale of the 17 houses located in the 400 block of Day Avenue, SW, on February 21, 2013; and

WHEREAS, Day Avenue, L.P. completed a calculation of net income for the project after completion, which showed no net income from the project; and

WHEREAS, Day Avenue, L.P. filed Articles of Cancellation with the Virginia State Corporation Commission (SCC) on March 25, 2013; and

WHEREAS, with the partnership reporting no net income from the project and having filed Articles of Cancellation with the SCC, RRHA has no reasonable prospect of recouping the \$344,400 investment in 17 houses located in the 400 block of Day Avenue, SW; and

WHEREAS, it would be in the best interest of RRHA to write-off the \$344,400 which is currently showing as Other Assets in RRHA's financial records.

NOW, THEREFORE, BE IT RESOLVED by the Commissioners of the City of Roanoke Redevelopment and Housing Authority that the Board of Commissioners authorizes the Executive Director to direct the write-off of the amount of \$344,400 from Other Assets in the City of Roanoke Redevelopment and Housing Authority's financial records.

The motion was seconded by Commissioner Karnes and upon roll call the following vote was recorded:

AYES: Commissioners Burruss, Butler, Garner, Karnes, Witten, Smith

NAYS: None

#### 6. Resolution No. 3758

Desi Wynters asked for approval of a modification of the contract approved last month with Wallace, Roberts & Todd, LLC to perform a portion of the Housing Needs Assessment and Neighborhood Needs Assessment components. This will enhance RRHA's ability to create a comprehensive and informative Transformation Plan. The additional cost is \$39,430.

Vice-Chair asked for questions. There were none.

Commissioner Butler introduced Resolution No. 3758 and moved its adoption as introduced:

**RESOLUTION OF THE CITY OF ROANOKE REDEVELOPMENT AND  
HOUSING AUTHORITY APPROVING MODIFICATION OF CONTRACT**

NUMBER 662-1301-1-7 UNDER CHOICE NEIGHBORHOODS PLANNING  
GRANT VA3F011CNP112 AND CAPITAL FUND PROGRAM GRANT  
NUMBER VA36PO1150112

WHEREAS, the City of Roanoke Redevelopment and Housing Authority (RRHA) has been awarded a Choice Neighborhoods Planning Grant (CN), which is grant number VA3F011CNP112 in the amount of \$200,000.00, and Capital Fund Program (CFP) grant number VA36PO1150112 in the amount of \$1,779,968.00; and

WHEREAS, Development Planning for AMP 201-Lansdowne Park and AMP 206-Melrose Towers are included on the Annual Statements detailing the planned use of CFP grant number VA36PO1150112, which was included in the 2013 Annual Plan update to the 2011-2014 Agency Plan for submission to HUD and was approved by the Board of Commissioners under Resolution No. 3750 on June 24, 2013; and

WHEREAS, the RRHA Board of Commissioners authorized and directed the Executive Director to execute a contract with Wallace, Roberts, & Todd LLC, for a term of two years in the not to exceed amount of \$210,160, subject to availability of funds, by Resolution No 3753 on July 22, 2013; and

WHEREAS, RRHA staff have subsequently determined that having the Housing Needs Assessment and Neighborhood Needs Assessment components of the Loudon-Melrose Shenandoah West Transformation Plan that includes AMP 201, Lansdowne Park, and AMP 206, Melrose Towers, which were included in the scope of services when proposals were solicited but which were not included in the original contract award, completed by Wallace, Roberts, & Todd LLC, will enhance RRHA's ability to create a comprehensive and informative Transformation Plan; and

WHEREAS, RRHA has subsequently negotiated with Wallace, Roberts, & Todd LLC, regarding completion of the Housing Needs Assessment which will include a physical needs assessment of the Lansdowne and Melrose sites and buildings and Neighborhood Needs Assessment which will investigate the neighborhood's access to key assets, such as quality grocery stores, banks, health clinics and doctors' offices, local schools, child care facilities, parks and recreational facilities, and public transit; and

WHEREAS, the amount of the change proposal submitted by Wallace, Roberts, & Todd LLC, is \$39,430; and

WHEREAS, the amount was determined to be fair and reasonable for the work specified when compared to costs of previous physical needs assessments previously completed by RRHA; and

WHEREAS, review, evaluation, and confirmation of the change proposal documentation has been completed, and has been found to be in all respects acceptable to RRHA; and

WHEREAS, the Vice President of Operations recommends the acceptance of Wallace, Roberts, & Todd LLC's change proposal; and

WHEREAS, the Executive Director has determined that this contract modification complies with RRHA's Procurement Policy and that it is in the best interest of RRHA to accept such change proposal and execute an appropriate contract modification; and

WHEREAS, RRHA's Procurement Policy states, "For all contracts of \$100,000 or more, and all change orders, contract modifications, and/or amendments having a value of \$25,000 or more must be submitted to the Board of Commissioners for review and approval prior to executing the contract modification."

NOW, THEREFORE, BE IT RESOLVED by the Commissioners of the City of Roanoke Redevelopment and Housing Authority that:

- (1) The change proposal submitted by Wallace, Roberts, & Todd LLC, in the amount of \$39,430 be and hereby is accepted;
- (2) The Executive Director be and hereby is authorized and directed to execute a contract modification, which by reference, is inclusive of all Wallace, Roberts, & Todd LLC, change proposal for conducting a Housing and Neighborhood Needs Assessment.
- (3) The Executive Director be and hereby is authorized to take such other actions as may be necessary to fulfill the intent of this Resolution.

The motion was seconded by Commissioner Burruss and upon roll call the following vote was recorded:

AYES: Commissioners Burruss, Butler, Garner, Karnes, Witten, Smith

NAYS: None

Commissioner Butler asked to revisit the letter mentioned in the Executive Director's report concerning Section 8 and asked Ms. Wells if there was a date projected for when Section 8 would likely fall into crisis. Commissioner Butler stated that since the impact of this will be significant upon beneficiaries of the program, the sooner we announce our deadline the better. Ms. Wells referred the question to Ms. Shampine or Mr. Bustamante.

Mr. Bustamante stated that it is not possible to specify an exact date because many variables must be considered. Current reserves project out approximately 6-9

months. As that time gets closer, RRHA's communication with HUD would significantly increase in order to responsibly and strategically plan. RRHA will keep the Board informed of the situation.

Commissioner Butler stated that when this was discussed at the last Board meeting, Ms. Edwards had speculated that if Section 8 was terminated there may be other agencies that would take it on as other localities that have done this.

Commissioner Butler asked if there **were** other localities that would provide funding under those circumstances.

Mr. Bustamante commented that there is no other agency that he is aware of that could sustain this program even minimally except HUD.

Commissioner Butler restated that when this issue is introduced in the public realm, the impact will significantly affect many people.

Commissioner Burruss asked if any entity has stepped up to fill that void in those Housing Authorities that have had to stop administering vouchers. Mr. Bustamante replied that HUD is the only entity involved.

Commissioner Burruss asked whether, in such circumstances, HUD has gone through an emergency appropriation or increased funding support.

Mr. Bustamante stated that in these circumstances, HUD frontloads the necessary funds. Mr. Bustamante noted that RRHA is a sizable program and, in his experience, the programs that have folded have been small programs that have been easily absorbable by the City or other entities. Because the RRHA Section 8 program is so large, there is a good chance that HUD will take action in some form to protect the program. Mr. Bustamante stated that it is problematic that HUD will not provide funding

as long as reserves are in the bank account.

Commissioner Garner stated that last month RRHA had \$900,000 in reserves projected to last between one to one and a half years and asked if that time frame was still valid.

Ms. Austin stated that the funds will not last that long now because the expenditure level has increased over this summer even with the implementation of cost saving measures. If funds are depleted in December, HUD will front load HAP payments in January 2014; however, expenses must continue to be controlled or by November and December 2014 funds will have been depleted again. Ms. Austin stated that it can be assumed that HUD would frontload again, but eventually expenses will have to come in line with funding.

Ms. Austin stated that optimally, the Section 8 program needs funding information by March of each year so that the program can either be expanded or contained. Without funding information it can take six to nine months in order to realize any significant increase or decrease. If funding is decreasing, and expenses are higher it is difficult to make decisions to manage the program. Even with cost saving measures in place, RRHA is now using reserves. Furthermore, RRHA is unable to project a timeframe until Congress acts on the federal budget and HUD notifies housing authorities of funding for 2014.

Commissioner Burruss stated that last months' time frame for operations is probably now down to six to nine months. Commissioner Garner stated that timeframe appears optimistic.

Ms. Wells stated that as Mr. Bustamante indicated, there are many variables.



She stated that RRHA must keep the lines of communication open and keep key players informed. Ms. Wells stated that while the Section 8 program faces uncertain times, changes occur monthly and it possible that the RRHA Section 8 program will ultimately prevail without crisis.

Ms. Austin stated that in the past, when reserves are close to being depleted, HUD will be schedule monthly conference calls and they will monitor monthly Voucher Management System data. Everyone will be informed of the calls and the response from HUD.

Commissioner Butler asked if there are restrictions on the HUD reserves that have been identified to cover deficits.

Ms. Austin stated that Housing Assistance Payment funds are restricted. They cannot be used for any other purpose. Commissioner Butler restated his understanding that the restrictions on the reserves are narrow and specific. Ms. Austin agreed and stated that in the past, accumulating reserves was permitted but is now discouraged. HUD allows only two and half weeks of reserves and maintains this by decreasing funding in order to bring reserves down.

Commissioner Garner asked if the two and a half weeks reserves stated in last month's meeting were still accurate and Ms. Austin confirmed.

Commissioner Burruss asked if there has been any word from any of our legislators about this. Ms. Wells stated that Ms. Edwards sent an e-mail to Senator Warner on August 17, 2013 and to date, there has been no response.

Commissioner Burruss expressed concern for staff and residents under the circumstances. Ms. Wells commented that it is likely there will be a lot of work to do

before this is resolved.

Commissioner Burruss asked if there has been communication from HUD regarding TAP vouchers. Ms. Austin stated that there has been none thus far except for some communication in early spring. Ms. Austin indicated that HUD has received the letter but there is no further information at this time.

Helen Shampine stated that last week she was told unofficially that HUD had funded TAP's shortfall. Commissioner Burruss asked about the time frame for that and Ms. Shampine stated she assumed it was for the balance of the year but this was unofficial. Commissioner Burruss asked if the shortfall was funded for the current federal fiscal year. Ms. Shampine stated she did not know. Ms. Austin stated that it may be just until January because that program is funded on a calendar year.

Commissioner Butler asked if funding a shortfall is the same as frontloading. Ms. Austin stated it could be, but not necessarily. Commissioner Butler stated that frontloading means they just take it off the back end, delaying the inevitable. Ms. Austin stated that she didn't really know the specifics of what happened with TAP, but that sometimes HUD will reallocate money from another agency with low numbers.

Commissioner Butler asked if the HUD office in Richmond had the discretion and access to money to do that. Ms. Austin stated that it may not have been handled by Richmond.

Vice-Chair Smith asked if there were any further questions.

Commissioner Garner asked about how HUD is going about identifying and contracting inspections as it was a convoluted experience last time.

Mr. Bustamante stated that phone calls were received three weeks ago that

informed them of the identity of the inspectors. He stated that one vendor is new and the other vendor has been to RRHA before. Mr. Bustamante stated that preparations are well under way and that he is confident that they will be ready.

Vice-Chair Smith asked if there were any other questions. There were none.

V. **ADJOURNMENT**

There being no further business to come before the Board, Commissioner Karnes moved that the meeting be adjourned.

The motion was seconded by Commissioner Butler and upon roll call the following vote was recorded:

AYES: Commissioners Burruss, Butler, Garner, Karnes, Witten, Smith

NAYS: None

Vice-Chair Smith declared the meeting adjourned at 3:40 p.m.

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Adam Boitnott, Chair

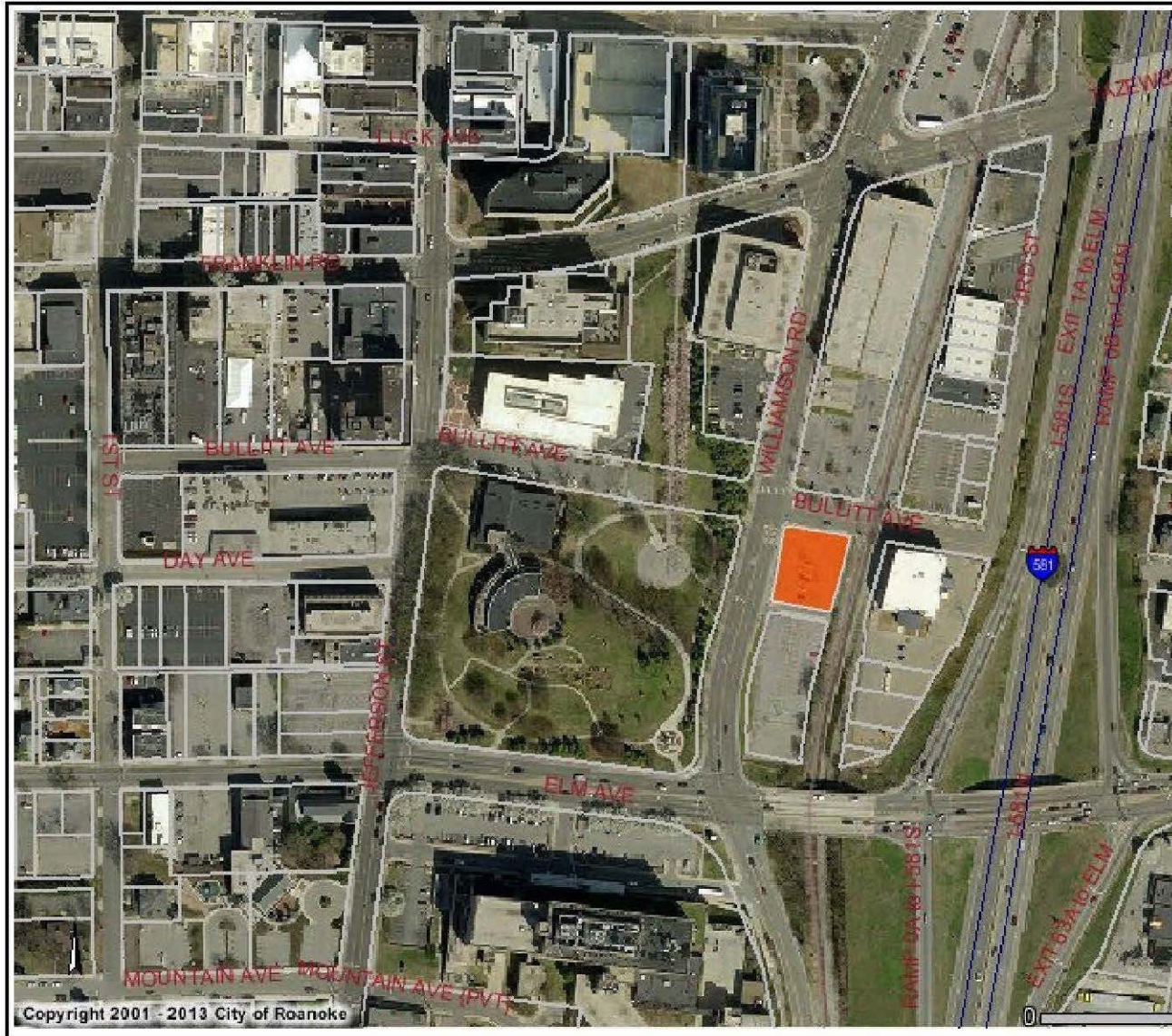
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Glenda Edwards, Secretary-Treasurer

198

# ROANOKE VA

## Property Information Card for: CITY OF ROANOKE REDEVELOPMENT & HOUSING AUTHORITY



### PARCEL INFORMATION

Tax Number 4013321  
 Property Address 197 BULLITT AVE SE  
 Legal Description NEW LOT 5 DOWNTOWN EAST  
 Deed Reference CONVOOOOOO  
 Deed Reference 2 36214  
 Prev. Sale Date N/A  
 Prev. Sale Price N/A  
 Sale Date 07/04/1776  
 Sale Price \$0.00

Property Acres 0.3311  
 Overlay Zoning N/A  
 Property Frontage 118 Feet  
 Property Avg. Depth 120.00 Feet  
 Property Area 14,422  
 Basement Area N/A  
 Land Assessment \$388,800.00  
 Improvements \$7,900.00  
 Total \$396,700.00



# ROANOKE VA

Property Information Card for: CITY OF ROANOKE REDEVELOPMENT & HOUSING AUTHORITY



## PARCEL INFORMATION

Tax Number 4011413  
 Property Address 120 CHURCH AVE SE  
 Legal Description PARCEL 1 (0.3667 AC) DOWNTOWN EAST  
 Deed Reference CONV000000  
 Deed Reference 2 34286  
 Prev. Sale Date N/A  
 Prev. Sale Price N/A  
 Sale Date 07/04/1776  
 Sale Price \$0.00

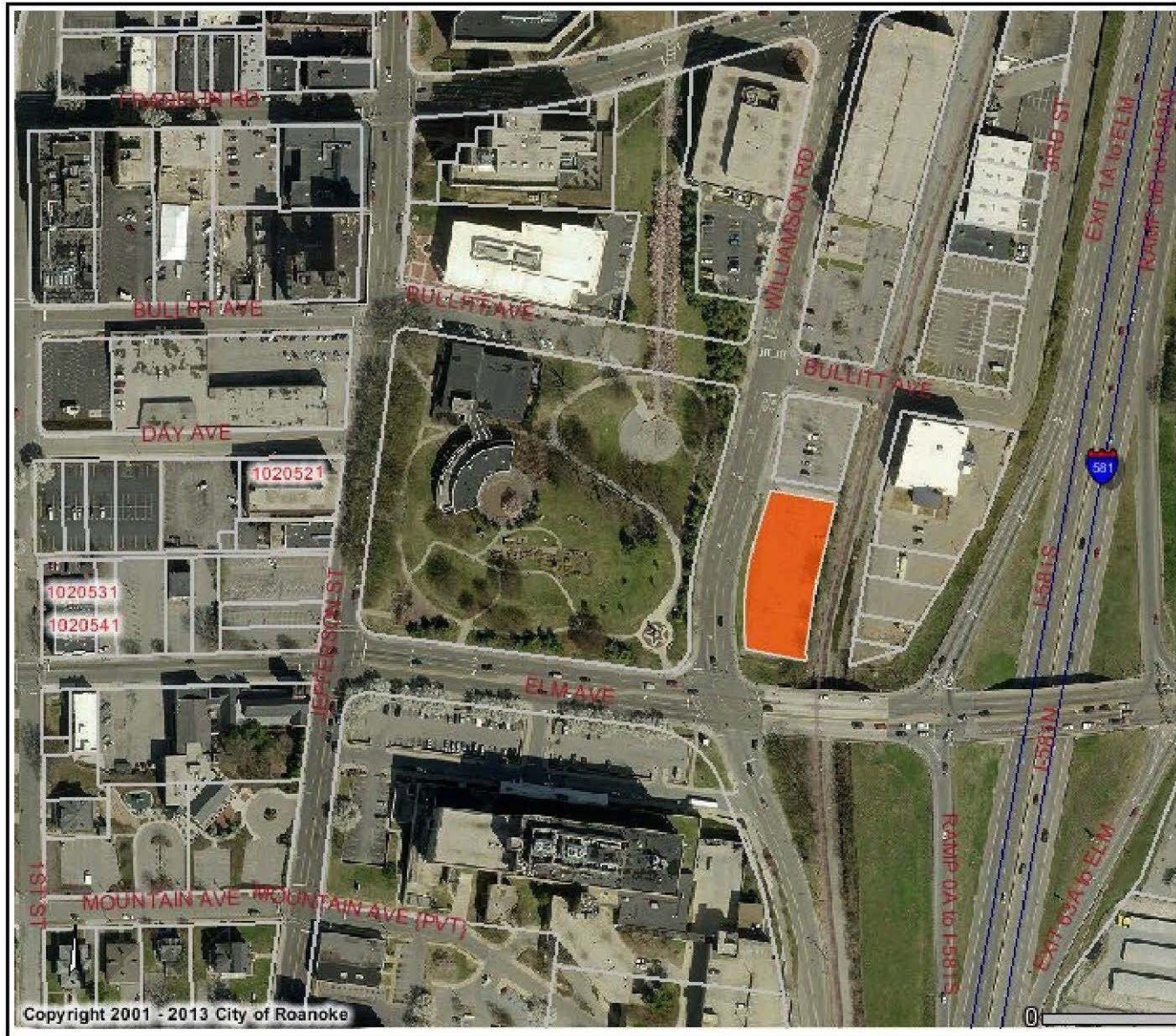
Property Acres 0.3607  
 Overlay Zoning Hist Dist 1/Conserv  
 Property Frontage 200 Feet  
 Property Avg. Depth 98.00 Feet  
 Property Area 15,712  
 Basement Area N/A  
 Land Assessment \$549,700.00  
 Improvements \$8,600.00  
 Total \$558,300.00



200

# ROANOKE VA

Property Information Card for: CITY OF ROANOKE REDEVELOPMENT & HOUSING AUTHORITY



## PARCEL INFORMATION

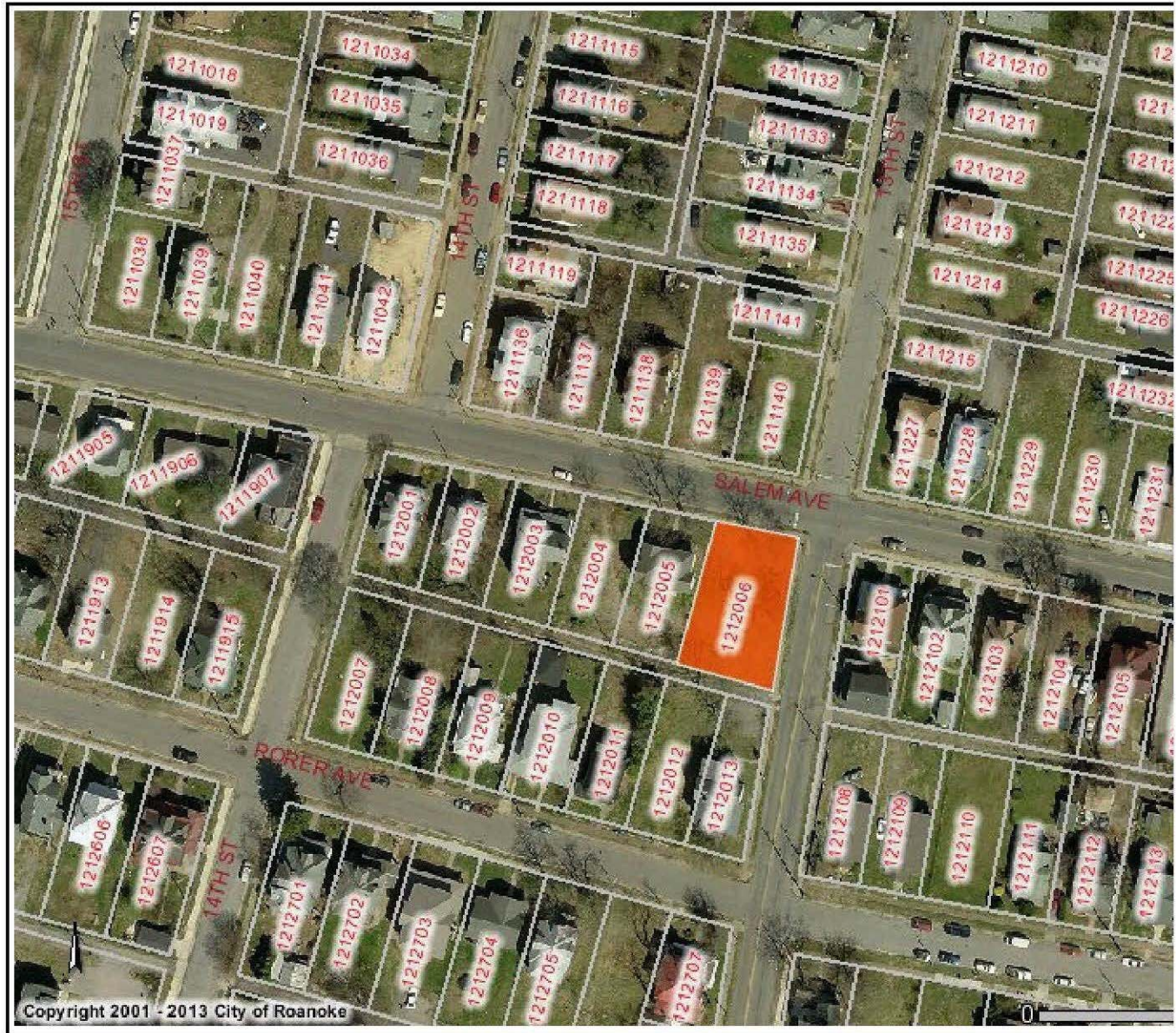
Tax Number 4013322  
 Property Address 502 WILLIAMSON RD SE  
 Legal Description NEW LOT 6 DOWNTOWN EAST  
 Deed Reference CONVOOOOOO  
 Deed Reference 2 36215  
 Prev. Sale Date N/A  
 Prev. Sale Price N/A  
 Sale Date 07/04/1776  
 Sale Price \$0.00

Property Acres 0.5835  
 Overlay Zoning N/A  
 Property Frontage 248 Feet  
 Property Avg. Depth 110.00 Feet  
 Property Area 25,417  
 Basement Area N/A  
 Land Assessment \$685,200.00  
 Improvements \$23,800.00  
 Total \$709,000.00



# ROANOKE VA

## Property Information Card for: CITY OF ROANOKE REDEVELOPMENT & HOUSING AUTHORITY



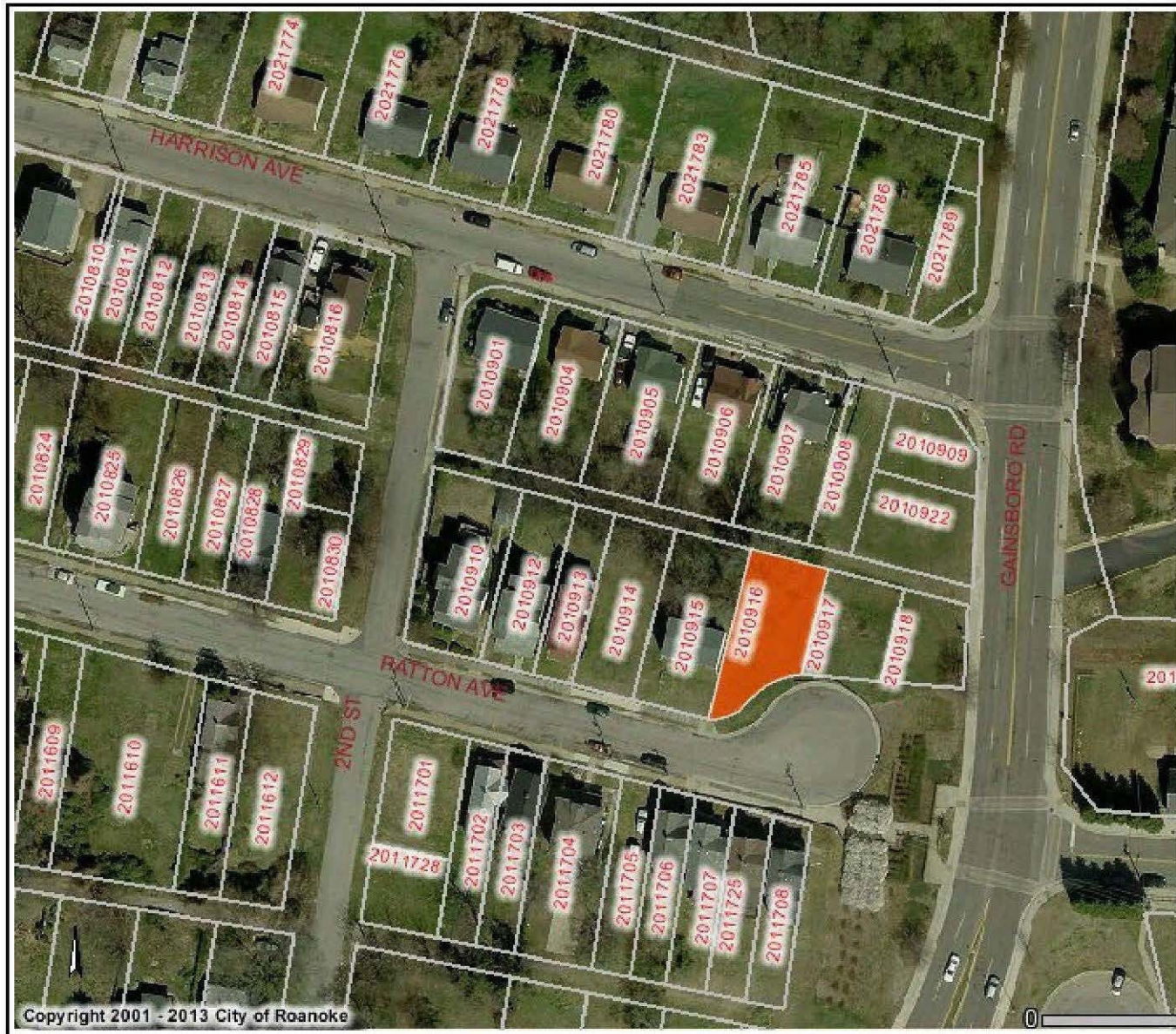
### PARCEL INFORMATION

Tax Number 1212006  
 Property Address 1302 SALEM AVE SW  
 Legal Description LOT 1 BLK 1 WE L CO  
 Deed Reference 080014936  
 Deed Reference 2 060004175  
 Prev. Sale Date 03/20/2006  
 Prev. Sale Price 50000  
 Sale Date 12/04/2008  
 Sale Price \$82,000.00

Property Acres 0.1735  
 Overlay Zoning Conservation District  
 Property Frontage 110 Feet  
 Property Avg. Depth 67.00 Feet  
 Property Area 7,557  
 Basement Area N/A  
 Land Assessment \$9,600.00  
 Improvements \$0.00  
 Total \$9,600.00



202

**ROANOKE VA****Property Information Card for: CITY OF ROANOKE REDEVELOPMENT & HOUSING AUTHORITY****PARCEL INFORMATION**

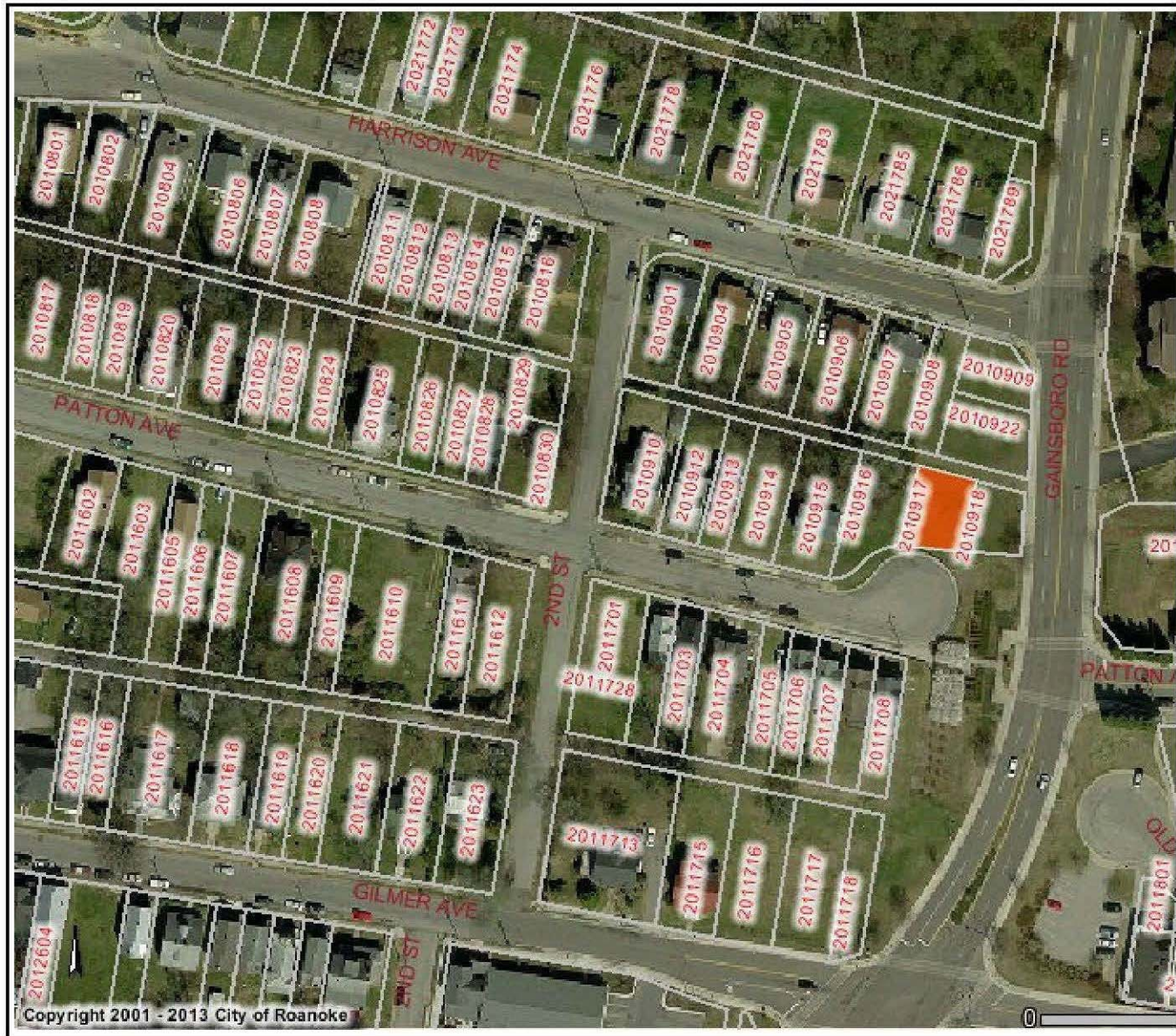
Tax Number 2010916  
 Property Address 0 PATTON AV NW  
 Legal Description LT 5 BLK 3 R F & H  
 Deed Reference CONVOOOOOO  
 Deed Reference 2 52713  
 Prev. Sale Date N/A  
 Prev. Sale Price N/A  
 Sale Date 07/04/1776  
 Sale Price \$0.00

Property Acres 0.1029  
 Overlay Zoning Conservation District  
 Property Frontage 50 Feet  
 Property Avg. Depth 70.00 Feet  
 Property Area 4,482  
 Basement Area N/A  
 Land Assessment \$4,200.00  
 Improvements \$0.00  
 Total \$4,200.00



# ROANOKE VA

Property Information Card for: CITY OF ROANOKE REDEVELOPMENT & HOUSING AUTHORITY



## PARCEL INFORMATION

Tax Number 2010917  
 Property Address O PATTON AV NW  
 Legal Description LOT 6 & S PT L 7-8 R F & H BLK 3  
 Deed Reference CONVOOOOOO  
 Deed Reference 2 CONVOOOOOO  
 Prev. Sale Date 07/04/1776  
 Prev. Sale Price 0  
 Sale Date 05/21/1981  
 Sale Price \$0.00

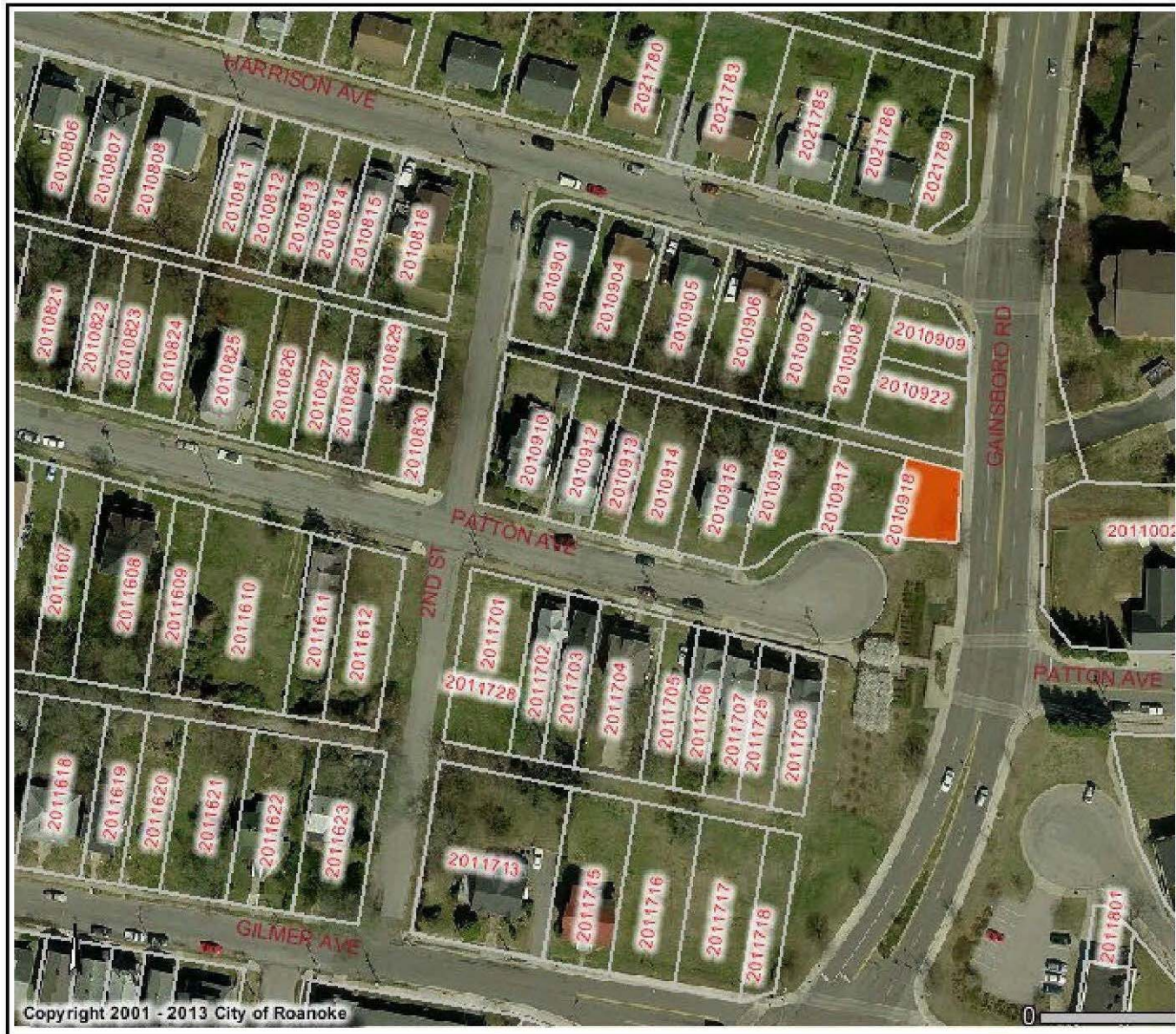
Property Acres 0.0739  
 Overlay Zoning Conservation District  
 Property Frontage 31 Feet  
 Property Avg. Depth 60.00 Feet  
 Property Area 3,219  
 Basement Area N/A  
 Land Assessment \$6,100.00  
 Improvements \$0.00  
 Total \$6,100.00



204

**ROANOKE VA**

Property Information Card for: CITY OF ROANOKE REDEVELOPMENT &amp; HOUSING AUTHORITY

**PARCEL INFORMATION**

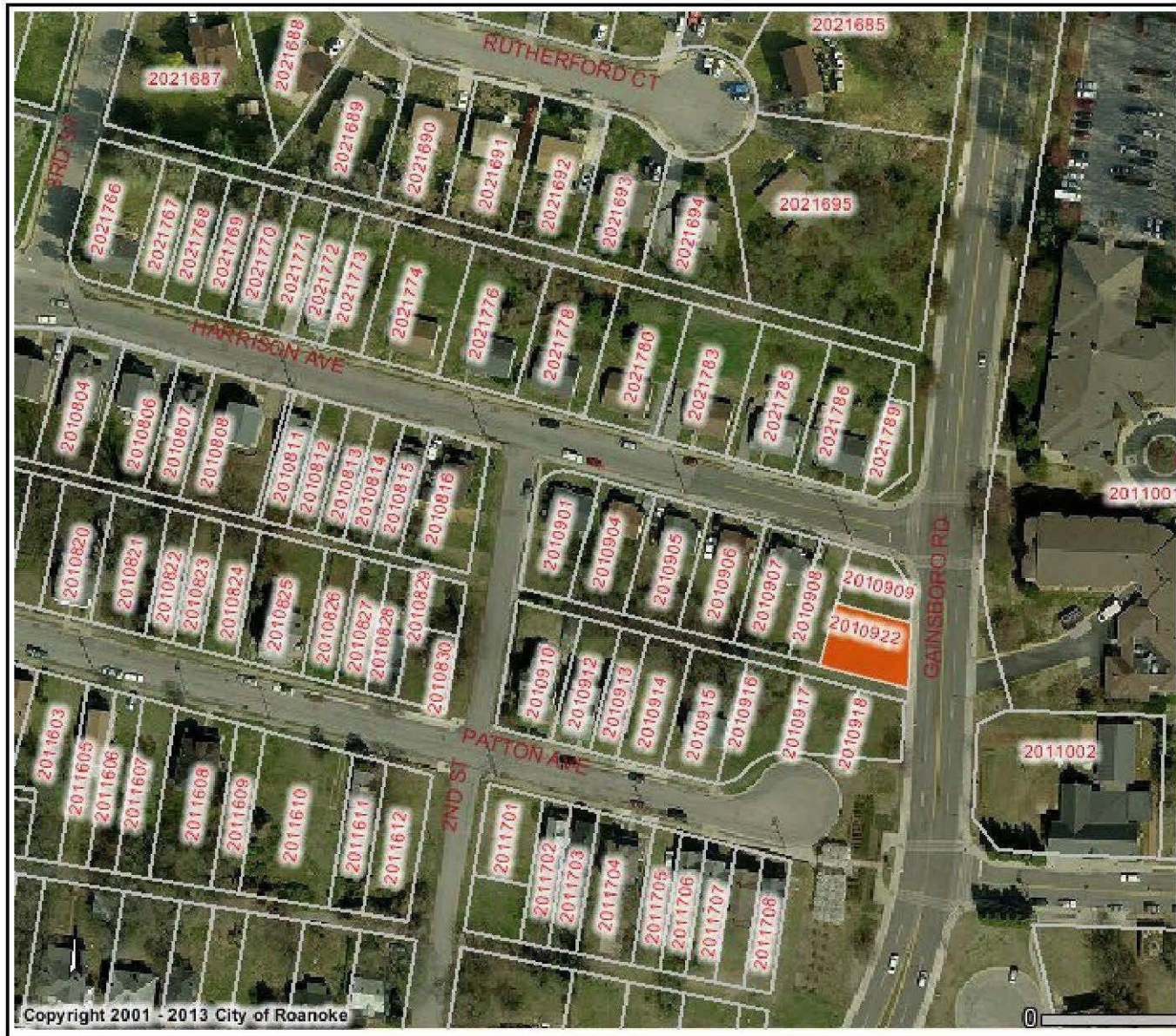
Tax Number 2010918  
 Property Address 0 GAINSBORO RD NW  
 Legal Description PT LOTS 7&8 BLK 3 R F & H  
 Deed Reference CONVOOOOOO  
 Deed Reference 2 CONVOOOOOO  
 Prev. Sale Date 07/04/1776  
 Prev. Sale Price 0  
 Sale Date 05/21/1981  
 Sale Price \$0.00

Property Acres 0.0618  
 Overlay Zoning Conservation District  
 Property Frontage 53 Feet  
 Property Avg. Depth 60.00 Feet  
 Property Area 2,692  
 Basement Area N/A  
 Land Assessment \$5,200.00  
 Improvements \$0.00  
 Total \$5,200.00



# ROANOKE VA

## Property Information Card for: CITY OF ROANOKE REDEVELOPMENT & HOUSING AUTHORITY



### PARCEL INFORMATION

Tax Number 2010922  
 Property Address 0 GAINSBORO RD NW  
 Legal Description S PT 14 & 15 BLK 3 R F & H  
 Deed Reference CONVOOOOOO  
 Deed Reference 2 52718  
 Prev. Sale Date N/A  
 Prev. Sale Price N/A  
 Sale Date 07/04/1776  
 Sale Price \$0.00

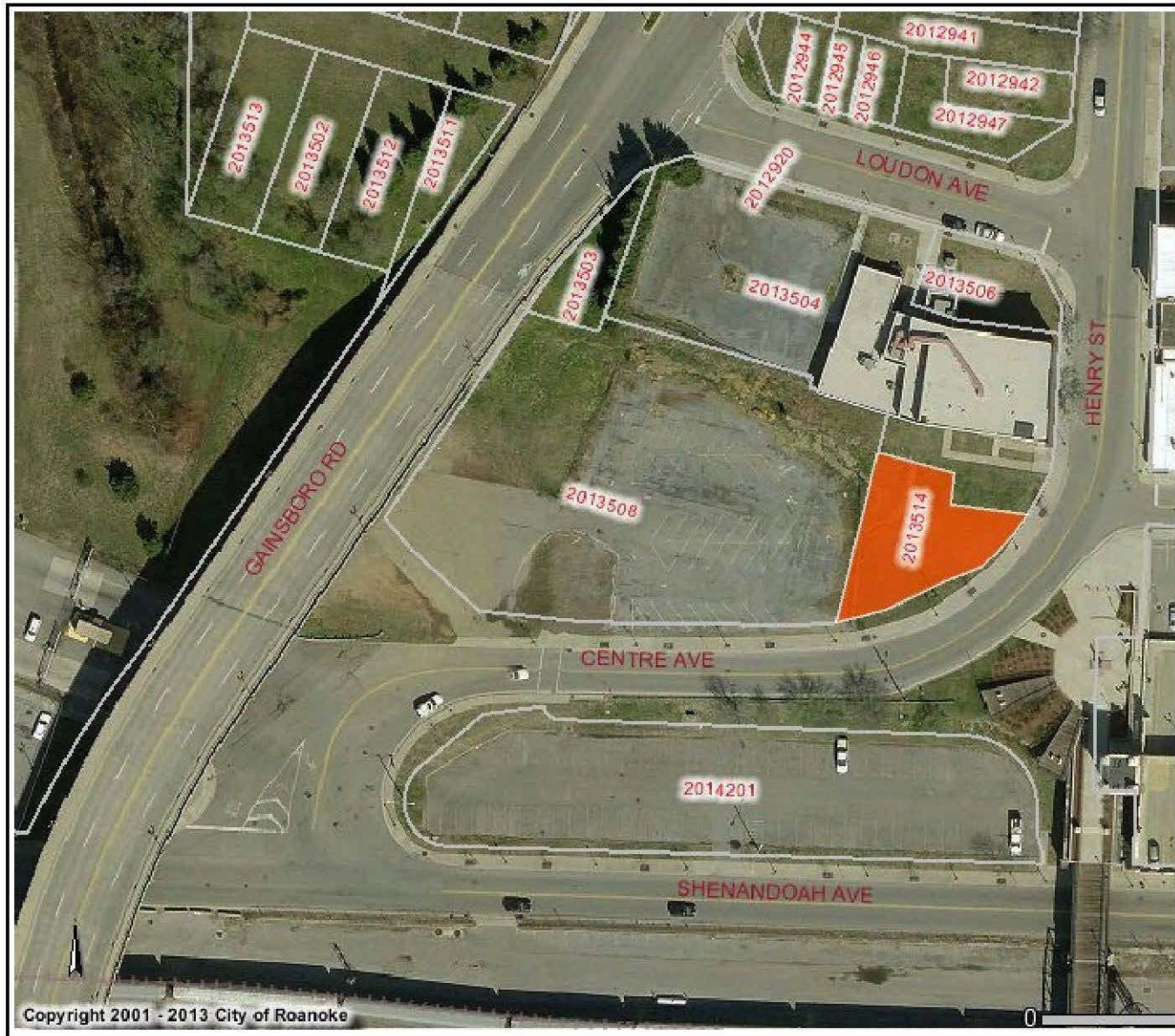
Property Acres 0.0946  
 Overlay Zoning Conservation District  
 Property Frontage 59 Feet  
 Property Avg. Depth 75.00 Feet  
 Property Area 4,120  
 Basement Area N/A  
 Land Assessment \$15,500.00  
 Improvements \$0.00  
 Total \$15,500.00



206

# ROANOKE VA

Property Information Card for: CITY OF ROANOKE REDEVELOPMENT & HOUSING AUTHORITY



## PARCEL INFORMATION

Tax Number 2013514  
 Property Address 115 CENTRE AVE NW  
 Legal Description LOT C-1 MRS NEAL  
 Deed Reference CONVOOOOOO  
 Deed Reference 2 CONVOOOOOO  
 Prev. Sale Date 07/04/1776  
 Prev. Sale Price 0  
 Sale Date 11/19/1986  
 Sale Price \$0.00

Property Acres 0.1160  
 Overlay Zoning Conservation District  
 Property Frontage 108 Feet  
 Property Avg. Depth 43.00 Feet  
 Property Area 5,052  
 Basement Area N/A  
 Land Assessment \$116,900.00  
 Improvements \$0.00  
 Total \$116,900.00



# ROANOKE VA

207

## Property Information Card for: CITY OF ROANOKE REDEVELOPMENT & HOUSING AUTHORITY



### PARCEL INFORMATION

Tax Number	2012921	Property Acres	0.0673
Property Address	221 GAINSBORO RD NW	Overlay Zoning	Conservation District
Legal Description	LOT 33 BLK 8 SEC NW 1 OFFICIAL SURVEY	Property Frontage	0 Feet
Deed Reference	CONV000000	Property Avg. Depth	0.00 Feet
Deed Reference 2	CONV000000	Property Area	2,931
Prev. Sale Date	07/04/1776	Basement Area	N/A
Prev. Sale Price	0	Land Assessment	\$52,400.00
Sale Date	10/20/1987	Improvements	\$0.00
Sale Price	\$0.00	Total	\$52,400.00



208

# ROANOKE VA

Property Information Card for: CITY OF ROANOKE REDEVELOPMENT & HOUSING AUTHORITY



## PARCEL INFORMATION

Tax Number 2012949  
 Property Address 213 GAINSBORO RD NW  
 Legal Description PT LTS 36&37 BLK 80S SEC NW1  
 Deed Reference 0020001863  
 Deed Reference 2 CONVO000000  
 Prev. Sale Date 09/27/1994  
 Prev. Sale Price 0  
 Sale Date 01/24/2002  
 Sale Price \$0.00

Property Acres 0.0330  
 Overlay Zoning Conservation District  
 Property Frontage 43 Feet  
 Property Avg. Depth 32.00 Feet  
 Property Area 1,437  
 Basement Area N/A  
 Land Assessment \$33,200.00  
 Improvements \$0.00  
 Total \$33,200.00



# ROANOKE VA

Property Information Card for: CITY OF ROANOKE REDEVELOPMENT & HOUSING AUTHORITY

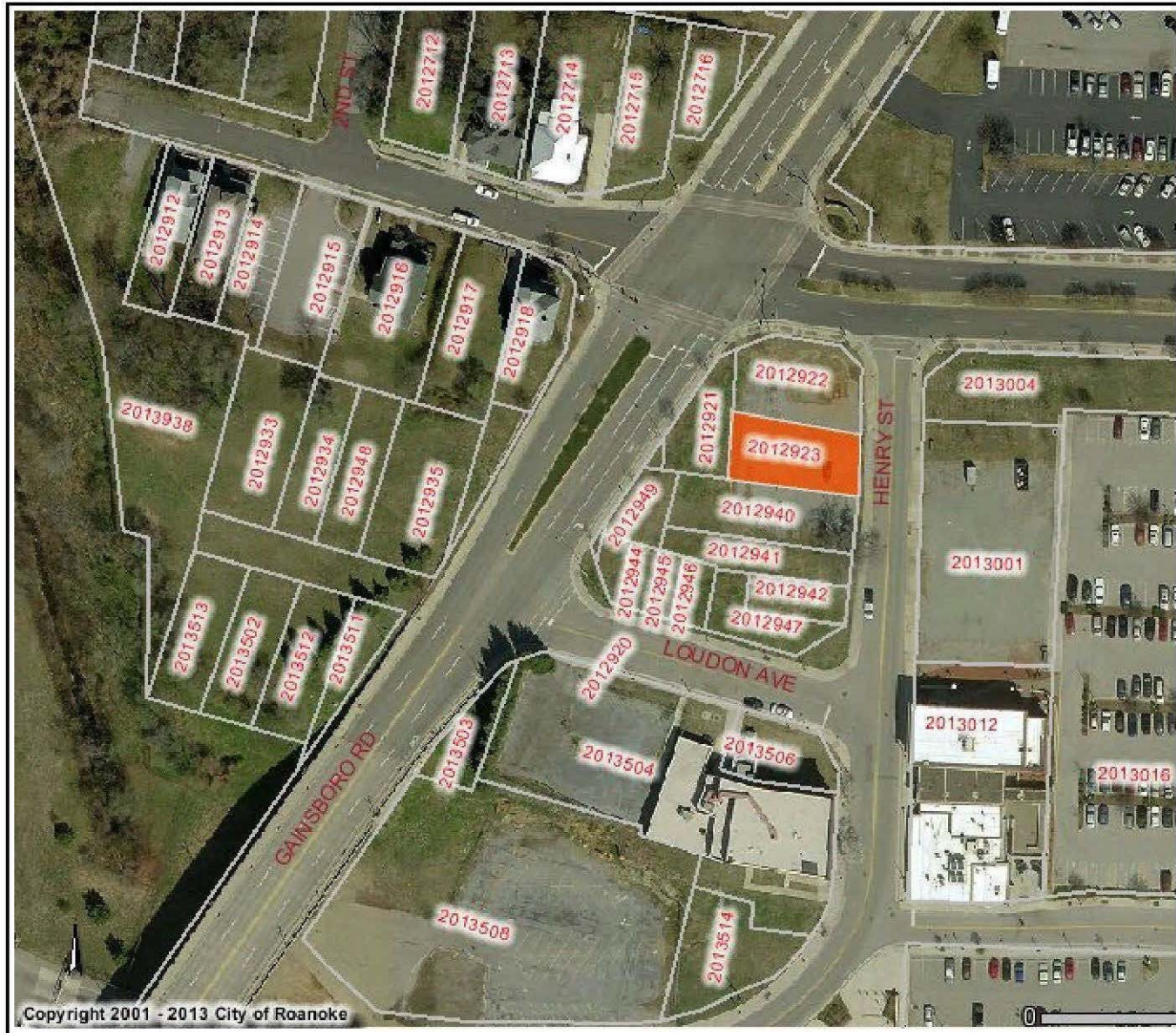


## PARCEL INFORMATION

Tax Number	2012922	Property Acres	0.1138
Property Address	224 HENRY ST NW	Overlay Zoning	Conservation District
Legal Description	LOT 34A BLK 8 OFFICIAL SURVEY SEC NW1	Property Frontage	60 Feet
Deed Reference	CONV000000	Property Avg. Depth	96.00 Feet
Deed Reference 2	CONV000000	Property Area	4,957
Prev. Sale Date	07/04/1776	Basement Area	N/A
Prev. Sale Price	0	Land Assessment	\$115,800.00
Sale Date	05/22/1987	Improvements	\$0.00
Sale Price	\$0.00	Total	\$115,800.00



210

**ROANOKE VA****Property Information Card for: CITY OF ROANOKE REDEVELOPMENT & HOUSING AUTHORITY****PARCEL INFORMATION**

Tax Number	2012923	Property Acres	0.0936
Property Address	220 HENRY ST NW	Overlay Zoning	Conservation District
Legal Description	LOT 348 BLK 8 SEC NW1 OFFICIAL SURVEY	Property Frontage	43 Feet
Deed Reference	CONV000000	Property Avg. Depth	97.00 Feet
Deed Reference 2	CONV000000	Property Area	4,077
Prev. Sale Date	07/04/1776	Basement Area	N/A
Prev. Sale Price	0	Land Assessment	\$101,100.00
Sale Date	05/22/1987	Improvements	\$0.00
Sale Price	\$0.00	Total	\$101,100.00



# ROANOKE VA

211

## Property Information Card for: CITY OF ROANOKE REDEVELOPMENT & HOUSING AUTHORITY



### PARCEL INFORMATION

Tax Number 2012940  
 Property Address 216 HENRY ST NW  
 Legal Description PT LOT 36 BLK 8 O S SEC NW1  
 Deed Reference CONVOOOOOO  
 Deed Reference 2 CONVOOOOOO  
 Prev. Sale Date 07/04/1776  
 Prev. Sale Price 0  
 Sale Date 05/22/1987  
 Sale Price \$0.00

Property Acres 0.1177  
 Overlay Zoning Conservation District  
 Property Frontage 42 Feet  
 Property Avg. Depth 126.00 Feet  
 Property Area 5,127  
 Basement Area N/A  
 Land Assessment \$123,800.00  
 Improvements \$0.00  
 Total \$123,800.00



212

**ROANOKE VA****Property Information Card for: CITY OF ROANOKE REDEVELOPMENT & HOUSING AUTHORITY****PARCEL INFORMATION**

Tax Number 2012941  
 Property Address 212 HENRY ST NW  
 Legal Description PT LOT 37 BLK 8 O S SEC NW1  
 Deed Reference CONVOOOOOO  
 Deed Reference 2 CONVOOOOOO  
 Prev. Sale Date 12/02/1985  
 Prev. Sale Price 1500  
 Sale Date 09/26/1986  
 Sale Price \$0.00

Property Acres 0.0685  
 Overlay Zoning Conservation District  
 Property Frontage 23 Feet  
 Property Avg. Depth 126.00 Feet  
 Property Area 2,983  
 Basement Area N/A  
 Land Assessment \$61'100.00  
 Improvements \$0.00  
 Total \$61'100.00



# ROANOKE VA

213

## Property Information Card for: CITY OF ROANOKE REDEVELOPMENT & HOUSING AUTHORITY



### PARCEL INFORMATION

Tax Number 2012942  
 Property Address 206 HENRY ST NW  
 Legal Description PT LOT 40 BLK 8 O S SEC NW1  
 Deed Reference CONVOOOOOO  
 Deed Reference 2 CONVOOOOOO  
 Prev. Sale Date 12/03/1984  
 Prev. Sale Price 0  
 Sale Date 11/19/1986  
 Sale Price \$0.00

Property Acres 0.0432  
 Overlay Zoning Conservation District  
 Property Frontage 26 Feet  
 Property Avg. Depth 68.00 Feet  
 Property Area 1,881  
 Basement Area N/A  
 Land Assessment \$44,700.00  
 Improvements \$0.00  
 Total \$44,700.00



214

**ROANOKE VA****Property Information Card for: CITY OF ROANOKE REDEVELOPMENT & HOUSING AUTHORITY****PARCEL INFORMATION**

Tax Number 2012947  
 Property Address 202 HENRY ST NW  
 Legal Description PT LOT 40 BLK 8 O S SEC NW1  
 Deed Reference CONVOOOOOO  
 Deed Reference 2 CONVOOOOOO  
 Prev. Sale Date 07/04/1776  
 Prev. Sale Price 0  
 Sale Date 09/18/1987  
 Sale Price \$0.00

Property Acres 0.0562  
 Overlay Zoning Conservation District  
 Property Frontage 41 Feet  
 Property Avg. Depth 70.00 Feet  
 Property Area 2,448  
 Basement Area N/A  
 Land Assessment \$41,300.00  
 Improvements \$0.00  
 Total \$41,300.00



215

**ROANOKE VA****Property Information Card for: CITY OF ROANOKE REDEVELOPMENT & HOUSING AUTHORITY****PARCEL INFORMATION**

Tax Number	2012920	Property Acres	0.0420
Property Address	0 WELLS AV NW	Overlay Zoning	Conservation District
Legal Description	LOT 32 BLK 8 SEC NW 1 OFFICIAL SURVEY	Property Frontage	20 Feet
Deed Reference	0020001863	Property Avg. Depth	20.00 Feet
Deed Reference 2	CONV000000	Property Area	1,829
Prev. Sale Date	03/17/1994	Basement Area	N/A
Prev. Sale Price	0	Land Assessment	\$10,300.00
Sale Date	01/24/2002	Improvements	\$0.00
Sale Price	\$0.00	Total	\$10,300.00



Policy No. 405  
Date December 20, 1996  
Revised 2/9/98  
Revised: 07/01/11  
Revised: 09/01/13

## **DRUG AND ALCOHOL ABUSE**

### **POLICY**

1. The Roanoke Redevelopment & Housing Authority (RRHA) has an obligation to its employees, customers and the public-at-large to reasonably ensure safety in its workplace, housing operations, and in the agency's service to others. RRHA is committed to the prevention of substance abuse in the workplace. As such, RRHA will make an ongoing good faith effort to maintain a drug-free workplace by meeting the requirements of the Drug-Free Workplace Act.

Alcohol and drug abuse can adversely affect an employee's job performance, endanger other employees and members of the public as well as affect RRHA in terms of both the immediate and long term. RRHA affirms its willingness to assist employees with alcohol or drug-related problems to find the appropriate treatment for rehabilitation and recovery. Employees with need are encouraged to request such assistance through RRHA's Employee Assistance Program or through community agencies.

The use, possession, or having a detectable presence of alcohol in one's system, or the distribution, manufacture, dispensation, solicitation and/or sale of alcohol on RRHA premises or while on the job is strictly prohibited. The use or having a detectable presence of drugs in one's system (except where specifically prescribed by a physician), or the possession, distribution, manufacture, dispensation, solicitation and/or sale of drugs and drug paraphernalia while on the job or on RRHA premises, is strictly prohibited and will result in disciplinary action, up to and including termination. The RRHA will utilize third party drug and alcohol testing facilities to ensure reliability as well as the fair and equitable treatment of its employees.

Off-the-job abuse of alcohol which adversely affects an employee's job performance, or adversely affects or threatens to adversely affect the interests or reputation of RRHA is strictly prohibited and will result in disciplinary action, up to and including termination.

The off-the-job abuse or illegal possession of drugs which adversely affects an employee's job performance, or adversely affects or threatens to adversely affect the interests or reputation of RRHA is strictly prohibited and will result in disciplinary action, up to and including termination.

Illegal drugs will be confiscated if found and may be turned over to the appropriate law enforcement agency, which may also result in criminal prosecution and will result in disciplinary action, up to and including termination.

Any employee convicted of a drug offense will be terminated from RRHA and the Department of Housing & Urban Development will be notified within 10 days after receiving the notice.

Employees who are subject to discipline for violation of these guidelines may be offered participation in the EAP program as an alternative to termination at RRHA's option. Such employees will not be permitted to participate in the EAP more than once in order to preserve employment.

As part of the RRHA's commitment to a drug and alcohol-free workplace, annual substance abuse training will be held for all employees and supervisors. Each employee will be required to sign RRHA's Drug and Alcohol Abuse Policy, acknowledging that they understand and will abide by the policy.

The Board of Commissioners has established this policy and delegates responsibility for establishing or modifying procedures for implementation of the policy to the Executive Director.

## SCOPE

This policy applies to all employees of RRHA as well as for applicants for employment with RRHA. Furthermore, employees of independent contractors who violate this policy will not be allowed on RRHA premises or otherwise to perform services on behalf of RRHA.

## DEFINITIONS

- A. Reasonable Suspicion. The presence or occurrence of specific objective facts or events that indicate the employee is, at the time of suspicion, under the influence of drugs or alcohol. Reasonable suspicion may include, but is not limited to, the following:
  - a. A pattern of abnormal or erratic behavior (e.g., including but not limited to hyperactivity, unexplained mood or personality change, paranoia, hallucinations);
  - b. Presence of the physical symptoms of drug or alcohol use (e.g., pin point or dilated pupils, alcohol odor or breath, slurred speech, lack of coordination, onset of unusual perspiration or shakes, unusual drowsiness or sluggishness);
  - c. Direct observation of alcohol or drug use;
  - d. Information provided by a reliable source, including, but not limited to, COPE team, other enforcement agencies, management staff and other employees, etc.;
  - e. Possession of drugs, drug paraphernalia or alcohol; and
  - f. Masking techniques (including, but not limited to, excessive use of mouth wash, breath spray, etc.)
- B. Alcohol. Alcohol includes the intoxicating agent in beverage alcohol, ethyl alcohol, or other low molecular weight alcohols including methyl and isopropyl alcohol.
- C. Drug(s). Includes any substance with the potential to produce the effects of a behavioral change which may adversely affect a person's ability to safely and efficiently perform his/her job, specifically those controlled substances as outlined the code of Federal Regulations 21 CFR 1308, which currently includes marijuana, cocaine, opiates, amphetamines, and phencyclidine. The terms "drugs" and "controlled substances" are synonymous in usage throughout this document.
- D. Employee(s). Persons who are employed by RRHA and are classified as regular full time, part-time or temporary. The term employee does not include temporary contracted workers.
- E. Substance Abuse. This includes the use of any substance that deviates from the intent of this policy or from specific medical direction.
- F. RRHA Premises. Used in its broadest sense, this refers to all land (including leaseholds, easements, and other job sites), property, buildings and other structures, vehicles owned by or leased by RRHA, and personal vehicles while used on RRHA business.
- G. On the Job. This term includes all time from when the employee begins to work or is required to be in readiness to work until the time he/she is relieved from work and all responsibility for performing work.
- H. Medical Review Officer (MRO). RRHA contracts for the services of a MRO who is a licensed physician with knowledge and expertise in the area of substance abuse. The MRO shall review all positive drug test reports and interview individuals who have tested positive to verify the laboratory report prior to notifying RRHA.



- I. Accident (public or private roads). An occurrence involving an RRHA-owned motor vehicle, personal vehicle used for RRHA business, or other piece of motorized equipment which involves one or more of the following:
  - a. the RRHA employee-operator received a citation under State or local law for a moving traffic violation arising from the accident
  - b. a human fatality
  - c. if the RRHA employee-operator causes bodily injury to any person requiring immediate medical treatment away from the scene
  - d. if the RRHA employee-operator causes property damage to RRHA property or to the property of others
- J. Motor Vehicle(s). Vehicles which are self-propelled or designed for self-propulsion, except a bicycle or moped.
- K. Motorized Equipment. Any piece of equipment, which is electric, battery, gasoline, or diesel powered and which is capable of transporting an individual or projecting an object.
- L. Temporary Contract Employees: Persons who are not employed by RRHA but are contracted via a third party temporary employment agency to complete certain short term tasks or projects.

## **PROCEDURES - ALCOHOL AND DRUG TESTING**

### **A. Pre-Employment Screening**

RRHA prohibits the hiring of any applicant who tests positive for illegal drugs or the presence of alcohol. As part of the post job offer of employment process, applicants are required to complete a pre-employment drug screening at RRHA's expense.

Applicants who refuse to submit to a pre-employment drug screening, or who fail such a test, excluding certified medical situations, will have their offer of employment withdrawn and will not be employed by RRHA.

### **B. Reasonable-Suspicion Testing**

Upon reasonable suspicion, management may require an employee to be tested for substance abuse when it appears that the employee's work performance or behavior is being affected in any way by drugs or alcohol. An employee may be required to submit urine and/or blood specimens for alcohol and drug testing under such circumstances.

If the odor of alcohol is detected on or about an employee, the appropriate supervisor is to be contacted immediately. A witness may be called to verify that such an odor exists on or about the suspected employee. If such an odor is deemed to be present, the employee will be informed that the odor of alcohol is present about him/her, and he/she is not to begin or continue to work.

The suspected employee is to be informed that he/she is required to submit to a substance abuse test. The immediate supervisor will immediately arrange for a contracted third party agency to administer the test on site or the suspected employee will be immediately transported to an approved testing facility by a member of management, preferably his/her immediate supervisor. The Supervisor will remain with the employee at all times until such time testing is complete. If testing is performed offsite, the immediate supervisor will be responsible for arranging transportation of the employee to his/her home once testing is completed.

Immediately following testing, the suspected employee will be placed on paid administrative leave until such time testing results are available and management has made a determination as to his/her continued employment.

A refusal to take a drug or alcohol test will have the same effect as a positive test for all purposes under this policy and procedure, including discipline. Please see: "G – Effect of a Positive Test or Refusal to Take a Test" for further procedures.

A refusal to be transported to the testing facility to take a drug or alcohol test will have the same effect as a positive test for all purposes under this policy and procedure, including discipline. Please see: "G – Effect of a Positive Test or Refusal to Take a Test" for further procedures.

Adulteration of a testing specimen and/or other conduct interfering with the administration of a drug or alcohol test will constitute a refusal to take a drug or alcohol test for purposes of this policy, including discipline. Please see: "G – Effect of a Positive Test or Refusal to Take a Test" for further procedures.

Upon reasonable suspicion, the Board of Commissioners may order testing of the Executive Director.

C. Random Testing:

RRHA will randomly test its front line service employees and employees who regularly operate motor vehicles on RRHA business for compliance with its drug-free workplace policy. As used in this policy, "random testing" means a method of selection of employees for testing, performed by an outside third party. The selection will result in an equal probability that any employee from a group of employees will be tested. Furthermore, RRHA has no discretion to waive the selection of an employee selected by this random selection method.

When an employee is randomly selected for drug and/or alcohol testing, he/she will not perform work functions until the drug and/or alcohol test is administered. The employee is to be informed that he/she was randomly selected to submit to a substance abuse test. The immediate supervisor will immediately arrange for a contracted third party agency to administer the test on site or the employee will be immediately transported to an approved testing facility by a member of management, preferably his/her immediate supervisor. The immediate supervisor will remain with the employee at all times until such time testing is complete. If testing is performed offsite, the immediate supervisor will be responsible for arranging transportation of the employee back to RRHA where he/she may resume work duties while awaiting test results.

D. Scheduled Periodic Testing:

RRHA reserves the right to conduct periodic testing on a regularly scheduled basis for employees in designated departments, classifications or work groups.

E. Post-Accident/Incident Drug and Alcohol Testing

An employee involved in an on-the-job accident/incident of any type is required to be drug and alcohol tested. The drug and alcohol test should be administered as soon as practical after an accident (ideally within two hours of the accident) but no later than 24 hours for a drug test and no later than 8 hours for an alcohol test.

If an employee is disabled and cannot give a specimen at the time of a reportable accident, RRHA will document all conversations held with authorized personnel, hospital staff, and the employee. As soon as reasonably possible, the employee must sign a Medical Release form granting RRHA permission to obtain hospital records to determine the possible use of any controlled substances. RRHA must obtain this information before the employee may resume his/her duties.

**Failure to report an accident to a supervisor as soon as practicable will have the same effect as a positive test for all purposes under this policy and procedure.**

**F. Return-to-Duty Drug/Alcohol Testing**

If an employee tests negative for drugs and alcohol (less than 0.02) use, he/she may immediately return to work.

**G. Effect of a Positive Test or Refusal to Take a Test**

An employee who tests positive for drugs or alcohol will be subject to discipline, up to and including termination.

At the Executive Director's discretion, an employee who tests positive for drugs or alcohol under any of the circumstances described above may be offered an opportunity to enter into a Last Chance Agreement as a condition of continued employment. As a condition of continued employment with RRHA, the employee agrees and consents to the following:

1. Furnish RRHA with evidence that he/she has satisfactorily completed an RRHA-approved in-patient or out-patient rehabilitation program recommended by RRHA's Employee Assistance Program's MRO;
2. Furnish RRHA with written confirmation from a physician or counselor, satisfactory to RRHA, that he/she has recovered sufficiently to be able to resume his/her duties for RRHA safely and efficiently;
3. Advise RRHA of the nature and extent of any recommended aftercare treatment program and furnish RRHA with written confirmation of his/her continued compliance with such program;
4. Pass a drug retest prior to resuming work duties;
5. Be subject to periodic and unannounced rehabilitative drug and alcohol testing at any time by RRHA for a period of time, generally two (2) years;
6. The agreement will be reviewed at the end of its specified period and testing may be extended at the discretion of RRHA; and
7. In the event an employee tests positive in the course of the periodic rehabilitative drug and/or alcohol testing, otherwise fail satisfactorily to complete your drug rehabilitation program, fail to continue his/her aftercare program, possess, use or transfer illicit drugs or alcohol on RRHA premises or during working time, or engages in off-duty unlawful drug or alcohol-related conduct, he/she will be subject to immediate termination.

An employee who tests positive for drugs or alcohol under any of the circumstances described above on a second occasion will be terminated immediately.

**H. Interpretation of Test Results by a Medical Review Office (MRO)**

All positive test results must be retested by a third party certified laboratory. A Medical Review Officer will review and interpret all positive test results. When appropriate, the MRO will examine and consider alternate medical explanations for any positive test result. This action may include conducting a medical interview with the employee, reviewing the employee's medical history, or reviewing any other relevant biomedical factors. Before making a final decision to verify a positive test result, the MRO will give the employee who tests positive an opportunity to explain the test result.

**I. Prescriptions and Over-the-Counter Drugs**

Employees taking prescription drugs issued by a licensed physician or over-the-counter drugs are responsible for being aware of any effects such drugs may have on the performance of their duties.

An employee may continue to work even though taking a legal drug, if it is determined after consulting with medical personnel that the employee does not pose a threat to his or her own safety or the safety of co-workers and that the employee's job performance will not be significantly affected by the legal drug. Otherwise, the employee may be required to comply with other appropriate action.

If/when an employee does not comply with these requirements, a physician's prescription will not be an acceptable excuse for violation of the above policy, and the employee will be subject to disciplinary action.

J. Inspections

RRHA reserves the right to inspect and/or search all RRHA property, as well as any employee's personal property on RRHA premises, for intoxicating liquor, controlled or illegal substances, or any other substances which impair job performance.

Searches will only be conducted when RRHA has reasonable suspicion to believe that an employee has drugs or alcohol in his/her possession or has violated any rules pertaining to drug or alcohol use set forth in this policy. Only the Executive Director or designee is authorized to order such a search.

Refusal to submit to any such inspection or refusal to cooperate in any investigation will subject employee to disciplinary action including immediate suspension or termination.

Such inspection may be initiated by the authority without prior announcement and will be conducted at such times and locations as deemed appropriate.

## **TESTING AGREEMENT**

All employees will receive a copy of this policy at the time of hire and will be required to sign an agreement to be tested according to all terms of this policy. Any employee who refuses to sign a testing agreement shall be deemed in violation of this policy and will be subject to discipline, up to and including termination.

## **METHODS AND PROCEDURES FOR DRUG/ALCOHOL TESTING**

A. Selection of Testing Facility

Only a qualified and N.I.D.A. (National Institute on Drug Abuse) certified laboratory that accurately and reliably performs drug testing will be used.

B. Chain of Custody

Any and all collectors obtaining urine or blood from an employee for testing will follow the appropriate chain of custody procedures and shall be certified technicians as required.

C. Confirmation

Alcohol and drug testing will be conducted through methods with proven reliability and in strict compliance with the appropriate methodology.

If an applicant or employee fails to pass the initial drug screening test, then the original test sample will be further analyzed before any action is taken. If the employee fails to pass the initial alcohol screen, a confirmation test will follow fifteen minutes after the initial screen as indicated in the regulations.

#### D. Confidentiality

All records and information obtained by RRHA regarding alcohol and/or drug testing will be confidentially maintained by restricting access on a "need to know" basis to those designated by management.

The MRO will be the sole custodian of the individual test results. The MRO will release, however, the following limited information to RRHA, which will be retained in a separate file:

- a) whether the employee submitted to a drug or alcohol test;
- b) the date and location of such test;
- c) the identity of the person or entity performing the test and the person who is the custodian of the detailed test results; and
- d) the drugs and alcohol tested for and whether the test finding was positive or negative for each drug or alcohol.

No person, other than the MRO, may obtain this information from RRHA without the written authorization of the tested employee, unless required by law.

#### E. Record Keeping

The Medical Review Officer (MRO) will ensure that all records related to the administration and results of the drug testing program, including individual test results, are maintained for all employees for a period of five years.

### **TEST RESULTS**

Any employee who, as a result of testing, is found to have unauthorized alcohol or drugs in his or her system in excess of established standards, regardless of when or where the substance entered the employee's system, will be considered in violation of this policy.

No person may obtain individual test results retained by the MRO without written authorization from the tested employee except as provided by law.

### **SPECIMEN RETENTION**

All specimens deemed "positive" by the laboratory, according to prescribed testing procedures must be retained for identification and reconfirmation purposes at the laboratory for a period of at least one year.

If the results of an employee's drug test are positive, then the employee may request that the testing laboratory transfer a portion of the original specimen(s) to another approved laboratory for a confirmation testing. Any costs related to the transporting or testing of such specimen(s) will be the sole responsibility of the employee.

### **ALCOHOL AND DRUG ABUSE EDUCATION**

Annually, all employees will be provided with education to make them aware of a) the dangers of drug abuse in the workplace; b) RRHA's policy of maintaining a drug-free workplace; c) any available drug counseling, rehabilitation, and employee assistance programs; and d) the penalties that may be imposed upon employees for drug abuse violations.

Annually, supervisors will be provided with education, which will consist of training on alcohol misuse and controlled substances use. This education will cover reasonable suspicion indicators of probable alcohol misuse and drug use.

## **ALCOHOL AND DRUG POLICY VIOLATIONS**

1. Possession, use, distribution or sale of any alcohol or illegal drug on the job or on RRHA premises will result in disciplinary action up to and including termination.
2. Positive test results will result in disciplinary action up to and including termination. Upon the Executive Director's (or designee) discretion, an alternative to termination may be recommended by referring an employee to RRHA's Employee Assistance Program for an appropriate treatment source for assessment and possible treatment. Referring an employee to a treatment source does not necessarily preclude corrective discipline, which may include termination of employment, even for a first offense.
3. Depending on the circumstances surrounding other violations of this policy, an employee may be referred to an appropriate treatment source for assessment and possible treatment (at the employee's expense); however, referring an employee to a treatment source does not necessarily preclude corrective discipline, which may include termination of employment, even for a first offense.
4. Refusal to submit to alcohol and/or controlled substance testing will be considered a positive result and may result in disciplinary action, up to and including termination.
5. Refusal to be transported to the collection facility to take a drug or alcohol test will have the same effect as a positive test for all purposes under this policy, including disciplinary action up to and including termination.
6. If an employee is arrested on or off the job for drug involvement, he/she will be suspended without pay, pending the outcome of the arrest for a period not to exceed 60 days.
7. As a condition of employment, each employee must notify his/her immediate supervisor, within five calendar days, if he or she is convicted of a criminal drug violation.
8. Any employee convicted of a criminal drug offense will be terminated from RRHA and the Department of Housing & Urban Development will be notified within 10 days after receiving the notice.

Employees who are subject to discipline for violation of these guidelines may be offered participation in the EAP program as an alternative to termination at RRHA's option. Such employees will not be permitted to participate in the EAP more than once in order to preserve employment.

## **THE EMPLOYEE ASSISTANCE PLAN (EAP)**

Employees with alcohol or drug related problems are encouraged to voluntarily request assistance and are eligible to participate in the EAP. However, participation in the EAP does not relieve any employee from overall compliance with RRHA's Drug and Alcohol Abuse Policy, attendance, performance and/or other work rules and standards generally applicable to employees and therefore will not prevent nor lessen the extent of disciplinary action necessary. If RRHA determines, upon appropriate medical advice, that rehabilitation is not likely to be successful, the employee may be subject to termination.

Participants must use Personal Time Off and Leave Without Pay, subject to policy limitations, for periods of EAP participation during which they are off work.

For more information about the EAP, contact Human Resources.

## **COMPLIANCE WITH THE DRUG-FREE WORKPLACE ACT OF 1988**

In compliance with the Drug-Free Workplace Act of 1988, the RRHA will hereby:

- A. Publish its policy notifying employees that the unlawful manufacture, distribution, dispensation, possession or use of a controlled substance is prohibited in the workplace and specifying the actions that will be taken against employees who violate the policy.
- B. Establish a drug free awareness program for supervisors and employees;
- C. Distribute a copy of RRHA's Drug and Alcohol Abuse Policy to all employees;
- D. Notify the U.S. Department of Housing and Urban Development (HUD) after receiving actual notice of an employee's conviction for a violation of a criminal drug statute occurring in the workplace;
- E. Impose a sanction on, or requires the satisfactory participation in a drug abuse assistance or rehabilitation program by any employee who is so convicted; and
- F. Make a good faith effort to continue to maintain a drug free workplace through implementation of this program; and
- G. Notify its employees that, as a condition of employment with RRHA, the employee will:
  - a. Abide by the terms of the Drug and Alcohol Abuse Policy; and
  - b. Notify RRHA of any criminal drug statute conviction for a violation occurring in the workplace no later than five (5) days after such conviction.

**RECEIPT FOR ROANOKE REDEVELOPMENT AND HOUSING AUTHORITY  
DRUG AND ALCOHOL ABUSE POLICY**

I hereby acknowledge receipt of a copy of RRHA's Drug and Alcohol Abuse Policy and acknowledge that as a condition of my employment, I will abide by the terms and conditions of such policy and will notify my employer of any criminal drug statute conviction within five calendar days of the conviction.

RRHA's policy prohibits the hiring of any applicant who uses illegal and/or unauthorized drugs. As part of the pre-employment process, RRHA will conduct drug tests of prospective employees at its expense. Prospective employees who refuse to submit to a drug screening test or who fail such a test, excluding certifiable medical situations, will not be employed by RRHA.

I hereby consent to tests and/or searches to determine the presence or use of illegal and/or unauthorized drugs and/or alcohol. Further, I consent to the release of the test results and other relevant medical information to RRHA for appropriate review. I understand that positive test results or refusal to consent to these tests may disqualify me from employment. I agree to hold RRHA, its directors, officers, managers, supervisors, employees and agents harmless from any and all liability in connection with the testing and results of the tests mentioned above.

Furthermore, I hereby consent to a search of any packages, handbags, briefcases, lunchboxes, vehicles or any other personal effects I have on Company premises. I also understand and agree that RRHA also reserves the right to search my office, desk, files, lockers, or any other area or article of mine on RRHA premises. In this connection, I understand that all offices, desks, files, lockers, computers, etc. are the property of RRHA, and are issued for my use only during my employment. I agree that such inspections may be initiated by RRHA without prior announcement and may be conducted at such times and locations as deemed appropriate at the sole discretion of RRHA. I understand that if I refuse to cooperate in an inspection or questioning, or if after questioning or inspection I am believed to be in possession of illegal or unauthorized drugs or alcohol, I may be subject to disciplinary action up to and including discharge.

Furthermore, I understand that my consent to this policy does not in any way alter my at-will employment status, and as a result RRHA may terminate my employment and I may resign for any reason at any time.

AGREED TO:

\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Date



## **DRUG AND ALCOHOL ABUSE**

### **I. PURPOSE**

- A. The Roanoke Redevelopment and Housing Authority has long been committed to safe and healthful work environments for its employees. Additionally, we have an obligation to the public to conduct our operations safely and efficiently. With this commitment and obligation in mind, the Roanoke Redevelopment and Housing Authority is reaffirming its position on alcohol and drugs.
- B. Alcohol and drug abuse are major health problems in this country. Such abuse can adversely affect an employee's job performance, endanger other employees and members of the public as well as affect RRHA or private property, in both the immediate and long term ranges. The Roanoke Redevelopment and Housing Authority's goal is to help ensure a safe, healthy and productive work environment. RRHA is also reaffirming its willingness to assist employees with alcohol or drug-related problems to find the appropriate treatment for rehabilitation and recovery. Employees with need are encouraged to request such assistance through RRHA's Employee Assistance Program or through community agencies.

### **II. SCOPE**

This policy applies to all employees of the Roanoke Redevelopment and Housing Authority as well as for applicants for employment with RRHA. Furthermore, executive management will establish appropriate procedures to ensure that non-employees (vendors, contractors, trades people, etc.) on our premises are also made aware of the intent of this policy.

### **III. DEFINITIONS**

- A. Reasonable Suspicion. The presence or occurrence of specific objective facts or events that indicate the employee is, at the time of suspicion, under the influence of drugs or alcohol. Reasonable suspicion may include but is not limited to the following:
  - 1. A pattern of abnormal or erratic behavior (e.g., including but not limited to hyperactivity, unexplained mood or personality change, paranoia, hallucinations);
  - 2. Presence of the physical symptoms of drug or alcohol use (e.g., including but not limited to pin point or dilated pupils, alcohol odor or breath, slurred speech, lack of coordination, onset of unusual perspiration or shakes, unusual drowsiness or sluggishness);
  - 3. Direct observation of alcohol or drug use;
  - 4. Information provided by a reliable source, including but not limited to COPE team, other enforcement agencies, etc.;
  - 5. Possession of drugs, drug paraphernalia or alcohol;
  - 6. Masking techniques (including but not limited to excessive use of mouth wash, breath spray, etc.)
- B. Alcohol. Alcohol includes the intoxicating agent in beverage alcohol, ethyl alcohol, or other low molecular weight alcohols including methyl and isopropyl alcohol.

Policy No. 405

Date: December 20, 1996

Revised: 5/23/11 – Effective 7/01/11

- C. Drug(s). Includes any substance with the potential to produce the effects of a behavioral change which may adversely affect a person's ability to safely and efficiently perform his/her job, specifically those □controlled substances as outlined the code of Federal Regulations (21 CFR 1308) and FMCSR 40.21 which currently includes marijuana, cocaine, opiates, amphetamines, and phencyclidine. The terms "drugs" and "controlled substances" are synonymous in usage throughout this document.
- D. Employee(s). Persons that include all employees which are employed part-time or full time by the Roanoke Redevelopment and Housing Authority.
- E. Use of the Term "He". The term "he" will be used throughout this policy document to reference both genders and is used as a neutral pronoun.
- F. Drug Paraphernalia. **Any object** used to contain, inject, inhale, ingest, convert, or otherwise introduce a drug into the body.
- G. Substance Abuse. This includes the use of any substance that deviates from the intent of this policy or from specific medical direction.
- H. RRHA Premises. Used in its broadest sense, this refers to all land (including leaseholds, easements, and other job sites), property, buildings and other structures, vehicles owned by or leased by RRHA, and personal vehicles while used on RRHA business.
- I. On the Job. This term includes all time from when the employee begins to work or is required to be in readiness to work until the time he/she is relieved from work and all responsibility for performing work (including meal breaks).
- J. Medical Review Officer (MRO). RRHA contracts for the services of a MRO who is a licensed physician with knowledge and expertise in the area of substance abuse. The MRO shall review all positive drug test reports and interview individuals who have tested positive to verify the laboratory report prior to notifying RRHA.
- K. Accident (public roads). An occurrence involving an RRHA-owned motor vehicle, personal vehicle used for RRHA business, or other piece of motorized equipment which involves one or more of the following:
  - 1. a human fatality; or
  - 2. the RRHA employee-operator received a citation under State or local law for a moving traffic violation arising from the accident

Accident (private property). An occurrence involving an RRHA-owned motor vehicle, personal vehicle used for RRHA business, or other piece of motorized equipment which involves one or more of the following:

  - 1. if the RRHA employee-operator causes bodily injury to any person requiring immediate medical treatment away from the scene; or
  - 2. disabling damage to any motor vehicle requiring such vehicle to be towed away.
- L. Motor Vehicle. Every vehicle which is self-propelled or designed for self-propulsion, except a bicycle or moped.

- M. Motorized Equipment. Any piece of equipment, which is electric, battery, gasoline, or diesel powered and which is capable of transporting an individual or projecting an object.

#### IV. POLICY

- A. RRHA has an obligation to its employees, customers and the public at large to reasonably ensure safety in our workplace, as well as safety and quality in our service and developments. RRHA is committed to the prevention of substance abuse in the workplace. In addition, RRHA must comply with the Drug-Free Workplace Act. This policy will supplement existing personnel policies and procedures in order to assure a safe, efficient and substance-free workplace. It will become effective immediately and will be enforced uniformly with respect to all employees.
- C. The use, possession, or having a detectable presence of alcohol in one's system, or distribution or sale of alcohol on Roanoke Redevelopment and Housing Authority premises or on the job is prohibited.
1. If an employee arrives for work and the odor of alcohol is detected on or about his person, a witness will be called to verify that such an odor existed on or about the suspected employee. If no witness is available, the appropriate supervisor is to be contacted immediately. **Under no circumstances is an employee allowed to drive or operate any RRHA equipment while under suspicion.** If such an odor is confirmed, the employee will be informed that the odor of alcohol is present about him, and he is not to begin work. The suspected employee is to be informed of the following:
    - a.) The employee may contest the judgment of the accuser or supervisor and their witness and submit to a breath test for a determination.
    - b.) The employee must leave RRHA premises. He is also to be informed that a report will be made to management for a determination as to his continued employment.
    - c.) The employee may be required to submit to a substance abuse test.
  2. Off-the-job abuse of alcohol which adversely affects an employee's job performance, or adversely affects or threatens to adversely affect other interests of RRHA or other persons, is prohibited.
- D. The use or having a detectable presence of drugs in one's system (except where specifically authorized; see Section D below), or the possession, distribution or sale of drugs and drug paraphernalia while on the job or on RRHA premises, is prohibited.
1. Illegal drugs will be confiscated if found and may be turned over to the appropriate law enforcement agency, which may also result in criminal prosecution.
  2. The off-the-job abuse or illegal possession of drugs which adversely affects an employee's job performance, or adversely affects or threatens to affect other interests of the Roanoke Redevelopment and Housing Authority or other persons, is prohibited.

Policy No. 405

Date: December 20, 1996

Revised: 5/23/11 – Effective 7/01/11

**Note: Should the employee's condition suggest that his judgment is so impaired that the he may be a danger to himself or others upon leaving, particularly if they are driving, he is to be told that the supervisor will call someone for transportation or a taxi to return him home or to any other location he may choose. If the employee fails to respond favorably to this advice, then the supervisor is to notify the appropriate authorities (police) to handle the situation.**

D. Prescriptions and Over-the-Counter Drugs

1. **Employees taking prescription drugs issued by a licensed physician or other-the-counter drugs are responsible for being aware of any effects such drugs may have on the performance of their duties.**

An employee may continue to work even though taking a legal drug, if determined after consulting with medical personnel that the employee does not pose a threat to his or her own safety or the safety of co-workers and that the employee's job performance will not be significantly affected by the legal drug. Otherwise, the employee may be required to take a leave of absence or comply with other appropriate action.

2. Where an employee does not comply with these requirements, a physician's prescription will not be an acceptable excuse for violation of the above policy, and the employee will be subject to disciplinary action.
3. Use of medications prescribed for another individual or relative of the employee is considered to be improperly used and subject the employee to discipline for violation of the above policy.

E. Independent Contractors and Temporary Employees

Employees of independent contractors and temporary RRHA employees who violate this policy will not be allowed on RRHA premises or otherwise to perform services on behalf of RRHA.

F. Substance Abuse Training

As part of the RRHA's commitment to a drug and alcohol-free workplace, annual substance abuse training will be held for all employees. Each employee will be required to sign RRHA's Drug and Alcohol Abuse Policy, acknowledging that they understand and will abide by the policy.

G. Testing For Substance Abuse

RRHA's Employment Policy prohibits the hiring of any applicant who uses illegal drugs. As part of the hiring process, each prospective employee will be required to complete a questionnaire regarding the use of illegal drugs and undergo a drug screening test at the expense of RRHA.



Upon **reasonable suspicion**, management may require an employee to be tested for substance abuse when it appears that the employee's work performance or on-the job behavior is being affected in any way by drugs or alcohol, or when, in RRHA's judgment, an employee may have contributed to an accident involving bodily injury or damage to property.

H. Inspections

In order to enforce the goals of this policy, the RRHA reserves the right to inspect and/or search all RRHA property, as well as any employee's personal property on RRHA premises, for intoxicating liquor, controlled or illegal substances, or any other substances which impair job performance. Searches will only be conducted when RRHA has reasonable suspicion to believe that an employee has drugs or alcohol in his/her possession or has violated any rules pertaining to drug or alcohol use set forth in this policy. Only the Executive Director or a member of the executive staff can order a search.

RRHA will conduct searches with appropriate regard for the personal privacy of the employee. Refusal to submit to any such inspection or refusal to cooperate in any investigation will subject employee to disciplinary action including immediate suspension or discharge. (See Policy No. 430, Disciplinary Action.)

**The objective of these inspections is to deter the use, possession, distribution, sale or transportation of illegal drugs and alcohol in order to provide a safe work environment. Such inspection may be initiated by the authority without prior announcement and will be conducted at such times and locations as deemed appropriate.**

V. PROCEDURES - ALCOHOL AND DRUG TESTING

A. Pre-Employment Screening

1. RRHA's Selection and Hiring Policy prohibits the hiring of any applicant who uses illegal drugs. As part of the post job offer of employment process, applicants are required to complete a questionnaire regarding the use of illegal drugs. In addition, drug pre-employment screening will be conducted at RRHA's expense.
2. Prospective employees who refuse to submit to a drug screening test, or who fail such a test, excluding certified medical situations, will not be offered employment with RRHA.
3. Each applicant for employment with RRHA will be advised of RRHA's above employment policy and consent in writing to drug screening as a part of the employment process.

B. Reasonable-Suspicion Testing

1. An employee may be required to submit urine and/or blood specimens for alcohol and drug testing under justifiable circumstances, including but not limited to the following:

Policy No. 405

Date: December 20, 1996

Revised: 5/23/11 – Effective 7/01/11

- a.) When appropriate supervisors have reasonable suspicion to believe that an employee is using alcohol or performance-altering drugs on the job or on RRHA's premises; and/or
- b.) When appropriate supervisors have reasonable suspicion to believe that the abuse of alcohol or drugs has adversely affected an employee's job performance, or has adversely affected, or threatens to adversely affect, other interests of RRHA.

2. The following procedures shall govern the order for testing under this section:

- a.) The Board of Commissioners, or the Human Resources Department if so designated by the Board, may order testing of the Executive Director.
- b.) Under suspicion, a Supervisor shall contact one of RRHA's Division Directors not responsible for the employee's division. After discussing the information provided by the Supervisor, the Division Director shall make the final decision whether or not testing is required.
- c.) RRHA shall provide transportation to the collection/test facility.
- d.) **Testing as a condition of participation in the Employee Assistance Program:** An employee who enters the Employee Assistance Program as a condition of continued employment may be required to submit to periodic or unannounced drug or alcohol testing to assure compliance with the program.

C. Post Accident/Incident Drug and Alcohol Testing

- 1. An employee involved in an on-the-job accident/incident **is required to be drug and alcohol tested.** For further information describing the requirements under this regulation, please read. **APPENDIX A, PART II, POST-ACCIDENT/INCIDENT DRUG AND ALCOHOL TESTING PROCEDURES.**

D. Return-to-Duty Drug/Alcohol Testing

- 1. An employee will undergo a return-to-duty controlled substances test resulting negative after engaging in conduct prohibited by this policy concerning controlled substances before returning to duty. An employee will undergo a return-to-duty alcohol test resulting in an alcohol concentration of less than 0.02 after engaging in conduct prohibited by this policy concerning alcohol before returning to duty.

E. Effect of a Positive Test or Refusal to Take a Test

- 1. An employee who tests positive for drugs or alcohol will be subject to discipline, up to and including discharge.
- 2. An employee who tests positive for drugs or alcohol under any of the circumstances described above who remains employed will be required to enter into a Last Chance Agreement. As a condition of continued employment with RRHA, the employee agrees and consents to the following:
  - a. furnish RRHA with evidence that you have satisfactorily completed an RRHA-approved in-patient or out-patient rehabilitation program recommended by RRHA's Employee Assistance Program

- b. furnish RRHA with written confirmation from a physician or counselor satisfactory to RRHA that you have recovered sufficiently to be able to resume your duties for RRHA safely and efficiently
  - c. advise RRHA of the nature and extent of any recommended aftercare treatment program and furnish RRHA with written confirmation of your continued compliance with such program
  - d. pass a drug retest prior to resuming work duties
  - e. be subject to periodic and unannounced rehabilitative drug and alcohol testing at any time by RRHA for a period up to two (2) years from this date of such longer period of time deemed appropriate by the EAP counselor. (The schedule for testing will be developed by EAP and submitted to Human Resources)
  - f. the agreement will be reviewed at the end of the two year period and testing may be extended at the discretion of RRHA and upon consideration of the recommendation of the EAP counselor at that time
  - g. in the event you test positive in the course of the periodic rehabilitative drug and/or alcohol testing, otherwise fail satisfactorily to complete your drug rehabilitation program, fail to continue your aftercare program, possess, use or transfer illicit drugs or alcohol on RRHA premises or during working time, or engage in off-duty unlawful drug or alcohol-related conduct, you will be subject to immediate discharge.
- 3. An employee who tests positive for drugs or alcohol under any of the circumstances described above on a second occasion will be discharged immediately.
  - 4. A refusal to take a drug or alcohol test will have the same effect as a positive test for all purposes under this policy and procedure, including discipline.
  - 5. A refusal to be transported to the testing facility to take a drug or alcohol test will have the same effect as a positive test for all purposes under this policy and procedure, including discipline.
  - 6. Adulteration of a testing specimen and/or other conduct interfering with the administration of a drug or alcohol test will constitute a refusal to take a drug or alcohol test for purposes of this policy.

F. Interpretation of Test Results by a Medical Review Office (MRO)

- 1. A Medical Review Officer will review and interpret all positive test results. When appropriate, the MRO will examine and consider alternate medical explanations for any positive test result. This action may include conducting a medical interview with the employee, reviewing the employee's medical history, or reviewing any other relevant biomedical factors. Before making a final decision to verify a positive test result, the MRO will give the employee who tests positive an opportunity to explain the test result.

VI. TESTING AGREEMENT

- A. An employee required to submit to alcohol and/or drug testing will be requested to sign a testing agreement.

Policy No. 405

Date: December 20, 1996

Revised: 5/23/11 – Effective 7/01/11

- B. An employee who refuses to sign the requested testing agreement, or who refuses to submit to testing after signing the agreement, shall be deemed in violation of this policy and will be disciplined accordingly.

## VII. METHODS AND PROCEDURES FOR DRUG/ALCOHOL TESTING

### A. Selection of Testing Facility

- 1. Only a qualified and N.I.D.A. (National Institute on Drug Abuse) certified laboratory that accurately and reliably performs drug testing will be used. At present, we utilize Carilion Occupational Health, a third party administration to coordinate the appropriate lab services and to administer the breath alcohol testing.

### B. Chain of Custody

- 1. Any and all collectors obtaining urine or breath samples from an employee for testing will follow the appropriate chain of custody procedures and shall be certified technicians as required.

### C. Confirmation

- 1. Alcohol and drug testing will be conducted through methods with proven reliability and in strict compliance with the appropriate methodology. If an applicant or employee fails to pass the initial drug-screening test, then the original test sample will be further analyzed using *gas chromatography/mass spectrometry* before any action is taken. If the employee fails to pass the initial alcohol screen, a confirmation test will follow fifteen minutes after the initial screen as indicated in the regulations.

### D. Confidentiality

- 1. All records and information obtained by the Roanoke Redevelopment and Housing Authority regarding alcohol and/or drug testing, the test results, and treatment of employees for chemical dependency will be confidentially maintained by restricting access on a "need to know" basis to those designated by management.
- 2. The MRO will be the sole custodian of the individual test results. No person may obtain the individual test results retained by the MRO without first obtaining written authorization from the tested employee, unless required by law. The MRO will release, however, the following limited information to RRHA, which will be retained in a separate file:
  - a.) whether the employee submitted to a drug or alcohol test;
  - b.) the date and location of such test;
  - c.) the identify of the person or entity performing the test and the person who is the custodian of the detailed test results; and
  - d.) the drugs and alcohol tested for and whether the test finding was positive or negative for each drug or alcohol.



No person, other than the MRO, may obtain this information from RRHA without the written authorization of the tested employee, unless required by law.

E. Record Keeping

1. Carilion Occupational Health and the Medical Review Officer (MRO) will ensure that all records related to the administration and results of the drug testing program, including individual test results, are maintained for all employees for a period of five years. The MRO will retain reports of the individual positive test results. An annual summary will be maintained and all reports required by regulations will be timely filed.

VIII. TEST RESULTS

- A. Any employee who, as a result of testing, is found to have unauthorized alcohol or drugs in his or her system in excess of established standards, regardless of when or where the substance entered the employee's system, will be considered in violation of this policy. However, testing is not a prerequisite for a department supervisor to find that an employee has used alcohol or drugs in violation of this policy.
- B. No person may obtain individual test results retained by the MRO without written authorization from the tested employee except as provided by law.

IX. SPECIMEN RETENTION

- A. All specimens deemed "positive" by the laboratory, according to prescribed testing procedures must be retained for identification and reconfirmation purposes at the laboratory for a period of at least one year.
- B. If the results of an employee's drug test are positive, then the employee may request that the testing laboratory transfer a portion of the original specimen(s) to another approved laboratory for a second confirmation testing. **Any costs related to the transporting or testing of such specimen(s) will be the sole responsibility of the employee.**

X. ALCOHOL AND DRUG ABUSE EDUCATION

- A. Employees will be provided with at least two hours of education upon application acceptance regarding:
  1. The effects and consequences of controlled substances and alcohol on your personal health, safety, and your work environment.
  2. The manifestations and behavioral changes that may indicate controlled substance use or abuse.
- B. All supervisors will receive a minimum of four (4) hours of education, which will consist of two (2) hours of training on alcohol misuse and an additional two (2) hours of training on controlled substances use. This education will cover reasonable suspicion indicators of probable alcohol misuse and drug use such as speech, performance, and behavior awareness information.

Policy No. 405

Date: December 20, 1996

Revised: 5/23/11 – Effective 7/01/11

## XI. ALCOHOL AND DRUG POLICY VIOLATIONS

- A. Possession, use, distribution or sale of any alcohol or illegal drug on the job or on Roanoke Redevelopment and Housing Authority premises will result in disciplinary action up to and including discharge.
- B. Positive test results will result in disciplinary action up to and including discharge. Upon the Department Supervisor's discretion, an alternative to discharge may be recommended by referring an employee to the Employee Assistance Program for an appropriate treatment source for assessment and possible treatment. Please see Section XII for more information and for the specific requirements of completion. Referring an employee to a treatment source does not necessarily preclude corrective discipline, which may include termination of employment, even for a first offense.
- C. Depending on the circumstances surrounding other violations of this policy, an employee may be referred to an appropriate treatment source for assessment and possible treatment (at the employee's expense). However, this referral will not defer the employee from being subject to disciplinary action up to and including discharge for such violation.
- D. Refusal to submit to alcohol and/or controlled substance testing will be considered a positive result and may result in discharge or other action as referenced in Part XI-B above.
- E. Refusal to be transported to the collection facility to take a drug or alcohol test will have the same effect as a positive test for all purposes under this policy, including discipline.
- F. If an employee is arrested on or off the job for drug involvement, he/she will be suspended without pay, pending the outcome of the arrest.
- G. Any employee convicted of a drug offense will be terminated from RRHA and the Department of Housing and Urban Development will be notified within 10 days after receiving the notice.

## XII. ELEMENTS OF THE EMPLOYEE ASSISTANCE PLAN (EAP)

- A. Eligibility  
Any employee or member of an employee's family is eligible for assistance from the Employee Assistance Program. The term "employees", as used in the following passages, are to be considered as employees and their families.
- B. Employees may receive up to three (3) counseling sessions free of charge. However, the Roanoke Redevelopment and Housing Authority does not accept any expense associated with any recommendations or services which might be made available by the administrators of the EAP.
- C. Confidentiality
  - 1. All records and information pertaining to an employee's or dependent's involvement with the EAP will be held in strict confidence and will not become part of the employee's personnel file.

2. Involvement with the EAP will be on a voluntary basis, and under no circumstances will involvement jeopardize any employee's job security or promotional opportunity. When participation is strictly voluntary, all information regarding the counseling relationship will remain confidential between the employee and the chosen EAP service used. Suggested use of EAP services by management to an employee will result in a minimum disclosure of information regarding the service, but will remain separate from personnel files as well as confidential between coordinators and upper management.

D. Alcohol and Drug Abuse

1. Employees with alcohol or drug related problems are encouraged to voluntarily request assistance (come forward) and are eligible to participate in the EAP. However, participation in the EAP does not relieve any employee from overall compliance with RRHA's Drug and Alcohol Abuse Policy, attendance, performance and/or other work rules and standards generally applicable to employees and therefore will not prevent not lessen the extent of disciplinary action necessary. If RRHA determines, upon appropriate medical advice, that rehabilitation is not likely to be successful, the employee may be subject to discharge.
2. Employees who are subject to discipline for violation of these guidelines may be offered participation in the EAP program as an alternative to discharge at RRHA's option. Such employees will not be permitted to participate in the EAP more than once in order to preserve employment.
3. Upon consent of RRHA officials and the employee, actual program procedures and standards will be determined by competent EAP program experts. Program assistance will be out-sourced to established institutions and/or organizations chosen by RRHA. Such institutions and/or organizations authorized to administer the EAP will recommend a course of in-patient treatment and/or out-patient counseling after evaluating each individual employee's case. Eligible employees must agree to participate in and successfully complete any recommended in-patient treatment and/or out-patient counseling as a condition of continued employment with RRHA.
4. Eligible employees participating in any recommended out-patient counseling program pursuant to the EAP counselor's recommendations are eligible to return to work in their regular job after all of the following steps are complete:
  - a.) Conclusion of any disciplinary suspension;
  - b.) Appropriate EAP counselors recommend that the employee can safely return to duty;
  - c.) The employee signs a statement agreeing to satisfactorily complete recommended out-patient counseling; and
  - d.) The employee consents to follow-up, periodic and unannounced drug and alcohol testing as hereafter outlined (see Appendix A).
5. The employees admitted to an in-patient treatment program pursuant to the EAP are eligible to return to their regular jobs after they have satisfactorily completed the following:
  - a.) Their in-patient course of treatment;



Policy No. 405

Date: December 20, 1996

Revised: 5/23/11 – Effective 7/01/11

- b.) The employee signs a statement agreeing to continue any recommended aftercare program; and
- c.) The employee consents to follow-up, periodic and unannounced drug and alcohol testing as hereinafter outlined (see Appendix A).

E. Other EAP Assistance Available

- 1. The Employee Assistance Program is not only available for use in alcohol and abuse matters. If an employee has any problem for which he/she believes outside assistance would be of value in eliminating or understanding the problem, then he/she contact the EAP at the number shown below. However, RRHA does not accept any expense associated with any recommendations or services which might be made available by the administrators of the EAP. Costs must be, and are, the sole responsibility of the person who utilized the program.

F. Back-pay and Benefits

- 1. There will be no entitlement to back-pay for any EAP program participants. Such participants will be entitled to use Personal Time Off (at conclusion of any disciplinary suspension) and Leave Without Pay for periods of EAP participation during which they are off work. They will also be entitled to continue participation in RRHA's benefit programs and to accrue the same benefits as provided in applicable RRHA policies, with employees responsible for all costs associated.

G. How To Get In Touch With The EAP

- 1. For more information about the EAP, contact the Human Resources Director or call the EAP direct at (540) 981-8950 and ask for the **EAP Administrator**.

XIII. CHANGES TO POLICY AND TESTING PROCEDURES

- A. These guidelines are intended as advice concerning general RRHA practices and procedures. The contents hereof should not be viewed as binding or contractual in nature, but rather as general guidelines only. RRHA reserves the right to respond to all situations in the best interest of RRHA and to review and amend these guidelines as necessary.

XIV. COMPLIANCE WITH THE DRUG-FREE WORKPLACE ACT OF 1988

- A. In compliance with the Drug-Free Workplace Act of 1988, the Authority hereby:
  - 1. Publishes its policy notifying employees of RRHA's drug prohibitions in the workplace and specify any actions that will be taken against employees for violations of such policy.
- B. Establishes a drug free awareness program to inform employees about:
  - 1. the dangers of drug abuse in the workplace;

2. RRHA's policy of maintaining a drug free workplace;
  3. any available drug counseling, rehabilitation and employee assistance programs; and
  4. the penalties that may be imposed upon employees for drug abuse violations.
- C. Distributes to all RRHA employees a copy of RRHA's Drug and Alcohol Abuse Policy referenced in paragraph A.
- D. Notifies employees in RRHA's Drug and Alcohol Abuse Policy that, as a condition of employment with RRHA, the employee will:
1. abide by the terms of the Drug and Alcohol Abuse Policy; and
  2. 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.
- E. Notifies employees in RRHA's Drug and Alcohol Abuse Policy that RRHA will:
1. notify the U.S. Department of Housing and Urban Development (HUD) after receiving actual notice of an employee's conviction for a violation of a criminal drug statute occurring in the workplace;
  2. impose a sanction on, or require the satisfactory participation in a drug abuse assistance or rehabilitation program by any employee who is so convicted; and
  3. make a good faith effort to continue to maintain a drug free workplace through implementation of this program.

## APPENDIX A

### DRUG AND ALCOHOL TESTING PROCEDURES

#### I. PERIODIC AND UNANNOUNCED DRUG AND ALCOHOL TESTING

- A. Random testing will be conducted for all employees who return to work after participating in any out-patient or in-patient substance abuse EAP program. The drug and alcohol tests are unannounced and the selection is made via computer through a non-biased means of choice.
- B. The selection process is done confidentially through our drug screening vendor. They will notify the Human Resources Director or other appointed personnel at RRHA, who will in turn notify the selected employee.
- C. Due to the purpose behind the testing, the following procedures apply for RRHA employees subject to periodic and unannounced drug and alcohol testing:
1. When an employee is selected for drug and/or alcohol testing and notified of such by the Human Resources Department, he or she will not perform work functions until the drug and/or alcohol test is administered. The employee shall proceed to the test site immediately upon notification.

Policy No. 405

Date: December 20, 1996

Revised: 5/23/11 – Effective 7/01/11

2. Testing will only be administered while the employee is performing on-the-job functions, just before or just after being on-the-job and/or RRHA time.
  3. Any rare exceptions to Part B above must be approved by the Executive Director.
  4. **If RRHA knows an employee who has been selected is out of town or on tour of duty, then the employee will not be notified until he or she is able to proceed to the testing site.**
- D. Further questions or problems concerning selection, employee participation, and drug and alcohol testing should be addressed to the Human Resources Director.

## II. POST-ACCIDENT/INCIDENT DRUG AND ALCOHOL TESTING

- A. An employee-operator involved in an accident during the work shift or otherwise on the **job is required to be drug and alcohol tested**. An accident is any on-the-job occurrence involving an RRHA owned motor vehicle, personal vehicle used for RRHA business, or other piece of motorized equipment which involves one or more of the following:

### Public Roads:

1. a human fatality; or
2. the RRHA employee-operator received a citation under State or local law for a moving traffic violation arising from the accident

### Private Property:

1. if the RRHA employee-operator causes bodily injury to any person requiring immediate medical treatment away from the scene; or
2. disabling damage to any motor vehicle requiring such vehicle to be towed away

- B. The drug and alcohol tests should be accomplished as soon as practical after an accident (ideally within two hours of the accident) but no later than 32 hours for a drug test and no later than 8 hours for an alcohol test.
- C. **Failure to report an accident to a supervisor as soon as practicable will have the same effect as a positive test for all purposes under this policy and procedure.**
- D. If an employee is disabled and cannot give a specimen at the time of a reportable accident, RRHA will document all conversation held with authorized personnel, hospital staff, and especially the employee himself. The employee is to sign a Medical Release form upon employment to be put into the Personnel File for such a purpose. This release will simply state that the employee gives permission for RRHA to obtain hospital records to determine use of any controlled substances. We will obtain this information from the hospital before the employee may work again for us.



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## **REDUCTION-IN-FORCE**

### **POLICY**

The purpose of this policy is to provide equitable treatment for the layoff of employees when reduction-in-force becomes necessary. This policy is designed to be fair and equitable to all employees without regard to race, color, religion, sex, age, national origin or disability status. Changing priorities, budgetary constraints, reorganization, work shortage, outsourcing opportunities, and/or other business conditions may require a decrease in staff levels by means of a personnel reduction-in-force (RIF). A RIF may require the separation, involuntary demotion, reassignment or reduction in work hours of RRHA's employees. A RIF may be temporary or permanent.

The RRHA will assess the value of the affected service areas and/or functions with respect to the impact that would result from the elimination of that service/function, or of retaining only the vital portions of that service/function in a reduced capacity.

Before competent employees are separated, RRHA will determine whether an employee keeps his/her present position, or whether the employee may be reassigned to a different position.

The Board of Commissioners has established this policy and delegates responsibility to the Executive Director to establish or modify procedures for implementation of the policy. Current procedures are detailed below.

### **SCOPE**

This policy applies to all regular full time and part time employees who have successfully completed their Initial Employment Period.

This policy does not apply to temporary employees and employees who have not completed their Initial Employment Period.

### **PROCEDURE FOR REDUCTION-IN-FORCE**

A RIF decision requires a thorough evaluation of the need for particular positions/functions and the relative value of specific employees so that RRHA can provide the highest level of service possible with a reduced work force.

#### **I. The agency shall determine the following items prior to implementing a reduction-in-force:**

- i What is the reason(s) for the RIF;
- ii What areas(s) of the agency are to be impacted by the RIF;
- iii What is the expected impact to the affected areas;
- iv How many positions in each division and department are to be eliminated; and
- v Where the transfer of employees would and would not be practical.

#### **II. Determining the retention or separation of a particular employee may include:**

- i The skills necessary to perform the appointment under consideration.
- ii The employee's proven skills and productivity necessary to carry out the efficient operations of his/her current job.
- iii The employee's capability to assume more or even different job responsibilities as a result of

- his/her demonstrated ability and productivity.
- iv The employee's performance evaluations for the last 3-year period.
- v The employee's record of disciplinary actions including Last Chance Agreements, if any, in the last 3-year period.
- vi The actual or potential adverse impact on protected group individuals.
- vii The employee's length of service (*length of service will be considered but may receive less weight in the determination*).
- viii The agency's need to retain necessary qualifications that are vital to the delivery of services.

III. Priority for reduction-in-force is determined within the following guidelines:

Employees in their Initial Employment Period and temporary employees in the same or related classifications must be terminated before any regular employee in the same or a related classification, provided that the regular employee can perform the temporary employee's tasks.

1. Each position and job function within the division/department involved will be assessed with regard to the agency's need to continue the service or function. The value of the service/function will be evaluated with respect to the impact that would result from the elimination of that service/function, or of retaining only the vital portions of that service/function in a reduced capacity.
2. Where the impact that would result from the elimination of a position or job function is determined to be relatively less significant, such position or job function should be slated for abolishment as a result of the RIF. Consideration will also be given to combining two or more jobs into one remaining position where applicable.
3. Each covered employee occupying a to-be-abolished position will be evaluated in comparison to covered employees occupying the same, similar or comparable remaining positions, with the objective being to identify employees who can maintain the agency's need for high productivity and performance.
4. Each covered employee will be evaluated with regard to his/her capability to assume more or even different job responsibilities as a result of his/her demonstrated ability and productivity.
5. Each covered employee's past performance for the last three (3) years will be reviewed and considered. Considerations such as results of effort, accomplishments, judgment, attendance, and recognitions such as promotions, letters of commendation, demotions, denied merit increases, reprimands, and documented positive/negative evaluations may be considered.
6. Those covered employees who rank low with regard to skill and productivity in both their current and potential performance should be designated as the to-be-laid-off individuals.
7. Those employees occupying the to-be-abolished positions who rank high in the comparisons set forth in Section II- i:vii, are to be considered for retention and/or reassignment to those same, similar or comparable positions occupied by non-covered employees or the to-be-laid-off employees.
8. RRHA may, at its sole discretion, retain certain employees without regard to length of service because of the employee's special knowledge, skill, training, or experience that is needed by the agency.
9. In accordance with federal guidelines affecting equal employment opportunity/affirmative action, any application of the reduction-in-force policy must be reviewed by Human Resources to determine its impact on the agency's affirmative action goals.

IV. Briefing the affected employee:

Once the RIF plan has been determined, the appropriate manager will meet with the employee bring laid off and provide the following information in writing:

1. The reason for the reduction-in-force;
2. The effective date of the reduction-in-force (at least two (2) weeks following notification date);
3. Benefits eligibility;
4. The amount of accrued PTO up to 75 hours to be paid out, if any;
5. An Agreement & Release – *the payment of severance is dependent on the execution of the Agreement & Release by the exiting employee;*
6. The amount of severance pay\* due, if any;
7. The employee's right to retire, if applicable;
8. Advise the employee that the termination, layoff, demotion or suspension from duties because of a reduction in force is a non-qualifying event in RRHA's Grievance Policy; and
9. The employee's right to apply for open positions for which he/she is qualified as they occur.

\*Severance pay equals one week of pay for each full year of service up to a maximum of 10 weeks.

Severance payments and PTO payouts will be directly deposited into the bank account currently set up.



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## **REDUCTION-IN-FORCE AND RECALL**

### **I. POLICY**

Economic conditions, changes in funding or other unforeseen circumstances may require adjustments in staff levels by means of a personnel reduction-in-force (RIF). Before competent employees are separated, the Authority will explore reasonable possibilities for reassignment. Liaison concerning this subject will be maintained with Human Resources by supervisors to explore any possible transfers of personnel.

### **II. SCOPE**

This policy applies to all classified employees.

### **III. PURPOSE**

To provide guidelines for reduction in the workforce and recall procedures.

### **IV. PROCEDURE FOR REDUCTION-IN-FORCE**

These procedures will guide reductions in the workforce:

- A. Determination of needed staffing level is the sole discretion of the Executive Director and the Division Directors (Management). Management has the sole right to establish, change or abolish positions. When a reduction-in-force is necessary, the following will be considered in determining which personnel will be laid off.
  - 1. The employee's ability to carry out functions necessary to the continued efficient operations of the Authority.
  - 2. The employee's performance evaluations for the last 3-year period.
  - 3. The employee's length of service.
- B. The Authority may, at the sole discretion of Management, retain certain employees without regard to length of service because of the employee's special knowledge, skill, training, or experience that is needed by the Authority.
- C. The Executive Director along with Division Directors (Management) will determine the number of positions to be eliminated. The Division Directors will make recommendations on which employee(s) are to be laid off from their Division based on criteria set forth in Paragraph A. These recommendations will be reviewed by Executive Director, Division Directors and Human Resources Director to ensure that the recommended reductions are consistent with this policy and with applicable law.
- D. Two weeks notice will be given to employees scheduled to be separated due to a RIF.
- E. Personal Time Off earned but not yet taken will be paid to the laid-off employee.

### **V. PROCEDURE FOR RECALL**

These guidelines will apply to recall of employees laid off due to a RIF:

- A. Before hiring new employees from outside the company, recall from RIF will be made of qualified employees separated within the past 12 months. An employee will be considered qualified if, in Management's sole discretion, a reasonable period of training can be expected to lead to qualification for the new position.
- B. When considering recall of qualified employees with similar skills and abilities, past performance and length of service will be considered as primary selection criteria. Employees recalled will not be required to serve a new probationary period. They will assume their original date of hire and accrue Personal Time Off leave at the same rate as they did at the time they were laid off. If an employee is recalled to a different position from his/her previous position, he/she will be paid at the rate for the new position.
- C. An employee to be recalled will be notified by certified letter sent by the Human Resources Director to the most recent address on file in Human Resources. It is the responsibility of the employee to notify Human Resources when there is an address change. The notification will specify the date for return to work. If the employee does not return to work or contact the Authority to make satisfactory arrangements to return to work within ten (10) working days of the mailing date of the letter, the employee will be terminated and will be eligible for reinstatement to the recall list only if some exceptional circumstances prevented the employee from responding.

#### VI. PRIORITIES FOR RECOMMENDING POSITION/PERSONNEL REDUCTION

##### A. First Priority: Necessity of Function (Position)

- 1. Each position and job function within the division/department involved will be assessed with regard to the Authority's need to continue the service or function. The value to the Authority of the service/function will be evaluated with respect to the impact that would result from the elimination of that service/function, or of retaining only the vital portions of that service/function in a reduced capacity.
- 2. Where the impact that would result from the elimination of a position or job function is determined to be relatively less significant, such position or job function should be slated for abolishment as a result of the RIF. Consideration will also be given to combining two or more jobs into one remaining position. Division Directors will document these considerations and their conclusions.

##### B. Second Priority: Productivity and Performance (Employees)

- 1. Each employee within the division occupying a to-be-abolished position will be evaluated in comparison to employees occupying the same, similar or comparable remaining positions, with the objective being to identify employees who can maintain the Authority's need for high productivity and performance. Each employee's individual contribution to the Authority in terms of his/her demonstrated ability to do his/her current job will be considered first.
- 2. Each employee will be evaluated with regard to his/her capability to assume more or even different job responsibilities as a result of his/her demonstrated ability.
- 3. Each employee's past performance will be reviewed and considered. Considerations such as results of effort, accomplishments, judgment, attendance, and recognitions such as promotions, letters of commendation, demotions, denied merit increases, reprimands, and documented positive/negative evaluations may be considered.

4. Those employees who rank low with regard to productivity in both their current and potential performance should be designated as the to-be-laid-off individuals.
5. Where those employees occupying the to-be-abolished positions rank high in the comparisons set forth in B(1)-(3) above, they are to be considered for retention and/or reassignment to those same, similar or comparable positions occupied by the to-be-laid-off employees.
6. Exception to this procedure is allowable where specific and/or highly specialized skills requiring considerable training or education are involved in the remaining positions. Division Directors will document these comparisons and their conclusions.